

Report for: Cabinet – 11th July 2023

Title: Low Traffic Neighbourhood Exemptions

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Ward(s) affected: Bruce Castle, Tottenham Central, West Green, St Ann's, Seven Sisters, Bounds Green, Woodside

**Report for Key/
Non-Key Decision:** Key decision

1 Describe the issue under consideration

- 1.1 In July 2022, the Council approved a Low Traffic Neighbourhoods (LTN) Exemption Criteria and Applications Process relating to LTNs in the borough. As part of the comprehensive review process of the three trial LTNs launched to date in the borough (Bounds Green, Bruce Grove West Green and St Ann's), an interim review has been carried out of the available exemptions and related process. Because of this review, which took account of feedback received to date from residents and disability groups as well as front-facing and back-office Council teams involved in the operation of the approved process, it is recommended that various changes are made to the exemptions which are applied to the three trial LTNs. The primary purpose of these changes is to ensure that the trial LTNs advance equalities as far as possible.
- 1.2 Subject to Cabinet approval, the changes would be introduced under new Experimental Traffic Orders (ETOs) which would trigger a further six-month statutory objection period on the trial LTNs. It is not proposed at this time to formally update the Low Traffic Neighbourhoods Exemption Criteria and Applications Process, rather this will be considered at the end of the trial of the three LTNs when a decision is made as to whether to not to make them permanent and having regard to feedback from the whole of the trials.

2 Cabinet Member introduction

- 2.1 This report provides an overview of the changes proposed to the Exemptions procedure which was a core part of Haringey's Low Traffic Neighbourhoods programme. The decision to implement three LTNs on a trial basis in Bounds Green, Bruce Grove West Green, and St Ann's was approved by Cabinet on 7th December 2021 as part of the implementation of the programme outlined in our Walking and Cycling Action Plan. These LTNs were introduced as part of the

Council's ambitious Streets for People initiative, aiming to address challenges such as the climate emergency, air quality, and public health.

- 2.2 It was understood that, as with any major traffic management scheme aimed at changing the behaviours of road users, there would be, potentially, considerable disruption in the early phase of the scheme's roll-out. To ensure that the implementation of LTNs does not create additional obstacles for residents already facing challenges in their daily lives, the Council approved three categories of exemption to non-hard closure traffic filters within the trial LTNs. These categories include Blue Badge holders living within or on the immediate boundary of the LTN, Special Educational Needs and Disabilities (SEND) transport, and essential Haringey Council services catering to people with disabilities. An application process was established for exemptions, and the Council also allowed individual circumstance dispensations.
- 2.3 Since the launch of the LTNs, feedback has been collected and an oversight panel, the LTN Disability Inclusion Working Group, was convened, which included Public Voice, the Joint Partnership Board, Severe and Complex Autism and Learning Disability (SCALD), and Disability Action Haringey, with the aim of discussing and bringing forward improvements to the exemptions scheme. Through this and other feedback, adjustments have been made to the exemption application process. The changes include simplifying the application form by providing a way for applicants to verify the accuracy of their vehicle registration through the Driver and Vehicle Licensing Agency (DVLA). Additionally, the application form has been amended to guide applicants based on their address, informing them whether they qualify under the Blue Badge criteria or need to apply via the Individual Circumstance criteria.
- 2.4 It also became clear that there was a need to address confusion among residents regarding the traffic filters. Despite receiving confirmation emails explaining the restrictions, some residents with exemptions for specific filters were found driving through diagonal filters that did not permit their access. To address this issue, the confirmation emails have been modified to include pictures of the appropriate signs and additional information available on the Streets for People website.
- 2.5 Temporary exemptions have also been granted to disabled residents requiring access for family caregivers and various essential services, including emergency services key officers, funeral director's vehicles, specific Royal Mail vehicles (Moorefield Road), and those involved in providing critical care within the community.
- 2.6 Based on the observations, feedback and positive discussions within the LTN Disability Inclusion Working Group gathered to date, this report presents recommendations for further enhancements. These recommendations include allowing all Blue Badge holders living within the Borough of Haringey to nominate one vehicle for driving through all three LTNs, provided it adheres to the specified traffic filters. This approach aims to simplify the exemption process

for Blue Badge holders and extend the benefits to a larger percentage of the approximately 10,000 Blue Badge holders in the borough.

2.7 In addition to these we believe it would be a positive step to allow SEND motor vehicles authorised by Haringey Council to access the diagonal restrictions in all three LTNs to facilitate the transportation of individuals with special educational needs and disabilities.

2.8 We understand the importance of ensuring that residents facing obstacles in their daily lives, especially during the "bedding-in" period where increased disruption on main roads is expected, do not encounter additional challenges due to the implementation of LTNs. The recommendations put forward aim to strike a balance between facilitating access for those with specific needs while maintaining the objectives of the LTNs in improving air quality, reducing congestion, and creating safer and more inclusive spaces for all residents.

3 Recommendations

It is recommended that Cabinet:

3.1 A) Notes the summary of feedback received in respect of the Council's existing Low Traffic Neighbourhoods Exemption Criteria and Applications Process.

B) Agrees that, in addition to exemptions already contained within the Council's Low Traffic Neighbourhoods Exemption Criteria and Applications Process, that supplementary exemptions will be applied to the three trial LTNs (Bounds Green, Bruce Grove West Green and St Ann's) as follows:

- i) Allow all Blue Badge holders with a valid Blue Badge and whose main address is within the Borough of Haringey to register one motor vehicle for exemption from the three trial LTNs (but only traffic filters which have the Except Permit Holder sign).
- ii) Allow SEND transport organised by the Council to be exempt from diagonal traffic filters in the three trial LTNs.
- iii) With permission of the Council, authorised by the Assistant Director for Direct Services, allow any vehicle to be exempt from specified camera enforced traffic filters in the three LTNs

C) Authorises the Head of Highways and Parking to make the necessary experimental traffic orders to give effect to the recommendations.

D) Notes that any representations made during the statutory objection period associated with the experimental traffic orders referred to in recommendation C will be presented to Cabinet, alongside a final monitoring report, when a

decision will be sought on whether to make the provisions of the experimental traffic orders permanent.

4 Reasons for decision

- 4.1 As part of the interim review of the three trial LTNs that the Council has implemented, a review has been carried out on the available exemptions and related processes.
- 4.2 Having regard to feedback from stakeholders, and to advance equalities as far as possible, additional exemptions are proposed for the benefit of Blue Badge holders residing in Haringey and for the benefit of SEND pupils using transport.
- 4.3 An additional exemption to allow any vehicle to be exempt with permission of the Council will provide the Council with flexibility to grant exemptions in exceptional circumstances.
- 4.4 The LTN exemptions have not yet been assessed (and could not have been assessed) with the changes now being proposed and that the ETOs as now proposed would be a genuine and novel experiment.

5 Alternative options considered.

- 5.1 **Option 1:** Not to agree to the additional exemptions recommended for the three trial LTNs. This option is rejected because it would not take account of legitimate feedback nor would it enable the Council to advance equalities as far as possible.
- 5.2 **Option 2:** Approve further exemptions not justified on equalities grounds. This option is rejected as permitting such vehicles would undermine the aims of the LTNs.

6 Background information

- 6.1 On 7 December 2021, Cabinet approved the implementation of three LTNs on a trial basis together with a range of complementary measures including new pedestrian crossings, cycle hangars and four trial School Streets. The three LTNs were Bounds Green, Bruce Grove West Green and St Ann's.
- 6.2 The decision followed from extensive engagement and was taken having regard to the need to address significant challenges facing the borough such as the climate emergency, air quality and public health.
- 6.3 At that meeting, Cabinet also approved three categories of exemption to the non-hard closure traffic filters within the three trial LTNs:
 - a. Blue Badge holders living within the LTN or on its immediate boundary;

- b. Special Educational Needs and Disabilities (SEND) transport; and
- c. Essential Haringey Council services catering for people with a disability

6.4 It was stated within the respective Cabinet reports that exemptions would be subject to an application process and exact criteria would follow in due course. It was also stated that there would be a separate route to obtain an exemption through an individual circumstance dispensation.

6.5 In July 2022, prior to the launch of the LTNs, the Cabinet Member for Climate Action, Environment & Transport approved¹ a Low Traffic Neighbourhoods Exemption Criteria and Applications Process which provided this further detail.

6.6 The key considerations for the exemption criteria and applications process were identified in the associated report as follows:

- **Case for LTNs/key principles:** LTNs have been provided to deliver the objectives set out in the Council's adopted Transport Strategy (2018) and adopted Haringey Walking and Cycling Action Plan (2022). They have been implemented as part of the Council's ambitious Streets for People initiative in order to 1) reduce pollution, especially NO₂ and particulate matter, which can affect lung function and breathing, worsening respiratory diseases including asthma in children and chronic obstructive pulmonary disease (COPD) in adults; 2) improve health outcomes related to inactivity; 3) reduce motor traffic collisions; 4) reduce carbon emissions in our attempt to avoid catastrophic climate change and finally 5) reclaim neighbourhood streets for pedestrians and communities and to make safe welcoming, inclusive spaces for all residents.
- **Equalities:** Equality Impact Assessments (EqIAs) of the three approved LTNs assessed the likely impacts of the LTNs and complementary measures on groups with protected characteristics as defined by the Equality Act 2010. These found that the proposals will advance equalities for many protected groups with a disadvantage noted for those predominantly reliant on motor vehicles for transport. This potential disadvantage was noted for some individuals in the following groups: young people with SEND, older people, disabled people, carers, and pregnant people. To ensure the three LTNs would advance equality as far as possible, the Council approved numerous exemptions to non-hard closure filters (ie traffic filters that do not physically close motor vehicle access and ones which are enforced by camera) in the LTNs. The Council has powers, under the Road Traffic Regulation Act 1984, to provide a broad range of exemptions (for different categories of road user), however, this provision needs to be balanced against the objectives of the scheme and should not undermine the positives that LTNs can bring (such as a safer environment for those walking and cycling and cleaner air)

¹ <https://www.minutes.haringey.gov.uk/mgAi.aspx?ID=73602>

which are of particular importance to certain groups with protected characteristics.

- **Practicalities:** Potential exemptions must be considered having regard to their practicality of administering, managing and enforcing them and also taking account of the Council's back-office systems and processes and available resource. Save for readily identifiable vehicles like emergency service vehicles, the granting of exemption relies on the Council having a vehicle registration number registered on the appropriate filters' ANPR cameras on the day of the vehicle driving through the filter. Where a regular vehicle is used by an individual then this can be easily administered by the Council. In contrast, it would be much more complex for the Council to provide exemptions for someone who travels via a different taxi/private hire vehicle every day and the registration numbers are not known in advance. It is also noteworthy that once exempt the Council cannot distinguish between who is making that journey and for what purpose.

6.7 The July 2022 report noted that all properties within the LTNs would remain accessible by motor vehicle, irrespective of an exemption system, however the way certain properties would be accessed could change. It made clear that any exemptions categories should be carefully balanced *“so as not to risk undermining the aims of LTNs.”*

6.8 The July 2022 decision provided for a series of exemption categories that would allow certain individuals and groups to apply for and, where approved, drive through specified LTN traffic filters. These were as follows:

- Emergency services
- Council refuse and cleansing
- Blue Badge holders living within or on the immediate boundary of an LTN
- Blue Badge holders living within the Bowes Primary Area Quieter Neighbourhood (Enfield)
- Special Educational Needs and Disabilities (SEND) transport
- Haringey Council services and commissioned services transporting people with a disability and Transport for London's Dial-a-Ride service
- Urgent safety matters
- Individual circumstances, which covers (subject to application):
 - a person, or person with a child, with a chronic health condition that makes sitting in a car very difficult
 - a person, or person with a child, with a condition that means sitting in a car or a re-routed journey causes overwhelming psychological distress;
 - a professional carer whose ability to transport a care recipient in a car or directly assist them with their care needs is significantly impaired by an LTN;

- an organisation that solely transports people with access or disability needs

6.9 The same report stated that as part of the three trial LTNs, the Council's exemption approach would be kept under review.

6.10 The July report delegated authority to the Director of Environment and Neighbourhoods to approve changes to the Low Traffic Neighbourhoods Exemption Criteria and Applications Process. However, to allow for Cabinet's comprehensive consideration of the three trial LTNs, this report is being brought to Cabinet alongside the 'Interim review of Haringey Phase 1 Low Traffic Neighbourhoods' that is being considered at the same meeting.

The three trial LTNs were implemented as set out below:

- Bounds Green LTN launched 15th August 2022
- Bruce Grove / West Green LTN launched 1st November 2022
- St Ann's LTN launched 22nd August 2022

7 Exemptions data for existing LTNs

7.1 The volume of exemptions approved for a Blue Badge and Individual Circumstances is shown in the table below. This covers the period from 6/6/2022 to 22/6/2023.

Table1: Approved Exemption data

Type of Exemption	Total
Blue badge holder	996
Individual Circumstance	510

7.2 In addition, 16 informal carers have been granted a temporary exemption; although they are not covered as a category approved for an exemption in the December 2021 Cabinet report, each request has been considered on its own merit. The data reported for this is for the period after December 2022.

8 Feedback on existing LTN exemptions

Formal objections

8.1 A total of 783 formal objections were received regarding the Bruce Grove West Green LTN, 636 regarding the St Ann's LTN and 828 regarding the Bounds Green LTN. These are in relation to the LTN's in totality, so not just exemptions. The three recurring themes cited in relation to exemptions are as follows:

- Improve access/exemptions - disabled people/carers
- Improve access/exemptions – residents

- Improve access/exemptions - other groups (e.g. taxis, deliveries)

Commonplace

- 8.2 From December 2022 to March 2023 the Council carried out engagement on the LTNs through Commonplace, a digital platform and through a hard copy version if required. The feedback sought on this involved asking a series of questions to seek views on the LTNs, with specific questions asked on exemptions.
- 8.3 Questions were tailored around asking for sentiments towards exemptions for motor vehicles offered by the Council. Participants were asked if they agreed with any of the three statements provided below:
- The right level of exemptions has been offered (balancing the need where motor vehicle access is necessary and creating a cleaner and safer environment)
 - More people should be exempt (which additional category should be exempt and why)
 - Less people should be exempt (which category should not be exempt and why). The Council also asked what other suggestions regarding exemptions do you have?

Commonplace feedback regarding exemptions

- 8.4 Full details of the feedback received is provided in separate reports within Appendix B of the Cabinet report on the 'Interim review of Haringey Phase 1 Low Traffic Neighbourhoods' that is being considered at the same meeting.
- 8.5 Bruce Grove West Green LTN: In summary, 886 respondents provided a total of 909 comments regarding exemptions for motor vehicles that have been offered by the Council. The most common themes identified from these responses related to 'Improve access/allow exemptions – residents', and 'Improve access/allow exemptions – other groups (e.g. taxis, deliveries)'.
- 8.6 Bounds Green LTN: 1,116 respondents provided a total of 1,407 comments regarding the exemptions for motor vehicles offered by the Council. The most commonly cited theme was to 'Improve access/allow exemptions for residents'. Other commonly cited groups for exemptions included disabled people and carers, as well as a range of other groups including taxis, delivery vehicles and tradespeople carrying out work in the LTN area.
- 8.7 Furthermore, a sizeable proportion of respondents took the opportunity to state their desire to 'Remove the LTN or raise the issue of Congestion/traffic build-up/displacement'. The key themes raised for this question, alongside the number of times each theme was cited for this question, is outlined in the table below:
- 8.8 St Anns LTN: 846 respondents provided a total of 968 comments regarding exemptions for motor vehicles that have been offered by the Council. The most

common themes identified from these responses related to 'Improve access/allow exemptions – residents', 'Improve access/allow exemptions – disabled people/carers'.

- 8.9 Some requested that resident exemptions would allow residents living within the LTN area to access all other areas of the borough without being subjected to LTN restrictions. ANPR enforcement was also a key proposal here, as were exemptions being granted through parking permit schemes.
- 8.10 Many comments relating to exemptions for disabled people, elderly people and their carers related to concerns regarding social mobility of these impacted groups, who may be dependent on car usage. With regards to carers, respondents were of the view that all carers (formal or informal) and other visitors of those elderly and disabled should also be exempt from LTN restrictions.
- 8.11 Over 100 comments requested exemptions for delivery drivers, taxis, or local tradespeople from the LTN restrictions. Several respondents noted the reluctance of goods vehicles or taxi services to enter LTNs due to increased journey times and potential penalty notices. This theme also coincided with suggestions around improving signage to reduce driver confusions regarding the restrictions.
- 8.12 The Tables below provide information on the number of comments made which are split into themes.

Table 2: Bruce Grove West Green LTN comments on Exemptions

Themes	Count	Themes (continued)...	Count
Improve access/allow exemptions - residents	395	Comment on consultation	5
Improve access/allow exemptions - other groups (e.g., taxis, deliveries)	141	Road safety concerns	4
Remove the LTN	97	Reference to other LB Haringey/Government policies	4
Improve access/allow exemptions - disabled people	71	Public transport improvements - General	4
Congestion/traffic build-up/displacement	57	Anti-social behaviour concerns	3
Suggestions for enforcement	27	Alternative road layout proposed	3

Further information/monitoring requests	25	Cycle improvements	3
Unclear sentiment	23	Fewer/no exemptions	2
Modify the LTN	13	Improved air quality	1
Air quality concerns	13	Further consultation	1
Electric/hybrid/low emission vehicles	5	Amend parking provisions/restrictions	1
Support the LTN	5	Reduced car ownership/usage	1
No comment	5		

Table 3: Bounds Green LTN comments on Exemptions

Themes	Count	Themes (continued)...	Count
Improve access/allow exemptions - residents	554	Comment on consultation	6
Remove the LTN	158	Improve signage/wayfinding	5
Congestion/traffic build-up/displacement	138	Anti-social behaviour concerns	3
Improve access/allow exemptions - disabled/carers	104	Improved road safety	3
Improve access/allow exemptions - other groups (e.g. taxis, deliveries)	97	Suggestions for enforcement	2
Air quality concerns	56	Public transport improvements - General	2
Unclear sentiment	51	Increased noise pollution	2
Increased journey times	44	Pedestrian/walking improvements - general	2
Modify the LTN	34	Reduced noise pollution	2
Negative impact on business/the economy	31	Positive impact on businesses/the economy	1
Further information/monitoring requests	28	Inappropriate/illegal parking	1
Disproportionate affects/discrimination	24	Further consultation	1
Road safety concerns	16	Increased active travel	1
Electric/hybrid/low emission vehicles	15	Improved public facilities	1
Support the LTN	12	Cycle improvements	1
Fewer/no exemptions	12		

Table 4: St Anns LTN comments on Exemptions

Themes	Count	Themes (continued)...	Count
Improve access/exemptions for - residents	352	Improve signage/wayfinding	10
Improve access/allow exemptions - disabled people/carers	135	Disproportionate affects/discrimination	8
Remove the LTN	128	Unclear sentiment	7
Improve access/exemptions for - other groups (e.g. taxis, deliveries)	101	Comment on consultation	7
Congestion/traffic build-up/displacement	58	Negative impact on business/the economy	6
Modify the LTN	41	Support the LTN	4
No comment	22	Alternative road layout proposed	3
Fewer/no exemptions	21	Traffic calming measures	2
Air quality concern	18	Amend parking provisions/restrictions	2
Road safety concerns	15	Improved environment for active travel	1
Suggestions for enforcement	13	Further consultation	1
Further information/monitoring requests	12	Electric/hybrid/low emissions vehicles	1

Commonplace feedback regarding other suggestions regarding exemptions

- 8.13 **Bruce Grove West Green LTN:** 604 respondents provided a total of 820 comments regarding other suggestions regarding exemptions. The most common themes identified from these responses related to 'Improve access/allow exemptions – residents'.
- 8.14 Comments relating to 'Improve access/allow exemptions – residents' suggested that residents should be exempt from the traffic filters, though different levels of exemptions were suggested. Some comments suggested that all residents living in the LTN area should be exempt from all traffic filters, while others suggested that only residents living on a road with a traffic filter should be exempt, with some adding that this exemption should be for the road they live on only. Some comments also suggested that all Haringey residents should be exempt.
- 8.15 Most comments relating to 'Improve access/allow exemptions – other groups (e.g. taxis, deliveries)' suggested that taxis, private hire vehicles, and Ubers, should be exempt from all traffic filters, particularly to help elderly and disabled people with their travel needs. Other groups identified as needing exemptions included: teachers/school staff, health and social care workers, parents dropping their children off at school/childcare, family visitors, local businesses, emergency services, visitors to the Haringey area.

- 8.16 Comments relating to 'Remove the LTN' suggested that the LTN should be removed, with some comments mentioning that the LTN is negatively impacting the residents of the area and that it causes disruptions to journeys around the borough.
- 8.17 **Bounds Green LTN:** 726 respondents provided a total of 897 comments regarding other suggestions regarding exemptions. The most commonly cited theme was to 'Improve access/allow exemptions for residents'. Once again, other commonly cited groups for exemptions included disabled people and carers, as well as taxis, delivery vehicles and tradespeople carrying out work in the LTN area featuring strongly.
- 8.18 **St Anns LTN:** 571 respondents provided a total of 578 comments regarding other suggestions regarding exemptions. The most common themes identified from these responses related to 'Remove the LTN', 'Improve access/allow exemptions – residents', and 'Improve access/allow exemptions - other groups (e.g. taxis, deliveries)'.
- 8.19 Most respondents that asked for complete removal of LTN also suggested that if it was not to be the case, the Council should consider LTN exemptions for residents, delivery drivers, taxis, people with disabilities and their carers and those above certain ages.

9 Changes made to date

- 9.1 Since the implementation of the LTNs we have gathered feedback and taken on board what people have said. We have simplified the exemptions application form by providing a way for applicants to check that the vehicle registration they are entering is accurate, by checking against the information held by Driver and Vehicle Licensing Agency (DVLA). This has been an issue as applicants were misspelling the number plate by providing an O (letter) instead of a 0 (number), which was resulting in a number of Penalty Charge Notices (PCNs) being issued.
- 9.2 As a number of applicants were not sure if they qualified under the Blue Badge criteria which is for Blue Badge holders living within or on the immediate boundary of a LTN, the application form has been amended such that when an address is entered, a message pops up informing the applicant if the address provided is within the LTN and therefore they can continue applying under the Blue Badge criteria. If it is not, then the message informs the applicant to apply via the Individual Circumstance criteria.
- 9.3 Feedback especially from front-facing and back-office Council teams involved in the operation of the approved process has identified that many residents with an exemption for traffic filters with the sign "Except Permit Holders" are driving through the diagonal filters which do not have the "Except Permit Holder" sign. This is despite the confirmation email sent to the applicant whose application was approved making them aware that they can only drive through filters in the area they had approval for and only ones with the sign "Except Permit Holders" present. In order to address the confusion and the anxiety caused to many who

have received PCNs, the confirmation email has now been changed to include pictures of the signs they need to look out for as well as additional information that is available on the Street for People website.

Temporary exemptions

- 9.4 We have granted temporary exemptions to some disabled residents living inside an LTN who needed access for a family member who is caring for them. This has been considered on a case-by-case basis.
- 9.5 Exemptions have been granted to
- Emergency services including Police unmarked and other firearms unit;
 - 2 funeral director's vehicles.
 - Royal Mail vehicles (Moorefield Road within Bruce Grove West Green LTN)
 - SEND and other vehicles transporting disabled children and adults.
 - Others for safety reasons.
- 9.6 Following implementation, due to the increase in journey times experienced during some periods through some of the main roads, we have granted temporary exemptions to a number of services who provide critical care in the community. These include:
- Barnet, Enfield and Haringey trust and Whittington Mental Health Team.
 - Some GP staff.
 - Individuals and teams providing critical care based on a case-by-case consideration.

Co-production and improvement of application form and process

- 9.7 The Council subscribes to the social model of disability which states that people are disabled by barriers in society, not by their impairment or difference. It is important, therefore, that the application process for an exemption does not provide an unnecessary barrier to people. At the same time, however, it needs to be balanced against the need for applicants to properly evidence and justify the requirement for an exemption so as not to risk undermining the aims of LTNs.
- 9.8 Since approval of the Low Traffic Neighbourhoods Exemptions: Criteria and Applications Process, the application form and process have since been subject to further engagement with key stakeholders including people with disabilities and other access needs. Concerns have been raised by our disabled representatives as part of the LTN Disability Inclusion working group (a subgroup of the Joint Partnership Board -JPB) about the current LTN exemption form. It was considered that several of the questions we were asking were seeking intrusive information and that other questions needed to be more user-friendly.
- 9.9 In response, the Council has streamlined the application form and removed a number of questions: such as what times and days people are travelling. Other

changes made to the form include the ability to select multiple categories as more than one may apply to an applicant; for example they could be a professional carer and a person with a chronic health condition that makes sitting in a car very difficult. The more simplified version is now available to use.

10 Council Response

- 10.1 In view of the feedback received, the changes already made and feedback from internal teams involved in the exemption process, a number of changes to the exemptions have been considered and the risks and benefits of each are discussed in this section. This has led to the officer recommendations in this report. All options recommended would apply to all three LTN's.

Option 1: Resident exemptions

- 10.2 Some residents have asked to be exempt through all filters. This is also a strong theme in terms of the feedback received on all three LTN Commonplace exercises. The Council has also received a number of formal objections in regard to this. All properties within the LTNs remain accessible by motor vehicle but the way certain properties are accessed has changed. Experience of other LTNs in London has shown overall reductions in vehicular traffic volumes over time but with variance on certain roads and at certain times.
- 10.3 Local residents can still use cars, as well as receive visitors and deliveries, but non local traffic cannot drive through the area. When non-local through traffic is reduced in an area, local people often choose to make short journeys on foot or by bike, further reducing traffic. The transport objectives for the borough over the next 10 years is to reduce reliance on the private car, increase walking and cycling and enhance the public transport network. These objectives will help to tackle air pollution, improve the quality of life and wellbeing of residents and work towards a carbon zero borough. LTNs are a step change in the right direction for reducing carbon emissions in our borough, promoting the health and safety of our community and making our neighbourhoods more pleasant places to live. By reducing the number of motor vehicles in and around the LTNs the expectation is that journey times will improve or, at worst, have marginal differences, thereby benefitting those who need to make essential journeys by car. Therefore, by allowing residents to be exempt undermines the LTN and we are not recommending this option.

Option 2: Business exemptions

- 10.4 Some businesses across the LTN have asked to have access through the LTN filters. Access to all shops is maintained and every property is accessible, therefore there is no reason why a delivery cannot be made. The journey may require the person to take a different route. Furthermore, walking and cycling is good for local high streets: people who walk and cycle visit their high streets more often as journeys can be made without having to think about parking or

traffic. People who walk to the high street tend to visit more shops and stay longer. For those who cannot walk or cycle to their local shops it will still be possible to travel by car. We also want to encourage people and companies to shift to delivery via use of cargo bike, undertaking deliveries during less busy periods and using different routes. LTNs are areas which experience quieter roads which feel safer for pedestrians and benefit from better air quality. They also enable people to walk, play and meet in a healthier and more inviting environment. Streets with quieter traffic flows have positive social interactions within the community and a better sense of community cohesion. By allowing an exemption it undermines the key principles of the LTN and we are not recommending this option.

Option 3: Exemptions for taxis (transporting a disabled passenger)

- 10.5 We acknowledge that for people with a disability who rely upon the use of taxis and private hire vehicles (and need to pass through traffic filters) the current range of exemptions offered only provides very limited benefits due to the practicality of getting a vehicle registration mark (VRM) into the camera system.
- 10.6 For this option to be improved, the Council needs to know the VRM of the taxi that is carrying a passenger with a disability.
- 10.7 If the customer hailed or booked a taxi (by phone or using an app) the passenger would not be informed of the taxi's VRM until shortly before their travel time. This would not provide sufficient time for the customer to advise the Council of the vehicle's VRM and enable an exemption to be applied.
- 10.8 However, the London Taxicard scheme provides a potential solution which is currently being investigated through a trial in Hackney. The scheme provides subsidised door to door journeys in licensed taxis and private hire vehicles for London residents who have serious mobility or visual impairments. It is funded by the London boroughs and Transport for London and managed by London Councils on their behalf. Operational matters (eg taxi bookings) are managed by London Council's partner, ComCab.
- 10.9 The trial being undertaken between partners in Hackney, aims to allow taxis and private hire vehicles that are carrying a passenger with a Taxicard to pass through a traffic filter.
- 10.10 In practical terms, Taxicard holders would book their taxi in the normal way² and the VRM of that vehicle would be logged to the ComCab database in the normal way. If a traffic enforcement camera, operated by the borough, were to identify a vehicle passing through a traffic filter the camera system would check with the ComCab database to confirm if that taxi was associated with a Taxicard trip and, if so, no PCN would be issued.

² ComCab London Taxicard Mobile App or ComCab London Taxicard Online Booking Website

- 10.11 To enable this, the Councils traffic enforcement camera system would need to be linked to the ComCab system.
- 10.12 At present a trial, at one particular traffic filter, is being considered by Hackney Council. If this is viable and proven to be a success and scalable, then this is something Haringey would consider.

Option 4: Exemptions for Blue Badge holders to travel through all traffic filters (where there is traffic sign that states ‘except permit holders’)

- 10.13 A key issue with LTNs is that they have the potential to impact disproportionately on individuals and groups who experience barriers to walking, cycling, and using public transport and who rely on a motor vehicle to get around. Specific groups who may be presented with difficulties by LTNs include older people and people with disabilities. LTNs do not prevent anyone driving to their home or to a particular address as all addresses remain accessible. It is also worth noting that disabled people also walk and cycle – therefore, their needs will differ from those who use a motor vehicle to get around. Offering exemptions for Blue Badge holders to travel through all traffic filters (where there is traffic sign that states ‘except permit holders’) has the risk that the nominated vehicle will be driven through traffic filters even when they are not carrying the blue badge holder or on their way to and from supporting them with no possibility of enforcement.

11 Recommendations

- 11.1 **Recommendation 1:** To allow all Blue Badge holders with a valid Blue Badge and whose main address is within the Borough of Haringey to nominate one motor vehicle which will be permitted to drive through all three LTNs, but only traffic filters which have the Except Permit Holder sign. This option will help Blue Badge holders living outside the LTN to apply for exemptions using a simpler form without the need to provide evidence of condition. There are circa 10,000 Blue Badge holders in the borough, at present, and only a small percentage have an exemption. Given that some Blue Badge holders have already been granted an exemption under the Blue Badge criteria for their part/whole of the LTN, the Council will give effect to this recommendation by reissuing the exemption and extend it to all three LTNs.

- 11.2 **Recommendation 2:** To allow SEND motor vehicles authorised by Haringey Council through the diagonal restrictions for all three LTNs to facilitate the transportation of a person with special education needs and disabilities.

Recommendation 3: Allow any other vehicle to be exempt from specified camera enforced traffic filters in the three LTNs with permission from the Council. An example of a situation that could be considered for an exemption (which may also apply to restrictions where the Except Permit Holder sign is not present) is where a high sided vehicle needs access to a business for delivery purposes and the only other available route has a low bridge which wouldn't be suitable for vehicles above a certain height.

12 Contribution to the Corporate Delivery Plan 2022-2024 high-level strategic outcomes

12.1 Low Traffic Neighbourhoods are specifically identified within the ‘Responding to the Climate Emergency’ theme of the Corporate Delivery Plan, under the following high level strategic outcome:

- Reduced through traffic leading to safer, cleaner and more pleasant streets for people to walk, wheel, cycle and gather.
- LTNs will also contribute to other high-level outcomes such as:
 - A Greener and Climate Resilient Haringey: it is expected that LTNs will reduce through traffic leading to safer, cleaner and more pleasant streets for people to walk, wheel, cycle and gather.
 - A Low Carbon Place: it is expected that LTNs will help achieve a built environment that supports carbon reduction – through transport modal shift - and climate adaptation – through the planning of street trees.

13 Statutory Officer Comments

Finance

13.1 Adoption of the recommended exemptions as detailed in paragraph 2.1 may potentially result in reduced income however whilst not possible to model in detail the effect, it is not expected to be material.

Procurement

13.2 N/A

Head of Legal and Governance (Monitoring Officer)

13.3 The recommendations regarding the supplementary exemptions will be given effect via Experimental Traffic Orders (ETOs) pursuant to section 9 of the Road Traffic Regulation Act 1984 (“RTRA”) which allows for the making of ETOs restricting or prohibiting use of a road or part of one by particular types of vehicles or pedestrians including exemptions from such restrictions or prohibitions, which may not last longer than 18 months and may be continued from time to time during the period of up to 18 months from the date the order first came into force.

- 13.4 When exercising its functions under the RTRA the Council must under section 122(1) so far as practicable have regard to the matters specified in subsection (2) to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway.
- 13.5 The “matters specified” in subsection (2) are (1) the desirability of securing and maintaining reasonable access to premises; (2) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run; (3) the strategy prepared under section 80 of the Environment Act 1995 (national air quality strategy); (4) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles and (5) any other matters appearing to the local authority to be relevant”.
- 13.6 Section 122 of the RTRA involves a balancing exercise that has involved the Council’s officers having in mind the section 122(1) duty, having regard to factors pointing in favour of imposing a restriction on that movement (as discussed in this report), balancing the various considerations and coming to the conclusion that the recommendations in this report represent the appropriate outcome. The factors which have pointed in favour of imposing a restriction on that movement have included the objective of reducing pollution and carbon emissions, improving health outcomes, reducing collisions and reclaiming neighbourhood streets for pedestrians.
- 13.7 The Council as a local traffic authority must also under section 16(1) of the Traffic Management Act 2004 manage its road network with a view to achieving, so far as may be reasonably practicable having regard to their other obligations, policies and objectives, the objective of securing the expeditious movement of traffic, including pedestrians, on the Council’s highway network and facilitating the expeditious movement of traffic on road networks for which another authority is the traffic authority.
- 13.8 Section 16(2) of the 2004 Act refers to action which the authority may take in performing the network management duty. This includes any action which will contribute to the more efficient use of the road network to secure the expeditious movement of traffic on the Council’s highway network, which providing exemptions for blue badge holders to drive through the three LTNs and allowing SEND transport to be exempt from diagonal traffic filters will achieve.

- 13.9 There is no requirement to consult the general public before an ETO is made like there is for a permanent traffic order, but under regulation 6 of the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996, various bodies need to be consulted prior to the making of the ETOs.
- 13.10 Although the exemptions in the ETOs are not being made permanent, because the ETOs are not being made permanent as there would not be sufficient time to consider any objections received in respect of any modified ETOs made to give effect to the changes proposed to the exemptions in this report before the ETOs expire, objections regarding the exemption received to date have been considered by officers as set out in section 9 of this report.
- 13.11 An ETO must be genuinely experimental in nature - an operation designed to glean information about the workings of a scheme in practice, which it is considered the new ETOs will be as the ETOs needed to the modified for the proposed changes to be exemptions to be assessed before a decision is made to make the same permanent.
- 13.12 The exercise of the power contained in section 9 to make ETOs is an executive function which can be exercised by Cabinet in accordance with the Council's Constitution.

14 Equality

- 14.1 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act
 - Advance equality of opportunity between persons who share a relevant protected characteristics and persons who do not share it, and foster good relations between persons who share those characteristics and persons who do not.
- 14.2 The three parts of the duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

Equality Impact Assessments (EqIAs) of the three approved LTNs assessed the likely impacts of the LTNs and complementary measures on groups with protected characteristics as defined by the Equality Act 2010. These found that the proposals will advance equalities for many protected groups with a disadvantage noted for those solely reliant on motor vehicles for transport. This potential disadvantage was noted for some individuals in the following groups:

young people with SEND, older people, disabled people, carers, and pregnant people.

- 14.3 To ensure the three LTNs would advance equality as far as possible and mitigate against any unnecessary disadvantage created by the scheme, the Council approved numerous exemptions to non-hard closure filters in the LTNs, including an 'individual circumstance dispensation'. In considering the extent of the exemptions, there is a need to balance the equalities benefits of providing particular exemptions versus the benefits of minimising exemptions such that an LTN provides the safest possible environment for people to walk, wheel and cycle by significantly reducing motorised traffic and to reduce, as far as possible, congestion and air pollution and will have corresponding positive impacts for certain groups with protected characteristics.
- 14.4 The implementation of an exemption permit system involves particular groups applying for an exemption to the restriction, where they meet the specified policy criteria. The groups currently provided for are listed in paragraph 5.7**Error! Reference source not found.** Those holding a valid exemption are allowed to drive through an associated traffic filter.
- 14.5 The changes in this report are, in part, led by feedback provided to date. We are expanding the exemptions criteria to allow all Blue Badge holders with a valid Blue Badge and whose main address is within the Borough of Haringey to nominate one motor vehicle which will be permitted to drive through all three LTNs, but only traffic filters which have the Except Permit Holder sign. This option will help Blue Badge holders living outside the LTN to apply for exemptions using a simpler form without the need to provide evidence of condition. There are circa 10,000 Blue Badge holders in the borough, at present and only a small percentage have an exemption. Furthermore, we are proposing to allow SEND motor vehicles authorised by Haringey Council through the diagonal restrictions for all three LTNs to facilitate the transportation of a person with special education needs and disabilities.
- 14.6 It is considered that these changes allow for further mitigation of any disadvantage experienced by those solely reliant on motor vehicles for transport. As such, it is considered to have a positive equalities impact on individuals in the following groups: young people with SEND, older people and disabled people.
- 14.7 The EqlAs for the Council's three approved LTNs (Bounds Green, Bruce Grove West Green and St Ann's) have been updated to reflect the Interim Review of Low Traffic Neighbourhood Exemptions Procedure and the potential equalities implications have been assessed and analysed. The original EqlA has been updated to reflect these changes. The updated EqlAs are provided as Appendices 1 to 3.

15 Use of Appendices

Appendix 1 -Updated Bruce Grove West Green EqlA
Appendix 2 -Updated Bounds Green EqlA
Appendix 3 -Updated St Anns EqlA

16 Local Government (Access to Information) Act 1985

- [7/12/2021 Cabinet: LTN decisions](#)
- [7/12/2022 Cabinet Member Signing: Low Traffic Neighbourhood Exemptions](#)
- [Corporate Delivery Plan 2022/23 and 2023/24](#)