

Certified Copy of Entry in Statutory Register

Case Reference	2060436860
Appellant	Mr Robert Arthur Fielden
Authority	Transport for London
VRM	T1KEF
PCN	GT1729960A
Contravention Date	21 Aug 2006
Contravention Time	16:51
Contravention Location	Bows Road/Green Lanes
Penalty Amount	100.00
Contravention	Entering and stopping in a box junction when prohibited
Decision Date	7 Nov 2006
Appeal Decision Date	7 Nov 2006
Adjudicator	Anthony Edie
Appeal Decision	Allowed
Direction	cancel the Penalty Charge Notice.
Reasons	<p>I have carefully read the evidence submitted in this case by the Authority and considered the representations at a personal hearing from the Appellant in response to this Penalty Charge Notice which was issued under the Road Traffic Act 1991 in respect of entering and stopping in a box junction on 21/08/2006 at 16:51 hours. Mr Robert Fielden was recorded as the registered keeper of vehicle VRM T1KEF at DVLA Swansea and his wife Dr Krystyna Fielden was driving the vehicle.</p> <p>The Appellant does not dispute that his vehicle stopped on this junction. His wife, Dr Fielden, gave evidence that there is no signage warning of the nature of this junction as you approach and that the effect of the traffic lights is that vehicles turning right are effectively sucked into the second part of the junction by the phasing and lack of any filter system. Dr Fielden also pointed to the condition of the road markings as can be seen in the Authorities evidence at section H, where the road markings appear to be very faded and the distinction between the separate parts of the box is not clear. The Appellant also argues that there is no example of a junction of this kind in the Highway Code and therefore it should be approached in the same way as a single box junction.</p> <p>The Authority relies on video evidence which clearly shows the manoeuvre which the Appellant undertook. Their case is that there are two box junctions at this crossroads.</p> <p>I have considered the diagrams in schedule 6 of The Traffic Signs and General Directions 2002. I have considered in particular diagram 1043. There is no other diagram indicating a box junction at a crossroads. I note that 1043 requires all four corners of the road markings to meet the kerb line. The Appellant also provided a</p>

copy of a document produced by the Authority titled 'Improving the North Circular Road at Bounds Green.' The plan for this junction is to mark it as one box junction.

I have decided that this appeal should be allowed because the road markings are not compliant with diagram 1043 in The Traffic Signs and General Directions 2002. I am also not satisfied that the road markings were sufficiently clear at this time to make it obvious that two box junctions were indicated. I am not satisfied therefore that this PCN was properly issued and this appeal is allowed.

I certify this to be a true copy of an entry in the register

A handwritten signature in black ink, appearing to read 'C Axelson', with a long horizontal flourish extending to the right.

Miss C Axelson
Proper Officer