

Delegated decision report of: [REDACTED] [REDACTED], Corporate Director of Environment

Officer Delegated Decision

Date: 14 December 2022

Ward(s): Borough wide

Subject: People-friendly streets Individual
Exemption policy

1. Synopsis

- 1.1. In 2020 the council embarked on the ambitious people-friendly streets (PFS) programme to create more space for those who want to enjoy Islington as they walk or cycle as part of the longer-term plan to realise cleaner, greener healthier streets for local people. The introduction of low traffic neighbourhoods, future liveable neighbourhoods currently being planned, school streets and cycleways under the PFS programme contribute to improvements towards the council's wider ambitions related to health, active and sustainable travel, clean air, climate change and fairness encapsulated in the council's strategic plans including the Islington Transport Strategy, the Vision 30 (Net Zero Carbon) Strategy and Islington Together (for a more equal future).
- 1.2. By delivering people-friendly streets, the council is encouraging residents who could walk or cycle to consider their travel options before starting their journeys. In recognition that some people have no choice but to travel by vehicle and taking on board feedback from residents and groups representing disabled people, the council introduced exemptions for Blue Badge holders to camera-enforce filters in their respective 'home' LTNs. By way of important context, the Home LTN exemption was informed by research which demonstrated that short journeys that begin or end in LTNs are proportionately impacted more in terms of the percentage journey time increase as a result of the traffic filters. The longer the journey overall, the less of a proportional impact navigating the traffic filters has on total travel time. While short journeys are severely impacted (more than doubling) medium and long journeys do not record significant changes in length and time. It was therefore determined that exempting Blue Badge holders from the filters closest to their home would have the greatest impact for those reliant on vehicle travel.
- 1.3. In response to further feedback, and as the next step in improving accessibility of PFS schemes, the council is proposing to introduce a further exemption on a case-by-case basis informed by evidence provided by Systra consultants on behalf of four North London boroughs.
- 1.4. The proposed Individual Exemption policy set out in this report is proposed to be implemented on a trial basis from January 2023 in all existing low traffic neighbourhoods at camera-enforced filters with 'No Motor Vehicles' restriction signage introduced after 2020. During the trial, to run for at least 12 weeks, the council will invite feedback on the policy, following which the Executive will be asked to make a final decision on adopting the policy.

2. Recommendations

- 2.1. To agree to the proposal to implement a trial of the proposed Individual Exemptions policy set out in Section 4 of this report.
- 2.2. To agree that a decision on whether or not to adopt the policy in its current form or with amendments will be taken by Executive after the policy has been in place for at least three months and public feedback during the trial has been considered.
- 2.3. To note that the council will continue to work with the relevant teams and services to investigate the feasibility of exemptions for taxis and private hire vehicles used by disabled individuals as a next phase in the development of the wider exemptions for disabled people.

3. Background

- 3.1. In 2019, the council consulted on its draft Transport Strategy which made the case for the introduction of measures aimed at achieving a reduction in motor traffic enabling more people to walk, cycle and wheel and lead active lifestyles, reducing road danger and reducing the impact of transport on local air pollution and climate change. Because of the latter, it also forms part of the council's Vision 2030 (Net Zero Carbon) Strategy, which was consulted on in early 2020. Both of these strategies included policies and programmes to introduce low traffic and liveable neighbourhoods borough-wide, and both were adopted by the council's Executive in November 2020.
- 3.2. The Islington Transport Strategy (2020-2041) also recognises the importance of delivering a transport environment that is fair, accessible and secure with the aim of ensuring that all residents including the 16% of Islington residents who are disabled have equal opportunities to travel safely through the borough. Delivering healthy and safe streets means reducing traffic congestion on the Islington's streets while re-balancing road capacity in favour of walking, cycling and public transport.
- 3.3. The Individual Exemption policy supports these strategic objectives as part of the council's transport vision for 2041 and aligns with the Islington Together priorities for a more equal future strategic plan (2021) by recognising that for some individuals, mode shift to walking and cycling or using public transport is not possible. For these individuals who must travel by private vehicle, the overall net reduction in traffic that the people-friendly streets programme has been introduced to achieve by encouraging mode switch should mean that those who rely on vehicles for transport will experience less congested and safer journeys. Islington

Together recognises the importance of adapting the way we use public spaces and embracing sustainable travel for improving the health, wellbeing and opportunities for communities and delivering a more equal and cleaner, greener and healthier Islington.

- 3.4. Low-traffic neighbourhoods were initially implemented with limited exemptions to include emergency services, refuse collection and some council vehicles such as Accessible Community Transport (ACT). No other vehicles were offered exemptions. The council's initial rationale to not provide exemptions was based on three reasons:
 - Access to all addresses for all vehicles is maintained within LTNs, though routes may need to change following implementation.
 - To create a safer environment for people to walk, wheel and cycle by significantly reducing motorised traffic on local streets.
 - To reduce congestion and air pollution on the main roads. The objective of people-friendly streets is to reduce the overall number of trips, by supporting a change of behaviour to active travel over private vehicle travel.
- 3.5. Following feedback from organisations including Disability Action in Islington (DAII) the Carer's Forum, Islington Parents' Forum, London Travel Watch, Transport for All (TfA), Keeping Safe subgroup, Power and Control, and individual residents' correspondence, the council amended its position on exemptions and a new policy was proposed in the October 2021 PFS Executive report.
- 3.6. The October 2021 PFS Executive report provided the mandate for what has since been referred to as the Home LTN exemptions to be granted, enabling Blue Badge holders who live within or on the LTN side of a boundary road to nominate a single vehicle registered to their home address to be able to drive through designated camera-enforced traffic filters in the LTN in which they reside (their 'home' LTN).
- 3.7. The policy was implemented on a rolling basis from December 2021. Implementation started with the Highbury LTN and progressed through the other existing LTNs as their original trials drew to a close and decisions were made to continue them, namely St Peter's, Canonbury East, Clerkenwell Green, Amwell and Canonbury West. Home LTN exemptions were incorporated in the St Mary's Church LTN from the outset as this was implemented in February 2022 after the exemption process was in place. There are currently approximately 900 Blue Badge holders benefitting from Home LTN exemptions.
- 3.8. The Home LTN exemption was subsequently consulted on as part of each existing LTN's scheme-specific formal public consultation which took place approximately 12 months into each 18-month trial period, between September 2021 starting with

St Peter's and ending in February 2022 with the consultation on the Highbury LTNs. Each scheme's consultation questionnaire included an open response ('free text') question on the proposed Home LTN exemption for Blue Badge holders. In the case of the Highbury LTNs, the Blue Badge exemptions were in place at the time of the consultation. The St Mary's Church LTN is due to be consulted on in March 2023. After the Home LTN exemptions were implemented, the council continued to listen to feedback on the exemptions and amended the Home LTN exemption in July 2022, lifting the requirement for the exempt vehicle to be registered to the exemption holder's home address.

- 3.9. In addition to recommending the Home LTN exemption for Blue Badge holders, the Executive Report committed to developing a separate exemption route for people who do not meet the criteria for the standard (Home LTN) exemption permit under an 'exceptional circumstance dispensation'.
- 3.10. This commitment was also written into the scheme-specific delegated decision reports for each low traffic neighbourhood when new Experimental Traffic Orders (ETO) were issued upon the expiration of the original 18-month ETO, and in the case of St Mary's Church prior to the scheme implementation.
- 3.11. Following the collection of key evidence and a detailed feasibility process with input from officers across the council, the Individual Exemption policy recommended to proceed to a trial in this report has been developed to fulfil that commitment. The policy is considered to achieve a fair and reasonable balance between providing exemptions on a case-by-case basis and preserving the integrity of LTNs for all including a majority of disabled people who do not travel by vehicle as a driver or passenger.¹ More details on this assessment are provided in the accompanying Individual Exemption policy Equality Impact Assessment (EqIA).
- 3.12. Although it will have some impact on traffic volumes in low traffic and liveable neighbourhoods, this exemption is expected to generate a low number of additional trips through LTNs and liveable neighbourhoods that will not significantly impact their function or undermine the underpinning objectives, while still delivering a reasonable adjustment for individuals who are disabled or have a chronic condition who rely on a vehicle for travel and who could be substantially disadvantaged by the LTNs.

¹ [Travel in London: Understanding our diverse communities 2019 \(tfl.gov.uk\)](https://www.tfl.gov.uk/road-works/understanding-our-diverse-communities-2019)

4. Individual Exemptions policy

- 4.1. To inform the Individual Exemption policy, the council jointly commissioned (along with the London Boroughs of Hackney, Haringey and Enfield) research by consultants SYSTRA Ltd (Systra). Systra produced 'North London Boroughs LTN Exemption Policy Reviews' (July 2022) which provided recommendations for consideration on possible exemption policies and the processes for implementing these policy recommendations. The report is provided at Appendix 1.
- 4.2. The evidence collected by Systra to develop the recommendations which helped inform the Individual Exemption policy included a series of stakeholder interviews with individuals with various mobility needs, including mobility impairments, and parents and carers of disabled children and/or children with special educational needs. This engagement identified that some individuals with disabilities experience adverse impacts associated with longer journey times and/or re-routing of trips because of LTNs.
- 4.3. Although Islington already had the Home LTN policy for Blue Badge holders in place, Systra's report was developed to inform both home LTN and case-by-case policies in recognition that the commissioning boroughs were at different stages of developing LTNs/ LNs and implementing concomitant exemptions. The report acknowledges that different boroughs will take varying approaches to LTN exemptions both in terms of the exemption offered, where they apply and how the exemption is administered. Exemption policies may vary based on the number of LTNs/filters in a borough, if they relate to the LTNs in which the potential exemption holder resides, resourcing, and budget capabilities. As such the report makes a wide range of recommendations some of which are reflected in the existing home LTN policy, including the recommendation for Blue Badge holders to be granted exemptions, and others of which have informed the Individual Exemptions policy.
- 4.4. In developing the Individual Exemptions policy, officers carefully evaluated the evidence and policy recommendations presented in the Systra report with consideration given to the borough's unique circumstances including the significant number of Blue Badge holders in Islington who are already exempt from the traffic filters in their home LTN.
- 4.5. Systra recommended a process of evaluating each individual application based on journey criteria including length of journey, distance travelled and time of day the journey is undertaken was considered, but it was decided this created an onerous process for applicants and has not been included as part of the proposed Individual Exemption policy. Both recommendations on eligibility criteria for exemptions and the suggested medical evidence outlined by Systra have informed Islington's Individual Exemption policy. Whilst the proposed Individual Exemption

Policy is narrower on eligibility criteria than the Systra report suggests, it is more lenient than the Systra recommendation to limit the number of traffic filters for exemptions based on regular journeys.

- 4.6. Development of the policy also took into account internal input from council services including Policy and Equity, Safeguarding and Family support, Accessible Community Transport and the Blue Badge team (Parking Services). Externally, an Occupational Therapist from the NHS was also asked to provide feedback on the conditions the policy lists for eligibility and the medical evidence requirements. The policy was further refined following discussion of it at a meeting of the Islington Travel Accessibility Advisory Group (ITAAG) as set out in Section 5 below.
- 4.7. The council has also taken into account its continuing, anticipatory duty, owed to disabled people generally, to make reasonable adjustments to avoid disabled people being placed at substantial disadvantage compared with people who are not disabled by the implementation, development and operation of the LTNs and to take such steps as it is reasonable to take to avoid that disadvantage, and recognises that those steps may well vary depending on the nature of a person's disability and the nature of any disadvantage.
- 4.8. The council has taken the approach of making a reasonable adjustment for individuals who rely on vehicle travel and as a result of disability or a chronic health condition are substantially disadvantaged by increased time spent in a vehicle or re-routing of trips due to LTNs. Without intending to represent an exhaustive limitation, a chronic condition would be one which: is persistent and long term (lasting longer than one year); requires ongoing medical management and/or treatment; and/or limits the activities of daily living. It is considered that the resulting policy will not unacceptably harm the integrity of LTNs/ LNs for all who benefit from them. It is expected that those who are eligible for an exemption will be mostly making journeys that could not be taken by public transport or active transport.
- 4.9. The proposed policy that the council proposes to trial is as follows:

Individual Exemption policy

Through the Individual Exemption policy, exemptions may be given to people who can demonstrate that they/their child(ren):

- 1/ find it considerably difficult to sit in a vehicle for an extended period of time due to a disability or chronic health condition
- 2/ experience overwhelming psychological distress from sitting in a vehicle or re-routing of trips due to a disability or health condition

Evidence will need to be provided to show the substantial disadvantage of increased journey times or re-routing of trips in order to support the case for an exemption.

The exemption will apply to all camera enforced filters with “no motor vehicle” restriction signage in existing and future low traffic neighbourhoods (LTNs) /liveable neighbourhoods (LNs) in Islington. The exemption will not apply to School Streets restrictions.

Applicants do not need to live in an Islington LTN or LN to be considered for an exemption.

The exemption will be for a single vehicle which may be the applicant's own or belong to another person. The exemption holder must be in the nominated vehicle, either as driver or passenger, when it passes through a traffic filter.

Applicants may request a review of an unsuccessful exemption decision and can provide additional evidence for consideration.

Individual exemptions will be subject to review every three years.

- 4.10. The review process referred to in the policy is proposed to be controlled and administered by the council and, where required, using a third-party occupational therapist organisation to make informed assessments. Unsuccessful applicants will be able to submit a written review to the council within 28 days of the exemption decision with the option to include additional information for further consideration. The council will forward all evidence submitted from the applicant (original application and any additional information for consideration) to the occupational therapist organisation. The decision of the third-party organisation in the form of an assessment sheet will be sent to the council who will relay it to the applicant.
- 4.11. Although not intended to represent an exhaustive list, the following disabilities/needs have been indicatively identified as the most likely to lead to eligibility for an individual exemption on provision of appropriate evidence. The list is not exhaustive and there may be other ongoing chronic conditions that lead to either considerable physical discomfort or overwhelming psychological distress when travelling by vehicle:
- Autism spectrum disorders (ASD) such as Asperger's Syndrome;
 - Complex mental health disorders/neurological disorders;
 - Epilepsy;
 - Myalgic encephalomyelitis (ME) also known as Chronic Fatigue Syndrome (CFS);

- Spinal conditions or injuries;
- Other ongoing conditions that require regular hospital or GP visits and can be evidenced to lead to either considerable physical discomfort or overwhelming psychological distress when travelling by vehicle.

4.12. The following evidence has been identified as likely to contribute to demonstrating that a disability or a chronic health condition substantially and adversely impacts the applicant's ability to travel comfortably by vehicle for increased periods or on re-routed journeys that may be caused by LTNs. The list is not exhaustive, and applicants may need to provide additional evidence, subject to assessment by the council's Blue Badge team:

- Confirmation of ongoing treatments, clinic attendances, or referral for such
- Evidence of specialist consultations or referral for such;
- Patient Summary or Summary Care Records (from a GP);
- Care plans from social care teams;
- Letters from medical professionals involved in care and treatment (e.g. psychologist);
- Educational Healthcare plans;
- Occupational Therapy reports, Physical Therapy reports;
- Evidence of relevant benefits received

4.13. As with the Home LTN exemption, the Individual Exemption policy will not exempt taxis/private hire vehicles (PHVs) from the traffic restrictions as these vehicles are not used exclusively by disabled people. Analysis of the London Travel Demand Survey from 2016-2019 shows that disabled people in Islington only make 3.2% of regular weekly journeys by taxi or PHV.² It is not currently technologically feasible for the council to exempt the taxis only for the purpose of trips with a disabled passenger, even if the passenger would otherwise be eligible for an exemption.

4.14. The council is committed to working towards a technical solution to address the issue both in relation to the Home LTN exemption and the individual exemption to accommodate individuals who do not own or have access to a vehicle, or someone to drive them if they are unable to drive themselves due to a disability or chronic health condition and rely on taxi travel. This will depend on the technological resource and capability of the relevant enforcement teams.

4.15. Although the exemption would apply broadly to all camera-enforced traffic filters installed after 2020 in the borough (with the exemption of School Streets restrictions), the policy is not expected to generate a significant increase in overall journeys or journeys through LTNs/ LNs. As an indication, the council's Disabled

² [Consultations & surveys - Transport for London \(tfl.gov.uk\)](https://www.tfl.gov.uk/consultations-and-surveys)

Children's Social Work Team (DCT) estimated that 29 children in the borough may be eligible for the exemption, although it is unknown if all families have or have access to a vehicle. As the policy will have the effect of enabling applicants to undertake journeys that would not otherwise be possible or would only be possible with considerable difficulty or overwhelming distress, it is not expected to have a significant impact on the integrity of the LTNs/LNs.

5. Implementation and engagement

- 5.1. It is not proposed to hold a formal public consultation on the Individual Exemption policy as public feedback will be gathered from residents during the policy's trial implementation period. The Individual Exemption policy will be implemented on a trial basis for at least three months and residents and/or road users will be invited to submit feedback via an online service form. During this trial the policy will be implemented as it is written in Section 4 of this report. Implementing the Individual Exemption policy on a trial basis will mean that it can be brought into effect as soon as is operationally feasible (anticipated from early January 2023) so that eligible individuals can benefit from the policy sooner. Holding a public consultation in advance of implementing the policy rather than inviting feedback as part of the trial would mean that the individual exemption would not be implemented until a later date, delaying its benefits for eligible individuals.
- 5.2. In the case of the Home LTN policy, the exemption was introduced for Blue Badge holders and residents were given the opportunity to comment on it as part of formal consultations held approximately 12 months in to the 18-month trial periods of ETOs. Exemptions for eligible Blue Badge holders were implemented in each LTN under new ETOs allowing for statutory objections to be made in the initial six months of each respective LTN scheme's new ETO, and for monitoring of the impact of the exemption. Each LTN scheme is subject to a final round of monitoring and a final decision within 18 months of the new ETOs being made. Based on latest monitoring of St Peter's and Canonbury East LTNs as well as observation and experience, the Home LTN exemption has bedded in well. Changes were made to the Home LTN exemption in response to feedback received as outlined in Section 3 of this report.
- 5.3. The council's Blue Badge team will be responsible for administering the trial. Following the trial of the Individual Exemption policy for at least three months, the council's Executive will be asked to make a decision on whether to adopt the policy in its current form or with amendments. The decision at this stage may incorporate changes to the policy having regard to submitted feedback during the trial and/or experience of its operation. The results of the feedback will be published in a future Executive report.

- 5.4. The proposed Individual Exemption policy was shared with the Islington Travel Accessibility Advisory Group (ITAAG) at a bi-monthly meeting. The council established ITAAG to advise on emerging transport strategy and policy at an early stage, as part of efforts to strengthen the relationship between the council and members of Islington's disabled community.
- 5.5. ITAAG's feedback on the draft Individual Exemption policy included:
- Concern about the proposed requirement for people to apply for an exemption and the proposed evidence requirements adding to the cumulative burden on disabled people having to prove their need for various purposes in life.
 - Related concern about a one-year review period that was proposed in an early draft of the policy.
 - Concern that the policy does not exempt taxis or private hire vehicles, meaning those who rely on taxi travel may not benefit from the Individual Exemption policy.
 - Concerns over a proposed administration fee of £20 associated with the Individual Exemption policy application.
- 5.6. In response to the ITAAG feedback the draft policy was amended to omit the proposed application fee. The review period for exemptions was also extended from one year to three years. This aligns with the review period for Blue Badges and reduces the administrative burden on the exemption holder by not requiring the exemption to be reviewed annually. It is considered that a case-by-case exemption would by definition need to involve an application process, and that evidence would be required to take into account individual circumstances.

6. Implications

6.1. Financial Implications

- 6.1.1. The costs of implementing the Individual Exemption policy are expected to be absorbed by the operational budgets of the teams responsible for implementing and administering the Individual Exemption policy, namely Transport Projects and people-friendly streets and Parking operations (Blue Badge Team).

6.2. Legal Implications

6.2.1. The Individual Exemption Policy is part of the council's people-friendly streets (PFS) programme, the legal implications of which are set out in the Reports to the Executive of [18 June 2020](#) and [14 October 2021](#).

6.2.2. The LTN's were introduced by way of Experimental Traffic Orders (ETO's) under section 9 of Road Traffic Regulation Act 1984. ETO's can remain in force for up to 18 months, after which time they lapse unless made permanent.

6.2.3. In order to introduce the trial Individual Exemption Policy, no changes are required to the traffic orders which implement the LTN's. The current traffic orders contain a provision which allows the council to authorise an exemption to the traffic filters subject to compliance with any conditions or requirements that the council may impose.

6.2.4. As a provider of services to the public, the council is prohibited by Part 3 of the Equality Act 2010 from doing anything that constitutes unlawful discrimination. In relation to the protected characteristic of disability, service providers are under a continuing, anticipatory duty to make reasonable adjustments for disabled people generally, where disabled people generally are placed at substantial disadvantage as a result of a policy to practice applied by the service provider and where the duty arises, the service provider is required to take such steps as is reasonable to have to take to avoid the disadvantage.

6.2.5. The council should have regard to the provisions of the Human Rights Act 1998. The Human Rights Act 1998 incorporates the key articles of the European Convention on Human Rights (ECHR) into domestic law. These include:

- Article 8: Right to respect for private and family life. Everyone has the right to respect for his private and family life, his home and his correspondence. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic wellbeing of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

- Article 1 of the First Protocol: Protection of property. Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

- Article 14: Prohibition of discrimination. The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other

opinion, national or social origin, association with a national minority, property, birth, or other status.

It is unlawful for public authorities to act in a way that is incompatible with the ECHR. It is not considered that the implementation of the trial Individual Exemption policy will infringe on any individual's human rights.

6.3. Environmental Implications and contribution to achieving a net zero carbon Islington by 2030

6.3.1. LTNs and LNs are part of the council's commitment to working towards a zero-carbon future and responding to the Climate Emergency. The delivery of the Islington Transport Strategy, Liveable Neighbourhoods, School Streets and Lorry Control Scheme were all specifically mentioned in the transport section of the Vision 2030: Creating a Net Zero Carbon Islington by 2030.

6.3.2. The proposed exemption policy will have a negligible impact on local emissions. This is due to the expectation that those who are eligible for an exemption will be mostly making journeys that could not be taken by public transport or active transport. As these car journeys would be taken whether or not the exemptions are in place, the exemptions may reduce the distances travelled by the exemption holders allowing for a more direct route thereby potentially reducing emissions.

6.4. Equalities Impact Assessment

6.4.1. The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

6.4.2. At the start of the PFS programme and in the programme-wide Resident Impact Assessment (RIA) the council committed to engage with disabled groups to gain a greater understanding of the impacts on disabled people who rely on motor vehicle transport and are therefore more likely to be impacted by different travel routes and a possible increase in journey time.

- 6.4.3. A full Equalities Impact Assessment (EqIA) has been undertaken in relation to the Individual Exemption policy and is provided at Appendix 2.
- 6.4.4. For Individuals who experience physical discomfort or psychological distress when travelling by vehicle as a result of disability and/or a chronic health condition and have these conditions negatively impacted as a result of LTNs, the proposed policy will deliver the benefit of reduced and/or more direct journey times.
- 6.4.5. Negative impacts of the scheme include the possibility of an increase in traffic inside LTNs and attendant impacts on people with protected characteristics. Although there is not expected to be a significant increase in traffic driving through LTNs because of the proposed Individual Exemption policy, any increase in traffic volumes could impact those who use filtered streets to walk, wheel, cycle or play, including those with protected characteristics such as children and older people who do not drive.
- 6.4.6. Another negative impact is that disabled individuals who do not have access to a vehicle (either their own or someone else's that can be registered under the exemption), or someone to drive them if they are unable to drive themselves due to a disability or condition and rely on taxis or other PHV for transport will not be accommodated under the individual exemption where the passenger would otherwise meet the exemption criteria. This is because it is not technologically feasible to exempt public taxis only when carrying certain passengers. Those without access to a vehicle are likely to include individuals from lower income households, with socioeconomic status recognised as a protected characteristic under Section 1 of the Equality Act 2010. The council is committed, where possible, to exploring technological solutions to address this in the future so that individuals who do not own or have access to a vehicle may be accommodated under the exemption policy if they are otherwise eligible. This will depend on the technological resource and capability of the relevant enforcement teams.

7. Conclusion and reasons for recommendations

- 7.1. The people-friendly streets programme has seen the introduction of seven low traffic neighbourhoods covering 24% of the borough to date with three liveable neighbourhood schemes in early engagement phase. These schemes, along with other elements of the programme including pop-up cycleways and school streets contribute to improvements towards the council's wider ambitions related to health,

active and sustainable travel, clean air, climate change and fairness. The council has recognised that there are accessibility concerns related to LTNs. To date, important progress has been made towards addressing these concerns through the provision of 'Home' LTN exemptions available for Blue Badge holders living in an LTN that approximately 900 residents currently benefit from. The council recognises that a number of residents would benefit from additional exemptions that the proposed policy set out in this report as the next important step in improving accessibility for those who need to drive would allow.

- 7.2. Having regard to evidence prepared for the North London Boroughs of Enfield, Islington, Hackney and Haringey by Systra consultants, the proposed Individual Exemption policy would exempt individuals with access to a vehicle who on the provision of evidence can demonstrate that they have a chronic condition or disability that considerably impacts their ability to travel comfortably in a vehicle from all camera-enforced traffic filters in Islington's LTNs. The policy would be implemented on a trial basis, ahead of making an Executive decision on whether to permanently adopt the Individual Exemption policy as it is currently written or with amendments based on feedback received during the trial.
- 7.3. The Individual Exemption policy will make a reasonable adjustment in line with the Equality Act for a cohort of individuals who are disabled and/or have a chronic condition that is impacted by an increased amount of time spent in a vehicle or re-routing of trips and may therefore be substantially disadvantaged because of travelling in areas of Islington with low traffic neighbourhoods. As the policy will have the effect of enabling applicants to undertake journeys that would not otherwise be possible or would only be possible with considerable difficulty or overwhelming distress, it is not expected to have a significant impact on the integrity of the LTNs/LNs.
- 7.4. **The Corporate Director of Environment** is asked to approve the Individual Exemption policy set out in this report on a trial basis from the start of January 2023 for at least 12 weeks. The Executive will be asked to make a decision on the adoption of the Individual Exemption policy after the trial has finished and the results of the feedback and any proposed changes to the policy have been considered.

Appendices:

- Appendix 1: Systra Report "North London Boroughs LTN Exemptions Policy Review" (July 2022)

- Appendix 2: Equalities Impact Assessment

Final report clearance:

Signed by:

[Redacted Signature]

Corporate Director of Environment

Date: 14 December 2022

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