

BLOOMSBURY RESIDENTS' ACTION GROUP

PROOF OF EVIDENCE 3

Freedom of Information request for data

SUMMARY

INTRODUCTION: NICKY COATES

ORAL WITNESS STATEMENT BY CHRIS MCDERMOTT-SPENCER

A. Introduction: why this FoI request is important

A.1) Consultation process and results invalid: they do not prove legitimate support for the scheme

- a) Under the heading 'What will change if the trial is successful?' (published in a web-based document at the beginning of the road scheme trial period), the Council stated:

If the trial showed that the changes have been positive and that there has been support for the changes, then the Council could consider making the traffic arrangements permanent.

- b) So, 'support for the changes' is a necessary condition for the one-way system to be made permanent.
- c) Following this logic, the Council's Statement of Case leans heavily on the strong support for the scheme apparently revealed by its consultation. The validity of the consultation's process and results are therefore crucial considerations for this Inquiry.
- d) We submit that in fact the consultation's methodology and results are deeply flawed – for two reasons:
- i) The consultation's results are not remotely representative of the stakeholder groups whose views the consultation is seeking.
 - ii) The views of respondents from outside the area – some of whom probably have little or no knowledge of the scheme or its consequences – are given exactly equal weight to those of people who know the area well and live every day with the trial's impact. (Moreover, the responses from people outside the area are again completely unrepresentative of any common-sense 'outside-the-area' stakeholder group as it exists in the real world.)

A.2) The consultation's results not representative of the stakeholder groups whose views the consultation is seeking

a) Question 2 of Camden's consultation asks "How do you usually travel in the area?"

Camden's breakdown of the responses (which add up to more than 100% because respondents were asked to tick all applicable options) shows the following proportions:

- 71% cycle
- 38% travel by bus or Tube

b) Even common sense tells us that this cannot be representative of Londoners or of the population as a whole.

However, to demonstrate this objectively, compare the consultation's responses with the most recent Census data from 2011. (The relevant section of the Census is QS701EW: "Method of travel to work", for all London residents aged 16 to 74.)

The Census data shows that:

- 4% cycle
- 39% use bus or Tube

c) Comparing these two sets of statistics shows that Camden's results are deeply unrepresentative of the stakeholder groups the Council is supposed to be consulting. The results have been massively distorted by responses from cyclists.

d) This fact invalidates not only the responses overall, but also Camden's detailed breakdowns for individual stakeholder groups (eg, residents, local workers, etc). Take the various breakdowns for residents, all of which claim to show majorities supporting the new road layout. Despite the fact that many residents were unaware that the consultation was happening, there was an important exception: cyclist-residents who were members of, or lobbied by, one of the very active and well-informed cyclist affinity groups. (These groups lobbied local cyclists by the roadside.)

e) Indeed, Camden's report itself shows that the following cycling organisations – both the bodies themselves and their individual members – were fully engaged in responding to the consultation:

- Brent Cyclists
- Camden Cyclists
- Cycle Islington
- Cycling Embassy of Great Britain
- Cyclists Touring Club
- Hackney Cycling Campaign
- London Cycling Campaign

f) The raw data from the consultation has been requested by a local Camden resident under the Freedom of Information Act (see section B below), in order to demonstrate how unrepresentative each of Camden's 'respondent group' breakdowns was of the underlying stakeholder group itself. During a drawn-out process lasting many months, Camden has consistently refused to provide the raw data of the consultation for analysis.

- g) The Council's refusal to provide this information is currently being investigated by the Information Commissioner's Office.

A.3) Views of respondents from outside the area – with less or zero knowledge of the scheme and its consequences – given exactly equal weight to those of people who live with the trial's impact.

- a) It is important not only that any such consultation as Camden's is conducted in a way that elicits a representative set of results, but also that those results are themselves treated in a way that reflects the scale of the costs and benefits that individual stakeholder groups will experience.
- b) In other words, the results need to be appropriately weighted (qualitatively as well as quantitatively) to avoid majoritarianism – to ensure that (at worst) relatively minor benefits to one stakeholder group do not outweigh life-changing costs to another group by virtue of a simple majority. (This is even more important if there are doubts about the validity of the consultation methodology itself.)
- c) Camden reports that 86% of respondents to the consultation were from outside the borough of Camden. (How and why this was the case was shown in section A2 above.) Given that the costs and benefits of the new road layout obviously fall more intensely on those resident nearby, we would expect to see evidence that the results have been appropriately weighted.
- d) However there is no evidence that any appropriate weighting has been applied to the results by Camden; and indeed the Leader of the Council refused to do this, even when this was requested in the Cabinet meeting of 22nd February 2017. All the categories of *qualitative* response are reported, but none is treated as more important than any other. (Indeed, they are treated equally except that all those unsupportive of the new road layout attract responses from the Council explaining why they are mistaken or misguided). The Council's claims of support for the new road layout therefore rely entirely on a quantitative breakdown of statistically unrepresentative responses.
- e) The Freedom of Information application referenced in A2 also attempted to procure the consultation's *qualitative* responses (suitably anonymised), but these were again withheld.
- f) We submit that the Public Inquiry needs to understand and take account of the true impact of Camden's new road layout on those who feel it most – especially if there are good reasons for thinking that the consultation attracted supportive responses from people with little or no knowledge of the area or the trial road layout.
- g) This was not a vote; it was a survey. If it had been a vote, then there should have been a defined constituency. As it was a survey, it should have ensured that the results were based on a representative and relevant sample, in order to be valid.

B. Freedom of Information request for data

- a) The full version of Proof of Evidence 3 provides the correspondence between Mr and Mrs McDermott-Spencer and the Council.
- b) Mr and Mrs McDermott-Spencer wrote on 5th January 2017 to request: *'the data-set you obtained through your recent consultation exercise concerning the traffic/cycle scheme trialled in the Torrington Place / Tavistock Square area.'*
- c) Following extensive correspondence in which the Council persistently refused to provide the information, Mr and Mrs McDermott-Spencer appealed formally against the decision to withhold the information from the public. The appeal was considered by the Borough Solicitor, who, on 11th May 2017, upheld the Council's decision that the data should not be shared.
- d) Having had their appeal turned down, on 18th June 2017, Mr and Mrs McDermott-Spencer formally lodged a concern about Camden Council's refusal to provide this information, with the Information Commissioner, who is now investigating the case.