

Register Kept Under Regulation 20 of the Road Traffic (Parking Adjudicators)(London) Regulations 1993, as amended

Case Reference: 2070524104
Appellant: Ms Dawn Nelson
Authority: Transport for London
VRM: LC02VUP
PCN: GT22533546
Contravention Date: 06 Aug 2007
Contravention Time: 13:40
Contravention Location: East Hill / St Anns Hill
Penalty Amount: £120.00
Contravention: Entering and stopping in a box junction when prohibited
Decision Date: 08 Jan 2008
Adjudicator: Henry Michael Greenslade
Appeal Decision: Allowed
Direction: cancel the Penalty Charge Notice.
Reasons:

Paragraph 7(1) of Part II of Schedule 19 to the *Traffic Signs Regulations and General Directions 2002* provides that no person shall cause a vehicle to enter a box junction so that the vehicle has to stop within the box junction due to the presence of stationary vehicles.

There is no real dispute that at 13:40 on Monday 6 August 2007 Ms Nelson's vehicle did enter this purported box junction at East Hill with St Ann's Hill and then had to stop within the box due to the presence of a stationary vehicle, as clearly shown in the closed circuit television video evidence produced by the local authority.

However, the box junction marking must comply with Diagram 1043 or 1044 of Schedule 6 to Part I of the 2002 Regulations. The images produced show that in this case the markings do not appear to comply.

The closed circuit television images and the location shots produced by Transport for London show that the corners of this purported box junction do not meet the corners of the carriageway as prescribed by Diagram 1043 and it not being for a single carriageway as prescribed by Diagram 1044. It is a permitted variant of either Diagram that any corner may be cut away but in this case the images show that at least one corner of the box junction is fully formed but in the carriageway itself rather than at the corner of it. This is not a permitted variant.

Considering all the evidence before me carefully I am not satisfied that the markings of the purported box junction do

not comply with the requirements of the 2002 Regulations
and thus this Penalty Charge Notice is not enforceable.

Accordingly, this appeal must be allowed.

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

A handwritten signature in black ink, appearing to read 'R. Reeve', with a stylized flourish at the end.

Mr R Reeve Proper Officer