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## Editorial

Yes it's our Christmas edition. Not that we have the road chaos caused by snow in December (and in London which is unusual) as we did last year, so forgive the lack

of seasonal disaster stories. At least I might feel less aches and pains than last year over Christmas due to clearing snow from my driveway.

Instead we have the usual mix of topical news in relation to road transport issues in the London and South-East area. We even cover stories on buses and planes in this edition, as most of our readers probably use all the transport "modes" from time to time. Yes I am a firm believer in "equality of opportunity" for transport users, but it seems that at least motorcyclists have got ahead of some of us (see the article on page 5).

Best wishes for Xmas and the New Year

Roger Lawson, Editor

## Parking & Judicial Reviews



The High Court has denied the initial application for a judicial review of parking policy by residents of Barnet. The High Court does not automatically accept such cases and in this example apparently felt it was too similar to previous applications. However the group led by lawyer David Attfield is not giving up – they will simply have to present their case in person and incur more costs unfortunately as a result.

## Westminster Campaign Escalates

The campaign against similar proposals to increase charges in Westminster, and to impose evening and Sunday parking charges, has won a temporary reprieve. The High Court has granted an application for a judicial review by Mayfair Estate Agent Peter Wetherell and restaurateur Richard Caring on this matter, and Westminster Council have therefore decided to postpone implementation by at least 9 months.

Boris Johnson and other politicians have come out against the policies of Westminster Council and Mr Johnson is even looking into whether TfL (his poodle) can take control of the relevant roads. Ken Livingstone also got in on the act, complaining that Westminster Council raises more in parking charges than in Council tax (Editor: is this true? The Guardian says it is. If so it seems astonishing, but it may be so – they raised £46m from parking and generated a profit of £41m last year – see [www.freedomfordrivers.org/Profiting\\_from\\_Parking.pdf](http://www.freedomfordrivers.org/Profiting_from_Parking.pdf) for a full analysis).

With charges of up to £5 an hour for evening parking, businesses in the West End fear a large reduction in customers if the charges are implemented, and churchgoers are complaining about the Sunday charges. They all claim that the excuse of "traffic regulation" given for the increased charges is nonsense and simply a wheeze to raise more money.

More information on Mr Wetherell's campaign is here: [www.wetherell.co.uk/tag/parking](http://www.wetherell.co.uk/tag/parking)

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## Coming to a Bus Stop Near You?



A new type of bus is about to commence operation in London, partly to take over from the "bendy buses" which have now been phased out. The new buses

(picture left) have a rear exit door so you can hop on and off as in the old Routemaster (so long as a conductor is present). In fact they have three doors and two stairways (*Editor: wasn't one of the complaints about the bendy bus that people could evade paying by sneaking in through the back door?*). The new buses are hybrid-powered and are expected to be "broadly comparable" to the cost of other hybrid buses according to TfL.

Other folks claim that it is an expensive "vanity project" by Boris Johnson, but initial public reactions to the new bus seem quite favourable.

*(Editor's Comments: It is good that the bendy-buses have gone which were always tricky to drive near, and tended to create traffic congestion by their size alone. Even more annoying was the frequency with which these buses used to block pedestrian crossings causing one to walk what felt like a hundred yards to get around them – a frequent problem in central London. They also repeatedly blocked junctions, simply because the drivers seemed to have little idea where their back-end was).*

### How Not to Miss the New Bus

Transport for London have launched a new "live bus information" service. It provides information on bus arrival times via the web (fixed or mobile) or via SMS messaging to a phone. So there is no excuse for not knowing the bus will be late in future, so long as you have a smartphone.

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## Speed Humps May Be Illegal



An interesting case arose recently where a disabled person, who drives a large vehicle with low ground clearance (a wheelchair accessible vehicle) was unable to reach his son's house on a housing estate because the speed humps were so high that they caused the vehicle to ground on the humps. This estate was a relatively new one and some of the roads were "unadopted" by the local council. In other words, they were private roads and your editor previously assumed that this created problems for anyone complaining about humps because such roads are not the responsibility of the local council. However that is incorrect because these are still "public highways".

Your editor referred the complainant to David Cleminson who lives in Cumbria and who won a case against his local authority because of problems with his vehicle driving over humps. See the October 2003 BBRAG newsletter for more information – a picture of his vehicle is shown above (incidentally all the past ABD London and BBRAG newsletters are available on the ABD London web site). He pointed out that the Highways Act 1980 Section 130 requires the highway authority (in this case the local council) "to prevent, as far as possible, the stopping up or obstruction of the highway".

In addition the complainant pointed out that as a disabled person he was being effectively discriminated against under the Equalities Act 2010, and likewise under the Human Rights Act. The council concerned (in Droitwich) initially refused to do anything about the complaints, not untypical of councils attitude to such complaints, and rebuffed the legal claims, but seem to be having a change of heart after some persistence.

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## Parking and Camera Enforcement



London boroughs are increasingly using cameras to enforce parking restrictions. The first the “culprits” know about the alleged infringement is when they receive a notice in the post.

Reasonable representations about the cause of the infringement are ignored, forcing the recipients to appeal to PATAS, which many are reluctant to do. For example, an ABD member was accused of parking on a zig-zag area before a pedestrian crossing. He said he had pulled over to allow a large vehicle coming from the opposite direction to pass (and had a witness to prove it). The council rejected his claim, but the case was won on appeal.

Likewise consider this note from another contact which was recently received: *“I’m just writing a quick email about the rise in unjustifiable parking tickets being issued by Newham Council. I work in the Borough and I am currently appealing a Camera ticket recently for reversing backwards out of a one-way street which was blocked by a Thames Water Truck carrying out an emergency water Mains repair in the middle of the road. A friend of mine got 5 Camera tickets for parking on a driveway at work before he realised it was an offence due to some technicality in what is defined as road and pavement, I escaped with one such ticket. He lost his appeal and so did I. No doubt these Camera tickets are causing immeasurable all round stress and financial pressure particularly to hard working upright families like mine where parents are working and are bringing up young children. London Boroughs in particular and probably boroughs up and down the country are issuing them unnecessarily....Z. Ahmed”.*

Councils appear to be ignoring the guidelines laid down by the Secretary of State that camera enforcement should only be used where it is unsafe to use manned patrols. Of course it is likely that they can generate a lot more revenue by using cameras.

*(Editors Comments: Readers are advised to appeal to PATAS as a matter of routine on such offences unless you were guilty of deliberate infringement. Councils do lose a high proportion of cases and sometimes even fail to put in any defence. They rely on the laziness of the public and their willingness to accept rejection of a complaint without taking it to appeal – so they regularly reject the initial representations without good reason).*

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## Boris Island Takes Off



Boris Johnson has been promoting the idea of a new airport on an island in the Thames Estuary for some time, rather than expanding Heathrow airport. The general idea seems to be getting wider political support based on recent press articles – for example the FT said it was *“coming to be taken seriously by senior figures in the coalition”*.

The latest proposal is for an airport on the Isle of Grain from Lord Foster’s company (*Editor: he who designed Stansted airport, which to my mind is badly designed but it has won numerous awards*). The Isle of Grain has not actually been an island for many years of course.

There was an immediate outcry from those alleging that this was a wildlife haven, a landscape of some beauty, that the existing port installations and power station could not be moved, etc. Those who have a concern should probably visit it as your editor has done in the past – it’s a downright depressing sight at present.

One of the key issues is access to such a location by rail and road – it would put even greater pressure on the Dartford crossing but as it might take more than 10 years to develop, there is time to fix that issue. Foster & Partners estimate the cost at a mere £50bn, including supporting infrastructure, which may put the Government off the idea in the short term.

In the meantime the Government has been forced to abandon the moratorium on additional runways at other London airports.

*(Editor's Comments: I fully support this proposal. Heathrow is one of the worst major airports in the world, and the location means it creates massive amounts of noise pollution. For example, 25 per cent of the people in Europe affected by aircraft noise actually live around Heathrow airport. The fact that the prevailing winds are south-westerly in England also means that the pollution it generates spreads across London and affects everyone. An airport to the east in the Thames Estuary, or even better, on Maplins Sands, would be a major advantage).*

### **New Transport Minister**



Note that the new Transport Minister Justine Greening, who is the MP for Putney, has opposed the expansion of Heathrow in the past. She also opposed CO2 based car taxation, and increased charges for parking and using the roads around Heathrow. She also has a finance background (economics and MBA degrees), so perhaps we may yet see some economic sense put into transport policies.

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### **Transport Spending**

On the subject of transport spending priorities, the Institute of Public Policy Research North recently claimed that the Government spends £2,700 per person in London compared with only £5 per head in the North-East of England. Ed Cox, Director, claimed it was “deeply unfair” and that analysis of major transport projects meant that 84% of planned spending was in the south-east.

*(Editor: I can quite believe this, with projects such as Crossrail and HS,2 which are enormously expensive, being mainly of benefit to Londoners. In the meantime, Londoners get massive subsidies from central Government on bus and tube fares which other regions do not. Politicians and civil servants seem to like to subsidise services that most help them – as they mostly live and work in London of course. The result is even more concentration of jobs and housing in the South-East.*

*If commuters had to pay an economic rate, there would be less congestion in the South East and businesses would be keener to move elsewhere. Financial distortions due to subsidies are always unhealthy).*

The Institute of Advanced Motorists (IAM) and the RAC Foundation both commented on the recent figures issued by the Government on total taxation and expenditure on road transport. In 2010, around £27bn was raised in fuel taxes and £5bn in vehicle excise duty but only £9.5bn was spent on roads. Meanwhile £7.6bn was spent on railways (used by a small fraction of the people who use the roads) and £4.9bn on local public transport.

*(Editor: Yes it's simply irrational that so little is spent on roads when so much is wasted on loss-making public transport projects which rarely make any return on the capital invested. When are we going to see some rationality introduced into transport policies?).*

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### **Dartford Crossing**



Plans to increase the tolls at the Dartford Crossing have been deferred – the reason given being that there were a lot of objections in the public consultation.

Readers might care to read the submission on this subject by the ABD which can be obtained from this page of our web site: [www.freedomfordrivers.org/News.htm](http://www.freedomfordrivers.org/News.htm) It showed that the consultation document was one of the most biased seen in recent years, and was clearly written to mislead the readers.

A decision on rises will be postponed and a full response to the consultation published in the New Year. But it seems the Government still wishes to introduce “toll-free” charging so as to improve traffic flows.

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## Speed Camera Count in London



The latest speed camera count in London is 780 cameras (up by 6 on the number reported in October). As suggested in an article in our last edition, the numbers still seem to be rising.

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## Perverting Justice



Previous editions have covered the apparent conspiracy to divert fees from speed awareness courses to finance the operations of the police and the “Thames Valley Safer Roads Partnership”.

The latest information obtained on this subject is that Thames Valley Police are receiving about £1m per annum from AA Drivetech as a “kick-back” from the fees paid by drivers. They claim this is only to cover the administrative expenses they incur in referring drivers for “education”, but obviously that is a lot more than could likely be justified on that ground. The ABD have issued a press release on this subject which can be read here: [www.abd.org.uk/pr/767.htm](http://www.abd.org.uk/pr/767.htm)

*(Editor: I am of course not opposed to the police using their discretion on minor offences, but this system is in essence wrong. Anyone who has been affected by this arrangement might care to contact me for some advice, and you should also complain to your Member of Parliament).*

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## News Snapshots

Sundry news in the last few weeks that is worth a mention is as follows:

+ Transport for London has also announced some measures to improve air quality in London, including the expansion of the CADS programme (Cleaning and Application of Air Dust Suppressants) and a “green infrastructure programme” which involves the installation of six foot planters to trap PM-10s – there are 50 of the latter installed on Lower Thames Street in the City which was also subject to CADS.

Other measures are a “no engine idling campaign” at taxi ranks outside stations, and the promise of retrofitting of diesel particulate filters to buses that travel through “priority locations”.

+ The Green Party have submitted a report to the Mayor of London arguing for a London-wide congestion charge scheme. By charging motorists an average of 32p per mile, they claim it would reduce traffic by about 10%, and raise 1.4bn in taxation. *(Editor: another clear vote losing proposition from the Green Party, which I will not even attempt to review in detail because I think most readers of this publication would not support such a proposal. Most Londoners want reductions in taxes, not increases).*

+ Transport for London (TfL) has announced that following two extensive trials, motorcycles will be able to drive in bus lanes on a permanent basis on the majority of the Capital's Red Routes from 23 January, 2012. The second trial undertaken, which is just finishing, showed fewer accidents than the first and TfL believe there are hence no safety concerns.

+ Boris Johnson announced a number of grants for local transport projects to local London Boroughs in December, including £5.2m to Bromley. That includes £1.5m for improving the Bromley North area. See [www.bromley.gov.uk/bromleynorthvillage](http://www.bromley.gov.uk/bromleynorthvillage) for more details of what is planned. *(Editor: I had a look at this scheme and sent in some comments. It seemed a very expensive scheme, mainly because of the large amount of new paving – including some in Market Square that was only replaced a few years ago. The concept seemed fine, but the implementation rather costly).*

+ Islington has decided to try and extend its general 20mph speed limit to all major roads in the borough, despite the fact that the police gave advice against it, and said they would not enforce such a limit. However, most of the major roads are part of the TLRN and hence are controlled by TfL. Have they got agreement from TfL to do this? Apparently not as yet.

## Registering to Receive This Newsletter

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[www.freedomfordrivers.org/Newsletters.htm](http://www.freedomfordrivers.org/Newsletters.htm) and fill out the box to be added to our mailing list.

## About The Association of British Drivers (ABD)

The ABD is the leading independent organisation which represents the interests of private motorists in the United Kingdom. We campaign to protect the rights of individual road users and believe that road transport is a beneficial and essential element in the UK transport infrastructure. We oppose excessive taxation of motorists and are against tolls and road usage charging. We also campaign for more enlightened road safety policies. The Association is a "not for profit" voluntary organisation which is financially supported primarily by its individual members. More information on the ABD is available from our web site at [www.abd.org.uk](http://www.abd.org.uk)

## Contact Information

This Newsletter is published by the London Region of the Association of British Drivers (A.B.D.), PO Box 62, Chislehurst, Kent, BR7 5YB and is distributed free of charge to ABD Members in the London area and to those Members of BBKAG who formerly received the Bromley Borough Roads Action Group newsletter. All material contained herein is Copyright of the A.B.D. or of the authors and may only be reproduced with permission. Any opinions expressed herein are solely those of the author of the article or that of the Editor which do not necessarily represent the official policies of the A.B.D.

A.B.D. London Region Co-ordinator and Editor: Roger Lawson (Tel: 020-8467-2686, Email: [roger.lawson@abd.org.uk](mailto:roger.lawson@abd.org.uk)). Contact the above for information on the aims and objectives of the A.B.D. or for membership information (membership costs £25.00 per annum if paid by cheque, debit or credit card; or £20.00 if paid by standing order (however there is an additional charge of £5 if you wish to receive the ABD national newsletter on paper rather than electronically). The A.B.D. would be happy to advise or assist anyone who is concerned about any traffic, transport or road safety issues in London. Complimentary subscriptions to this newsletter are available on request to elected politicians or those with a professional interest in transport matters.

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Note that the ABD maintains a list of members who are familiar with individual London boroughs and may be able to help with information on local issues in those boroughs. The current list is below. If any other members would like to keep an eye on local news and advise on local transport issues then please let me know. Roger Lawson

Contact person	Borough	Email
Les Alden	Southwark	<a href="mailto:LHA@looksouth.net">LHA@looksouth.net</a>
Paul Hemsley	Ealing	<a href="mailto:ph@hemsleyassociates.com">ph@hemsleyassociates.com</a>
Hillier Simmons	Hounslow	<a href="mailto:hilliersimmons@compuserve.com">hilliersimmons@compuserve.com</a>
Brian Mooney	Hammersmith & Fulham	<a href="mailto:fairdeal@abd.org.uk">fairdeal@abd.org.uk</a>
Roger Lawson	Bromley, Barking & Dagenham, Barnet, Bexley, Brent, Greenwich, Hackney, Haringey, Havering, Islington, Lewisham, City of London, Newham, Redbridge, Tower Hamlets, Waltham Forest	<a href="mailto:roger.lawson@abd.org.uk">roger.lawson@abd.org.uk</a>
Peter Morgan	Croydon, Camden, Enfield, Harrow, Hillingdon, Kensington & Chelsea, Kingston, Lambeth, Merton, Richmond, Sutton, Wandsworth, Westminster	<a href="mailto:southlondon@abd.org.uk">southlondon@abd.org.uk</a>