

# City of London Corporation Case Summary



**PATAS Case Number:** [REDACTED]

**Scheduled Hearing Date:** 13.08.2020

**PCN Number:** [REDACTED]

**VRM:** [REDACTED]

**Appellant:** [REDACTED]

## **Background:**

The PCN was issued to the above vehicle because the City of London believes that the vehicle failed to comply with a prohibition on certain types of vehicle (motor vehicles) - only buses and pedal cycles allowed Monday to Friday between 7am and 7pm. It is because the above vehicle entered the location where motor vehicles are not allowed.

The Appellant has challenged the above PCN as they believe that the alleged contravention did not occur.

At 15.52 hours on 30<sup>th</sup> June 2020 vehicle registration number [REDACTED] was seen in Mansion House Street having been recorded by an Automatic Number Plate Recognition (ANPR) camera. The vehicle was believed to be in contravention of a prohibition under the moving traffic contravention code of 52 – failing to comply with a prohibition on certain types of vehicle (motor vehicles).

A vehicle would access Mansion House from either Poultry or Queen Victoria Street. Vehicles travelling eastbound from these streets are captured by CCTV in Mansion House Street.

There are two sets of traffic signs in Poultry which indicate that the way forward is for buses and bicycles only “MON-FRI 7AM-7PM”, there are also warning signs prior to reaching this point. A driver should either complete a U-turn before the signs or alternatively turn left into Old Jewry and proceed right into Gresham Street to bypass the junction.

Alternatively, if the vehicle approached the junction from Queen Victoria Street; there are two traffic signs on either side of the road stating the same restriction. To avoid the junction a driver should complete a U-turn where permitted or alternatively turn left into Bucklesbury and then right at the junction of Walbrook and exit south bound into Queen Victoria Street.

The signs are not captured in the photograph/footage as they are situated before the Automatic Number Plate Recognition camera. The signs are however regularly checked for visibility and placement.

Since Monday 22 May 2017, the City has imposed an experimental traffic scheme, aimed at reducing collisions and improving road safety at the traffic junction located near the Bank of England, widely known as 'Bank Junction'.

Bank Junction comprises the approaches of Princes Street, Threadneedle Street, Cornhill, Poultry, Lombard Street, King William Street and Queen Victoria Street. These streets merge to form a complex traffic junction.

During the prohibited times only buses and pedal cycles are able travel through Bank Junction. Other vehicles are rerouted via advanced warning signs on the approaches to the area and the junction.

Blue bus and cycle only signs are displayed at the entry points to the junction and advanced directional signs are also in place to give advance warning to the prohibition and to further assist with alternative routes.

The appellants vehicle was in contravention of the City's Traffic Management Order (TMO), City of London (Bank Junction) (No.1) 2018. A copy of this has been included with the evidence bundle.

**The scheme has been made permanent in September 2018.**

### **Bank Junction scheme (Bank on Safety) background**

The Bank on Safety project was initiated in December 2015, the aim of the prohibition is to tackle the high collision and casualty rate at Bank Junction. This had been requested following a fatality at the junction in June 2015. City Officers were encouraged to deliver a safety scheme as quickly as possible, whilst continuing to develop how the junction might work in the future. It had already been established that small changes would not deliver the significant changes to casualties that were needed, and therefore something more radical would be required. Evidence J1

### **Signs**

Vehicles are advised of the prohibition by way of signs, copies of which have also been included within the evidence bundle in the form of site check photographs.

The City investigated using the prohibitive motor vehicle sign (diagram 619 in the Traffic Signs and General Directions (TSRGD) 2016 but this would have required the following supplementary plates to be used:

- "Except buses and cycles"
- "Monday to Friday 7am to 7pm"
- "and authorised vehicles"



It is not permitted, without approval from the Department for Transport to use “and authorised vehicles” with diagram 619, but it is permitted with diagram 953. The City considered that having three supplementary plates to one sign would be a lot of information for drivers to take in, which was likely to distract drivers and lead to lower levels of compliance.

Further indication to the restriction is made with beige colour asphalt on the carriageway indicating the ‘gateway’ to the prohibited location.

All borough roads within the City of London carry a speed limit of 20mph, and therefore under the TSRGD 2016 the signs do not need to be illuminated, only reflective.

Contravention codes are not mandatory they are there for administration purposes only. It is the contravention description which provides the legal requirement (i.e. the description must tell the motorist what they have done wrong). In this case the City had the option of using the description which best matches the sign (code 33) or the description which best matches the order (code 52). The TMO says that vehicles cannot enter (prohibition) and proceed (route). The traffic order for the Bank Junction is both a restricted route and vehicle prohibition order. The City chose to use code 52M as it best matches the order although the City accepts that code 33C could also be used due to the signs.

**The Department for Transport (DfT) has confirmed that there is no need for carriageway markings to support diagram 953, the material sign in this instance.** Provided as additional evidence J is a copy of the email from the DfT.

**Provided as evidence J is the City of London’s Technical Notes on signage and markings.**

### **Number of signs**

Directional signage across the City which previously had the junction as a destination were amended to show the restriction sign – diagram 953 in the TSRGD 2016 with the time plate. There are then currently temporary red and white signs with advance warning and explanation of the restrictions, and certain manoeuvres, which the City has modified over the experiment to try and raise compliance and understanding.

There are a total of 65 signs in the vicinity of the junction directing motorists away and alerting them of the prohibition in placed on street which gives a motorist plenty of opportunity to divert. There are over 100 signs related to the Bank Junction that have been placed in the area, including the changes to loading, length restrictions enforcement signs, directional signage and warning messages.

Evidence H provided showing the signs were in place.

### **CCTV footage**

Automatic Number Plate Recognition (ANPR) technology is being used to enforce the junction. On average approximately 16,000 motor vehicles (excluding buses) were crossing the junction between the hours of 7am to 7pm Mon to Fri prior to restriction.

**Conclusions & closing submission:**

The Appellant has challenged the above PCN as they believe that the alleged contravention did not occur. The City believes that the signs are clear and visible at the Mansion House Street location (Additional evidence J), and that the appellant is not exempt from this prohibition. The EA believe that this location is equipped with the correct amount of warning signs.

The City finds that the PCN was correctly issued and that there is no exemption for the appellant's vehicle. As a result, I request that this case be refused.



J. Gordon  
For City of London Parking Services



# TRAFFIC MANAGEMENT ORDER

2018 No. 22

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## The City of London (Prescribed Routes) (Bank Junction) Order 2018

Made: 18 September 2018

Coming into operation: 25 September 2018

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The Common Council of the City of London, after consulting the Commissioner of Police for the City of London, in exercise of the powers conferred by section 6 of, and Part IV of Schedule 9 to, the Road Traffic Regulation Act 1984(a) and section 8 of, and Part I of Schedule 5 to, the Local Government Act 1985(b), and of all other powers thereunto enabling hereby make the following Order:-

1. This Order shall come into operation on 25 September 2018 and may be cited as The City of London (Prescribed Routes) (Bank Junction) Order 2018.

2. In this Order, unless the context otherwise requires:

“authorised vehicle” means any vehicle authorised by the Council to access that length of street;

“Bank Junction” means that area of carriageway that comprises the junction of Cornhill, Lombard Street, Mansion House Place, Mansion House Street, Princes Street and Threadneedle Street.

“bus” means a motor vehicle constructed or adapted to carry more than 8 passengers (exclusive of the driver)(c);

“civil emergency” has the same meaning as in Schedule 1 to The Traffic Signs Regulations and General Directions 2016(c);

“civil enforcement officer” has the same meaning as in section 76 of the Traffic Management Act 2004(d), being a person authorised by or on behalf of the Council to supervise any parking place;

“Council” means the Common Council of the City of London;

“CVIT” means cash and valuables in transit;

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(a) 1984 c.27. (b) 1985 c.51. (c) S.I. 2016/362 – Schedule 1. (d) 2004 c.18.

“enactment” means any enactment, whether public general or local, and includes any order, byelaw, rule, regulation, scheme or other instrument, having effect by virtue of an enactment and any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by, or as having effect by, any subsequent enactment;

“pedal cycle” means a unicycle, bicycle, tricycle or cycle having four or more wheels, not being in any case mechanically propelled unless it is an electrically assisted pedal cycle that is not treated as a motor vehicle for the purposes of the Road Traffic Regulation Act 1984(a);

3. No person shall cause any motor vehicle to enter or proceed in any street or length of street in the City of London specified in column 2 of the Schedule to this Order between 7 a.m. and 7 p.m. on Mondays to Fridays inclusive.
4. No person shall cause any motor vehicle proceeding in Threadneedle Street to enter Bank Junction between 7 a.m. and 7 p.m. on Mondays to Fridays inclusive.
5. Nothing in Articles 3 or 4 shall apply to:-
  - (a) a bus;
  - (b) a vehicle being used for ambulance or fire brigade in an emergency; or police purposes in an emergency or for operational reasons;
  - (c) anything done with the permission or at the direction of a police constable in uniform or a civil enforcement officer;
  - (d) a vehicle being used for a civil emergency;
  - (e) any vehicle when used in the service of a local authority in pursuance of statutory powers or duties provided that in all the circumstances it is reasonably necessary in the exercise of such duties for that vehicle to enter that street or length of street;
  - (f) any person who causes any vehicle to proceed in accordance with any restriction or requirement indicated by traffic signs placed pursuant to section 66 or section 67 of the Road Traffic Regulation Act 1984; or
  - (g) CVIT vehicles en route to St. Mildred's Court.

Dated this eighteenth day of September 2018



Assistant Director (City Transportation)



**SCHEDULE**  
(see Article 3)

No motor vehicles except buses between 7 a.m. and 7 p.m. on Mondays to Fridays inclusive

1 Item Number	2 Street or length of street	3 Exceptions in addition to those in Article 5
1.	<b>Cornhill</b> from its junction with Gracechurch Street to its junction with Lombard Street, the westbound carriageway	-
2.	<b>Lombard Street</b> from its junction with King William Street to its junctions with Cornhill and Mansion House Street	-
3.	<b>Mansion House Street</b>	-
4.	<b>Poultry</b> (a) from its junction with Old Jewry to its junction with Grocers' Hall Court  (b) from its junction with Grocers' Hall Court to its junction with Mansion House Street	Except for authorised vehicles requiring access to Grocers' Hall Court  -
5.	<b>Princes Street</b> (a) from its junction with Gresham Street and Lothbury to a point 33 metres south-east of the south-eastern kerb-line of the south-eastern entrance to the Grocers' Hall courtyard  (b) from a point 33 metres south-east of the south-eastern kerb-line of the south-eastern entrance to the Grocers' Hall courtyard to its junctions with Mansion House Street and Threadneedle Street	Except authorised vehicles requiring access to that length of Princes Street  -
6.	<b>Queen Victoria Street</b> from its junction with Mansion House Street to a point 39 metres south-west of the south-western kerb-line of Walbrook	Except vehicles egressing from Walbrook

## EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport).

This Order, in the City of London, makes permanent the provisions of Articles 3 and 5, and Schedule 1 of The City of London (Bank Junction) (No. 1) Experimental Order 2017(a), namely to:-

- (a) introduce a 'no motor vehicles' restriction with an exemption for buses operating between 7 a.m. and 7 p.m. on Mondays to Fridays in:-
  - (i) Cornhill for the westbound carriageway;
  - (ii) Lombard Street in the length that lies between its junction with King William Street and its junctions with Cornhill and Mansion House Street;
  - (iii) Mansion House Street;
  - (iv) Poultry in the length that lies between its junction with Old Jewry and its junction with Mansion House Street;
  - (v) Princes Street; and
  - (vi) Queen Victoria Street in the length that lies between its junction with Walbrook and its junction with Mansion House Street.
  
- (b) introduce a 'no motor vehicles' restriction with an exemption for buses operating between 7 a.m. and 7 p.m. on Mondays to Fridays in Threadneedle Street on traffic proceeding into Bank Junction.

The 'no motor vehicles' restrictions also exclude certain other authorised vehicles in some lengths of street.



**Authorised Officer Witness Statement  
(Moving Traffic Contravention)**

London Local Authorities and Transport for London Act 2003

[REDACTED] v City of London

PCN No: [REDACTED]

I, Alison Soards, am an authorised officer of the City of London Corporation.

This statement is true to the best of my knowledge and belief. I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything that I know to be false or do not believe to be true.

I produce in evidence for the above case, stills and/or video footage. I certify that this evidence was produced from an approved device.

I further certify:

1. that these were produced in accordance with the Code of Practice for the Operation of CCTV Enforcement Cameras;
2. that the monitoring and recorded equipment used at the location and time specified is a prescribed device approved by the Secretary of State under Article 2 of The Civil Enforcement of Parking Contraventions (Approved Devices) (England) Order 2007;
3. that, to the best of my knowledge and belief, all conditions subject to which approval was given were satisfied.

Description:

I observed a GREY coloured vehicle with the vehicle registration mark [REDACTED] on 30/06/2020 at 15:52 in MANSION HOUSE STREET. The vehicle was in contravention; namely - 52M - Failing to comply with a prohibition on certain types of vehicle (motor vehicles) - only buses and bicycles allowed Monday to Friday between 7am and 7pm .



SIGNED:

NAME: Alison Soards

POSITION: CCTV ENFORCEMENT OFFICER

DATE: 21/07/2020

**I CERTIFY THAT THE PENALTY CHARGE NOTICE (PCN) / ENFORCEMENT NOTICE (EN) INFORMATION PROVIDED ON PREVIOUS PAGE/S ARE IDENTICAL TO THE INFORMATION CONTAINED ON THE PCN/EN ISSUED TO THE RELEVANT VEHICLE/DRIVER/OWNER.**

**Name: J Gordon**

**Signature:**

A handwritten signature in black ink, appearing to be 'J Gordon', written in a cursive style. The signature starts with a large, stylized 'J' that loops back under the 'G', followed by 'Gordon' in a similar cursive script.



