

	<h2>ACTION TAKEN UNDER DELEGATED POWERS BY OFFICER</h2>
<p style="text-align: right;">Title</p>	<p>Experimental Traffic Order Finchley Road junction with Pattison Road and Briardale Gardens</p>
<p style="text-align: right;">Report of</p>	<p>Strategic Director for Environment</p>
<p style="text-align: right;">Wards</p>	<p>Childs Hill</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Enclosures</p>	<p>Appendix 1- Briardale Gardens banned turns proposal Drawing</p>
<p style="text-align: right;">Officer Contact Details</p>	<p>Jane Shipman, highwayscorrespondence@barnet.gov.uk 020 8359 3555 Mario Lecordier, mario.lecordier@barnet.gov.uk, 020 8359 5258</p>

<h3>Summary</h3>
<p>This report details proposals to address safety concerns as a result of large traffic volumes turning right from Finchley Road into Briardale Gardens in the morning peak and mitigate any traffic displacement on surrounding roads, namely Pattison Road. It also seeks approval to implement “At Any Time” waiting restrictions in Pattison Road at its junction with Finchley Road and Hermitage Lane.</p>

<h3>Decisions</h3>
<p>1. To introduce an experimental Traffic Management Order banning right turns from the northbound Finchley Road into Briardale Gardens and Pattison Road operating Monday to Friday between 7am and 11am.</p>
<p>2. To introduce an experimental Traffic Management Order banning northbound traffic from making a U-turn between Briardale Gardens and Ridge Road.</p>
<p>3. To introduce Traffic Enforcement Cameras on Finchley Road to enforce the timed No Right Turn and U-Turn bans.</p>

4. To introduce 'At Any time' waiting restrictions in Pattison Road at its junction with Finchley Road and Hermitage Lane.

1. WHY THIS REPORT IS NEEDED

- 1.1 A no-entry restriction at the junction of A598 Finchley Road with Briardale Gardens has been proposed by London Borough of Camden to address levels of traffic using Briardale Gardens and Ferncroft Avenue in Camden. This includes a notably high level of traffic turning right from Finchley Road into Briardale Gardens on weekday mornings, although issues have been identified at other times on a more occasional basis.
- 1.2 The stretch of Finchley Road including the junctions with Briardale Gardens and Pattison Road is within the London Borough of Barnet. Pattison Road itself is also within Barnet while Briardale Gardens is within Camden.
- 1.3 A public consultation on the proposal was undertaken by London Borough of Camden in 2016. This highlighted concerns from residents of Pattison Road regarding the impact of the restriction on them. A strong desire has been expressed by Pattison Road residents in correspondence and at meetings with ward councillors for a timed restriction to be introduced at both junctions, operating only during the periods when most right turning occurs.
- 1.4 Barnet and Camden officers and ward members have discussed options including timed restrictions at the junctions. However Camden would still prefer a no-entry restriction at Briardale Gardens.
- 1.5 A Traffic Management Order for a "no entry restriction" at the Briardale Gardens junction has been advertised by Camden. The London Borough of Barnet has formally objected to the making of the order on the basis that it would result in traffic displacement onto Barnet roads and would be a disproportionate response to the issue.
- 1.6 Pursuant to Section 121B(3)(d) of the Road Traffic Regulation Act 1984, the objection from Barnet prevents Camden exercising powers to make the Order unless the objection is withdrawn or the Greater London Authority (GLA) gives its consent.
- 1.7 Camden have highlighted that Briardale Gardens is narrow and therefore even small volumes of traffic trying to get through from opposite directions creates congestion and grid lock at times as vehicles cannot pass each other. This leads to traffic backing up into Finchley Road resulting in safety concerns for pedestrian waiting to cross at this junction.
- 1.8 Although there is very limited evidence that the level of traffic using Briardale Gardens and Ferncroft Avenue is contributing to injury collisions, the high volume of traffic entering Briardale Gardens and the safety concerns highlighted to Camden by residents regarding near misses remain matters of concern for both authorities.

- 1.9 Therefore in order to address the concerns relating to the level of traffic turning right into Briardale Gardens and contributing to the concerns about safety for pedestrians attempting to cross at this junction, it is intended that Barnet make an experimental traffic management order to introduce timed no-right turn restrictions (operating in the morning) into both Briardale Gardens and Pattison Road.
- 1.10 Camden officers have expressed concerns that a timed “No Right Turn” in both roads would result in non-compliance and lead to unsafe U-Turn movements on Finchley Road. In order to address these concerns a scheme for camera enforcement of the proposed banned turns (including a U-turn restriction on part of Finchley Road) is being designed.
- 1.11 While an experimental traffic order does not have the same requirements regarding publication of proposals that is required for a permanent order nevertheless consultation with certain stakeholders, including Camden, as an affected neighbouring authority would be necessary. The Council would also inform the residents of Briardale Gardens, Pattison Road, of its intention to introduce the experimental measures.
- 1.12 Experimental Traffic Management Orders (TMOs) allows for public comments about the measures to be considered in the first 6 months of operation, and allows the Council to monitor the effects of the measures before deciding whether or not to make them permanent.
- 1.13 Experimental Orders have a maximum duration of 18 months and the first 6 months of the experiment constitute the consultation period whereby comments/objections to the proposals are received and considered. Before the 18 months is complete the Council is obliged to consider all comments received from the public about the scheme before making a decision whether or not to continue the measures permanently, and if so, with or without modification.

2. REASONS FOR DECISIONS

The differing views on the most appropriate way to address the issues and concerns related to Briardale Gardens has delayed introduction of any measure to relieve the issue. Given that Barnet’s concerns regarding Camden’s proposal for a “no entry” restriction remain, this proposal will allow for an alternative approach to introduce a limited measure as soon as possible and on an experimental basis (as preferred by Barnet residents)

3. ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 3.1 Barnet could withdraw the objection to the Camden proposal with or without introduction of a complementary (timed) right turn restriction at Pattison Road.

However this would not offer any protection to the likely displacement of traffic on Barnet's Road or address the concerns of Barnet's residents.

4. POST DECISION IMPLEMENTATION

- 4.1 Once approved, an experimental traffic order would be drafted and Barnet would then be obligated to consult with London Borough of Camden and other required stakeholders. Subject to no objection from them, the proposal would be introduced and monitored. However, in accordance with Section 121B(3)(d) of the Road Traffic Regulations Act 1984, if Camden does make an objection to the experimental order, the order will not take effect unless and until the GLA has given its consent to the proposal after consideration of the objection. Moreover, before deciding whether to give consent, the GLA may cause a public inquiry to be held.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.2 The Corporate Plan includes delivery objectives of “a clean and attractive environment, with well-maintained roads and pavements, flowing traffic” and “a responsible approach to regeneration, with thousands of new homes built”. The proposals here will help manage the impacts of existing traffic and growth on residents of both Barnet and Camden roads and help them feel safe in the local area.

5.3 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.3.1 The cost of implementing the proposed measures is estimated at £50,000, including the making of the Experimental Order, Enforcement Cameras Cost and associated signage, to be met from the Parking and Infrastructure Service Reserve.

5.4 Legal and Constitutional References

- 5.4.1 The Council has the necessary legal powers to introduce traffic orders to put the proposal into effect under the Road Traffic Regulation Act 1984. However, as discussed in paragraph 4.1 above, this is subject to the procedures set forth in Section 128B(3)(d) and 128(4) of the Road Traffic Regulation Act 1984.

- 5.4.2 The Traffic Order Procedure Regulations 1996 set out the requirements for consultation with regard to making traffic orders.

- 5.4.3 The Constitution section 15 Responsibility for Functions (Annex B – Scheme of Delegated Authority to Officers provides that Chief Officers can take decisions to discharge the functions allocated to them or dealt with by them or their staff, except for matters specifically reserved to, Committees or Council.

5.5 Risk Management

- 5.5.1 There is a risk that more serious road traffic incidents may occur before any

potential solution can be introduced. The introduction of an experimental order introducing measures would mitigate this risk.

- 5.5.2 There is a risk that pursuant to Section 121B(3)(d) Camden will object to the Barnet proposal, which would prevent Barnet exercising its powers to introduce the restrictions. Should such an objection be raised by Camden, there is a further risk that the GLA will cause a public inquiry to be held before deciding whether to give consent. A public inquiry would result in further expenses to the London Borough of Barnet in the form of legal and administrative costs.

5.6 Equalities and Diversity

- 5.6.1 The 2010 Equality Act outlines the provisions of the Public Sector Equalities Duty which requires Public Bodies to have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010
 - advance equality of opportunity between people from different groups
 - foster good relations between people from different groups

The broad purpose of this duty is to integrate considerations of equality into day to day business and keep them under review in decision making, the design of policies and the delivery of services.

The proposals identified in this report are expected to have a similar impact on all groups with or without protected characteristics.

5.7 Consultation and Engagement

- 5.7.1 Experimental traffic orders do not require publication inviting public comment or objection, but consultation with specified stakeholders including affected neighbouring authorities is required and will be undertaken.

6. BACKGROUND PAPERS

- 6.1 None

7. DECISION TAKER'S STATEMENT

- 7.1 *I have the required powers to make the decision documented in this report. I am responsible for the report's content and am satisfied that all relevant advice has been sought in the preparation of this report and that it is compliant with the decision making framework of the organisation which includes Constitution, Scheme of Delegation, Budget and Policy Framework and Legal issues including Equalities obligations.*

8. OFFICER'S DECISION

I authorise the following actions:

1. To introduce an experimental Traffic Management Order banning right turns from the northbound Finchley Road into Briardale Gardens and Pattison Road operating Monday to Friday between 7am and 11am.
2. To introduce an experimental Traffic Management Order banning northbound traffic from making a U-turn between Briardale Gardens and Ridge Road.
3. To introduce Traffic Enforcement Cameras on Finchley Road to enforce the timed No Right Turn and U-Turn bans.
4. To introduce 'At Any time' waiting restrictions in Pattison Road at its junction with Finchley Road and Hermitage Lane.

Signed



Jamie Blake
Strategic Director- Environment

Date

02/08/2017
