

INSPECTOR'S NOTE OF PRE - INQUIRY MEETING

HELD ON 31 AUGUST 2017 IN THE COUNCIL CHAMBER, CAMDEN TOWN HALL

ROAD TRAFFIC REGULATION ACT 1984

The Camden (Torrington Place to Tavistock Place) (Prescribed Routes, Waiting and Loading Restrictions and Loading Places) Traffic Order [2017]

Planning Inspectorate Reference: DPI/X5210/17/8

Introduction

1. I opened the Pre-inquiry meeting at 1:00 pm on 31 August 2017. I am an independent Inspector with the Planning Inspectorate appointed by the London Borough of Camden to conduct an inquiry into The Camden (Torrington Place to Tavistock Place) (Prescribed Routes, Waiting and Loading Restrictions and Loading Places) Traffic Order [2017] (the Order). I will subsequently submit a report to the Council which will set out the gist of the representations made at the inquiry and in writing together with my conclusions and recommendations.
2. The inquiry is due to open at 10:00 am on 10 October 2017 at the offices of the London Borough of Camden, Floor 11, 5 Pancras Square, London, N1C 4AG. The purpose of the Pre-inquiry meeting was to discuss procedural and administrative matters relating to the inquiry.
3. I will be assisted at the inquiry by Pauline Butcher who has been appointed as Programme Officer and will deal with procedural, administrative and programme matters. She is not employed by the Planning Inspectorate and will not have any influence on my recommendation to the Council. She was unable to attend the Pre-inquiry meeting.

Identification of participants

4. The Programme Officer has requested details of those who intend to give evidence at the inquiry. Anyone who wishes to appear at the inquiry and has not contacted the Programme Officer should do so using her Email address of camdentransportinquiry@outlook.com or telephone 07823 494353. The inability to attend or to be represented at the PIM in no way prejudices any right to make representations at the inquiry itself.
 5. At the Pre-inquiry meeting the Council was represented by Mr D Smith, of Counsel. The Council intend to call around 4 to 5 witnesses.
 6. The Camden Cycling Campaign, represented by John Chamberlain, intend to speak in support of the Order and will call between 6 and 8 witnesses. John Bailey for the University of London indicated that he wished to make a brief statement of support for the Order. John Hartley for Living Streets Camden will also speak in support of the Order and is expected to take 1½ hours.
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7. Mr Henderson of Gordon Mansions Residents Association indicated that the Association wished to make representations at the inquiry both for and against the Order. Such representations were likely to take about 1 hour.
8. A number of others indicated that they wished to speak in opposition to the Order. Mr T Comyn, of Counsel, on behalf of Imperial London Hotels Limited (ILHL), stated that he intended to call 3 witnesses and anticipated that, including cross examination of witnesses, this would take around 4 days. Mr Comyn is not available on 7 and 8 November and asked that the case for ILHL is heard during the second week of the inquiry. Others indicated their intention to speak in opposition to the Order. Mark Nash for Guilford Court Residents (15 minutes)¹, Peter Rose for Unite the Union (5 to 10 minutes), Andrew Hamshare for RMT, on behalf of Ray Alleason, (2-3 hours), James Murray for Bloomsbury Association (5 minutes), Diana Scarrott for Tamar House RTM Company Ltd (5 minutes), Ricci de Freitas for Marchmont Association (no time estimate given), John Luckhurst for the Licenced Taxi Drivers' Association (1 day), Keyvan Lankarani for Friends of Tavistock Square (20 to 40 minutes) and Nicky Coates for Bloomsbury Residents' Action Group (BRAG) (up to 1 day).
9. I asked if there was anyone who wished to attend the inquiry with special requirements, particularly in respect of access and hearing. There was no indication that any of the parties had special requirements. Mr Smith asked that anyone with special requirements should inform the Council.

Main Issues

10. The Order is made under section 6 of the Road Traffic Regulation Act 1984 (the 1984 Act).
11. In making my recommendation I will need to ascertain whether the Order is made for a qualifying purpose under the 1984 Act.
12. I will also need to consider whether any disadvantages which would arise as a result of the Order would be outweighed by the advantages which would be conferred by it.
13. In brief, and not exclusively, the objections raise issues in respect of increased congestion and reduced air quality in surrounding streets, increased journey times and travel costs, access to properties and businesses, in particular for those with disabilities, and for loading and for taxi pick up and drop off. The main issue to be considered is whether these disbenefits are outweighed by the advantages of the Order which the Council claim addresses capacity issues for cyclists and pedestrians, creates a shift to more sustainable transport in line with National and Local policies, and improves air quality along the corridor.
14. I stressed at the meeting that the inquiry relates to the proposed permanent Order and not the Experimental Orders. There is no scope to consider a completely different proposal although it is open to me to make recommendations for the modification of the proposed order.

¹ Times in brackets indicate time estimates given to the Programme Officer

Inquiry Programme

15. The inquiry is scheduled to last 19 days although on the basis of time estimates submitted so far it is likely that fewer sitting days will be required. It will open at 10.00 am on Tuesday 10 October 2017. It will sit from 10:00 to about 5.00pm each day, with around an hour-long lunch break taken at a convenient point in the proceedings, usually at about 1pm. I aim to take short mid-morning and mid-afternoon breaks. The inquiry will not sit on Mondays and will not sit for the full day on Fridays when it is expected to adjourn at around lunchtime. The inquiry will not sit on Wednesday 1 November as I have a previous commitment.
16. The Programme Officer has requested details of those who intend to give evidence at the inquiry. Her contact details are given at paragraph 4 above. The programme officer will draw up a timetable for the inquiry based on the responses she has received. It would be helpful if parties can keep to the timetables which will be based on information from the parties. The Programme Officer should be informed of any changes as soon as possible.
17. Turning to the procedure to be followed, the Pre-inquiry note (paragraphs 6 and 7) sets out the procedure. The Council will give their evidence first, this normally takes the form of a short opening address followed by the evidence of any witnesses. This will be followed by anyone else who wishes to speak in support of the Order. I will then hear the evidence from those in opposition to the Order. I may then hear evidence from other interested parties. In each case once a witness has given evidence they will be available for cross examination by those who I have noted as taking an opposing view. If represented by an advocate this may be followed by re-examination by his or her own side. I may also then have questions of my own for the witness.
18. On completion of the giving of evidence those who have called evidence will have the opportunity to make closing submissions. I will firstly hear closing submissions for the objectors followed by the supporters with the Council having the right of the last word.
19. It would be helpful to me if opening and closing submissions are in writing. Provision will be made within the programme if necessary to prepare any closing statements.
20. I would stress that when making a case, prospective participants should bear in mind that if a point is a good one it needs to be made only once in order to carry weight. Repeating the point will not add to that weight, but will simply use up Inquiry time.
21. I noted that there is public interest in the Order. I asked for some indication as to the likely number of members of the public. Mr Smith said he was conscious of the public interest but was not aware that large numbers of the public will attend the inquiry. None of those present at the Pre-inquiry meeting were able to give any indication as to the likely number of attendees. I outlined that an opportunity would be given to hear from other individuals following the evidence from the main parties.
22. There is no indication that an evening session will be required.

23. I have carried out a brief unaccompanied site inspection of the area subject to the Order. I will carry out a site visit prior to the inquiry and it is likely that I will carry out further site inspections during the inquiry or as soon as reasonably practicable after the close of the inquiry. Site visits will normally be unaccompanied unless I need access to premises.

FORMS OF EVIDENCE

24. The Pre-inquiry note sets out the timescale for the submission of documents and forms of evidence. It is important that parties adhere to the timescales as any late submission of documents may lead to delays and adjournments. I advised the Pre-inquiry meeting that I have received the Council's Statement of Case.

25. Mr Comyn commented that there were outstanding issues in respect of traffic modelling and air quality and that there were still documents which had been requested from the Council which remained outstanding. In consequence it was difficult for ILHL to produce a Statement of Case for the 8 September. Mr Comyn asked for an extension of the deadline for submission to 15 September.

26. Mr Smith suggested that the Council may need a reciprocal date for the submission of proofs; Mr Comyn had no issue with this. In the circumstances I acceded to the request of Mr Comyn. I urged the Council to use their best efforts to meet with representatives of ILHL and to provide the outstanding information.

27. Mr Henderson sought clarification as to the requirements of a statement of case. A statement of case is a written statement which contains full particulars of the case which the party proposes to put forward at an inquiry and a list of documents the party intends to rely upon. Mr Smith accepted a less than rigid approach but asked that any case be fleshed out by 22 September.

28. I advised that I had received Pre-inquiry meeting submissions from BRAG. This will be circulated to those identified as intending to speak at the inquiry and will be included as an appendix to BRAG's statement of case.

29. The Council will take the lead in preparing a bundle of core documents and Mr Smith advised parties to liaise with the Council with any requests for the inclusion of documents. A simple referencing system will be devised in conjunction with the Programme Officer.

30. Documents will be available online at www.camden.gov.uk/tavistockpublicinquiry. The Council will inform original respondents as to the availability of inquiry documents.

Other Matters

31. Mr Smith advised that there will be a requirement to sign in at the Council Offices where the inquiry is to be held. Photocopying facilities will be available at the inquiry and it is likely that documents may be left at the inquiry venue overnight and possibly at weekends. The Council will investigate the final details.

32. I noted that some parties intend to submit images and video clips. Mr Smith advised that services will be available for their display but that parties should liaise with the Programme Officer in respect of the format of any files.

Key dates:

8 September 2017: Submission of Statements of Case

22 September 2017: Submission of Proofs of Evidence

Martin Elliott
INSPECTOR

6 September 2017