Representation for heading into Turnham Green Terrace from the Avenue

PCN number:

I make representations against the above numbered PCN on the ground that the contravention did not occur as the signage is unclear and inadequate to convey the restriction. As such “there was no failure to comply with an indication” under 1(4)(b)(ii) of Schedule 1 of London Local Authorities and Transport for London Act 2003.

I saw no signs that inform of this restriction. Upon receipt of the PCN I made some investigations including viewing photographs and watching CCTV footage provided by the Council. I make the following observations in support of my contention.

1. The sign 619 “Motor vehicles prohibited” on Turnham Green Terrace through which you are enforcing the contravention provides no warning of the restriction and is not visible until a contravention has occurred.

On approaching the roundabout from The Avenue, the sign is too distant to be visible to the driver before entering the roundabout. The signs are set well back from the roundabout in Turnham Green Terrace. On reaching the roundabout, the driver must follow the Highway Code (Rule 185, “watch out for all other road users already on the roundabout”, and Rule 187 “traffic crossing in front of you on the roundabout, especially vehicles intending to leave by the next exit”)

Only on exit from the roundabout do the signs become visible, at which point a contravention has already occurred, as the driver has committed to take this exit. At this point, the only option a driver has to avoid a contravention is to reverse back onto the roundabout. In making my investigations I observed a driver making this manoeuvre, which was incredibly dangerous to other motorists, cyclists and pedestrians, and in breach of the Highway Code.

1. There is no warning sign in advance of the roundabout between The Avenue and Turnham Green Terrace that one exit from the roundabout has a restriction on it. This is despite the Traffic Signs Regulations and General Directions 2016 allowing for such a sign.
2. Hounslow Council appear to have breached its commitments to best practice stated in their Parking and Traffic Enforcement Policy because the signage is unclear and inadequate.

*“Adopting best practice guidance available, including enforcement operations that are … fair and are reasonable”*

And

*“Communicating clearly to motorists what regulations are in force”*

I understand that in *less than 2 months*, over 7000 PCNs have been issued with regards to this single enforcement. (In comparison, in the 2018-19 year, ie *12 months*, only 37,948 were issued in total in the *entire* Borough of Hounslow for Moving Traffic Contraventions.) This in itself provides strong evidence that it has not been clear to motorists what regulations are in force, because the signage is unclear and inadequate.

**Conclusion**

I have demonstrated above that:

* The sign through which the contravention is being enforced is not visible until the contravention has been made (and to undo the contravention would involve undertaking a dangerous manoeuvre in breach of the Highway Code)
* There are no advance warnings signs of any restriction being enforced on the exit from the roundabout, despite The Traffic Signs Regulations and General Directions 2016 allowing for such a sign.

For these reasons I believe that the signage is evidently unclear and inadequate to convey the restriction. As such, there was no contravention of the Local Authorities and Transport for London Act 2003 and the PCN should be cancelled. I invite the Council to do so at the earliest opportunity.