



**CABINET – 10 FEBRUARY 2017**

**COMMUNITY SPEED ENFORCEMENT**

**REPORT OF THE DIRECTOR OF ENVIRONMENT AND TRANSPORT**

**PART A**

**Purpose of the Report**

1. The purpose of this report is to seek the Cabinet's approval for a campaign to lobby National Government to change the national safety camera policy to allow Leicestershire Communities to benefit from more effective speed management than is possible under current government policy and resource levels.

**Recommendation**

2. It is recommended that:
  - (a) The Council campaigns for change to the national policy on safety cameras, notably, as set out in this report, for new siting criteria and funding arrangements;
  - (b) The lobbying leaflet attached to this report regarding the need for a national policy change on safety cameras be approved for circulation.

**Reason for Recommendations**

3. The recommendations are made in order to enable the County Council to make the case to the Government for a change in speed camera policy, to improve quality of life for communities and address concerns about speeding vehicles and to improve the health and wellbeing of Leicestershire's residents by reducing road deaths and injuries, reducing the fear of road danger, and encouraging more walking and cycling.

**Timetable for Decisions (including Scrutiny)**

4. Subject to the Cabinet's approval, the leaflet will be published in February 2017.

**Policy Framework and Previous Decisions**

5. In producing this campaign consideration was given to:
  - a. 'Road Casualty Reduction in Leicestershire and Future Approach to Casualty Reduction' report, which was considered by the Environment and Transport Overview and Scrutiny Committee on 12 September 2016; and
  - b. The Government's policy for safety cameras (*Department for Transport, Handbook of Rules and Guidance for the National Safety Camera Programme for England and Wales for 2006/07*).

**Resource Implications**

6. The leaflet is predominantly intended to be a digital publication. However, it is intended that a small number of printed documents will also be produced.
7. The cost of printing the leaflets would be approximately £100, which would be met from the existing Environment and Transport Department budget.
8. Should changes to national policy on safety cameras be made in the future this would enable money from fines to be diverted back to local communities to fund safety cameras. Once a cameras installation and running costs are paid for, then any surplus fine income would revert to central government (see paragraphs 27-31 below).
9. The Director of Corporate Resources and the Director of Law and Governance have been consulted on this report.

**Circulation under the Local Issues Alert Procedure**

None.

**Officers to contact**

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## PART B

### Background

10. Safety cameras have a significant role to play in both the Government's plans for road safety and local goals for safer and healthier communities. Cameras make roads safer, contributing to casualty reduction.
11. Research from the Department for Transport (DfT) THINK! team highlights that the risk of death is approximately four times higher when a pedestrian is hit at 40mph, rather than at 30mph. In Leicestershire speed surveys at 104 sites of community concern show that 18% of motorists are exceeding the speed limit by more than 5mph and 8% by 10mph.
12. NICE (National Institute for Health and Care Excellence) guidance explains that slower vehicle speeds also help to encourage walking and cycling, which ultimately affects public health. When the new government strategy to encourage walking and cycling was launched in March 2016, Transport Minister Robert Goodwill said: *"We are determined to make this country a cycling and walking nation, comparable to the very best in the world."*

### Community Concerns

13. Speeding is regularly raised as a concern by communities across Leicestershire. In the past three years over 500 speed-related complaints were received through the County Council's Environment and Transport Department. The Leicestershire Police's quarterly 'Community Based Survey' also regularly receives comments regarding speeding motorists.
14. In the past traditional traffic calming measures such as speed cushions, road humps, chicanes and significant signing and lining were introduced to address speeding issues. Although extremely useful, these types of measures are now considered an outdated solution to speed management, often not in keeping with the local environment.
15. Community Speed Watch is a locally driven initiative where members of the community, supported by the Police, monitor speeds of vehicles using speed detection devices. Vehicles exceeding the speed limit are referred to the Police with the aim of educating drivers to reduce their speed. This continues to be a popular initiative to address concerns. In 2015, there were 39 such schemes including 5 in Rutland and the details of 6,000 speeding vehicles were passed through to the Police, who wrote to the registered keeper of most vehicles reminding them of the dangers associated with speed. This scheme also incorporates the ongoing use of mobile vehicle activated signs and 32 are now being deployed within 41 communities across Leicestershire (some communities share signs). The community speed watch website [www.bealocalhero.com](http://www.bealocalhero.com) has further details of this scheme.

### Safety Camera Scheme in Leicestershire

16. The County Council supports the use of all types of safety cameras and community speed enforcement.

17. Throughout 2015, the Safety Camera Scheme identified 46,093 drivers travelling at excessive speeds and/or running red traffic signals across the police force area (Leicester, Leicestershire and Rutland). Many drivers (26,890) caught speeding or committing other offences attended driver education workshops held locally at Thurmaston, County Hall, and Beaumanor Hall.
18. The Leicestershire Safety Camera Scheme is directly managed by Leicestershire Police. It forms an integral part of the Leicester, Leicestershire and Rutland Road Safety Partnership (RSP). The overall objective of the RSP is to reduce the numbers of people killed and injured on the highway network within the Partnership area, through collaborative working.
19. There are currently 133 mobile camera sites across the police force area (these are sites that have been identified as suitable locations for mobile camera van enforcement). Two mobile camera vans operate in the County, covering 67 sites. Further information on the scheme can be found on the [www.speedorsafety.com](http://www.speedorsafety.com) website.

#### Current Government Policy

20. The national guidance "*DfT, Handbook of Rules and Guidance for the National Safety Camera Programme for England and Wales for 2006/07*" sets out requirements for core camera sites. It:
  - a. does not allow the use of speed cameras to enforce speed limits for pure enforcement reasons;
  - b. does allow the use of cameras as safety cameras (where there are personal injury accidents).
21. The guidance states that fixed camera sites (which this report focusses on) should only be established where:
  - a. there have been at least 3 accidents where someone was killed or seriously injured (KSI) in the last 3 years; and
  - b. there is a total of 22 collision points per km for a built up area or 18 collision points per km for a non-built up area (a KSI collision is worth 5 points and a slight injury collision worth 1 point); and
  - c. 15% of vehicles at the site must be exceeding enforcement speed threshold of 10% + 2mph in "free flowing" traffic on 30 and 40mph roads and 15% exceeding the speed limit plus 5mph on 50+mph roads.
22. Since April 2006 the RSP has worked to these guidelines. In November 2015 a DfT ministerial letter reminded local authorities of the importance of fundamentally adhering to guidelines.

#### The need for change

23. There is an expectation from local communities that the County Council and Leicestershire Police will respond to concerns about speeding and take action to reduce traffic speeds.

24. Speed cameras are regularly requested by communities concerned about speeding drivers, but the Council is often unable to install these as the casualty rates do not meet the Government guidelines above and, as such, cameras could not be justified on casualty reduction grounds. As outlined above, Government guidance does not allow cameras to enforce speed limits for pure enforcement reasons. Physical traffic calming measures are often unpopular and expensive. It is considered that changes to the national policy on safety cameras would offer significant benefits for local communities.
25. It is becoming increasingly difficult to defend the current Government policy to local communities as there is clearly a technological solution to speed management which could be funded through the retention of fine revenue based on the “offender pays” principle. The County Council is therefore seeking a change to national policy on fixed speed camera site criteria and funding, to allow speeds to be enforced through a wider use of cameras and to enable communities to use technology to enforce speed limits.

#### Proposed national policy change 1 - Camera site criteria

26. It is considered that the criteria for selecting camera sites needs to change to allow more flexibility to address community needs and concerns. It should be possible for safety cameras to be installed at sites identified by local communities which meet two basic criteria:
- a) An existing speeding problem; and
  - b) Local support for the installation of a camera.

#### Proposed national policy change 2 - Funding

27. The Council considers that national policy should change to allow fixed site speed cameras to be funded through fine revenue from offenders.
28. From the late 1990s until 2006/07 the Government allowed the ‘netting off’ of fine revenues from safety cameras (i.e. the installation and operating costs were recouped from fine revenues). However, from 2007/08 the direct funding of Safety Camera partnerships and the installation of cameras from fine revenue ended and the Government instead provided a total of £110 million in additional funding per year to local authorities for all forms of road safety improvement, known as the road safety capital grant.
29. In June 2010 the Government announced its intention to abolish the road safety capital grant from 2011/12. It also announced cuts to in-year local authority transport grants including the road safety grant.
30. Fine revenue is currently passed to the Government and not hypothecated back to either councils of safety camera partnerships for installing safety cameras, or to communities which are experiencing problems with speeding vehicles. Fines cannot currently be used to fund the installation of any type of speed camera, which can typically cost approximately £50,000 per unit.
31. The Council would like to see a change to national policy to enable money from speeding fines to be diverted to local communities to fund cameras. It is suggested that once a cameras installation and operating costs are paid for any excess fine income would revert to the Government.

Average speed cameras

32. It is considered that these policy changes would bring a significant benefit to communities. The ability to install speed cameras more freely would help to reduce road deaths and injuries and improve the quality of life for residents.
33. Currently both fixed and mobile cameras are used in Leicestershire. However, newer technology includes 'average (fixed) speed cameras', which calculate the average speed of a vehicle travelling through an area/community. It is considered that this technology could ideally replace the more traditional traffic calming techniques that have been previously used to manage speeds.
34. Average speed cameras may provide greater speed compliance than traditional traffic calming, as well as offering a more visually sympathetic approach within communities.

**Proposed way forward**

35. In view of the ongoing requests for action from Leicestershire residents and elected members it is proposed that the Council lobby Government for a change in policy as described in paragraphs 26 - 31. The lobbying leaflet attached as to this report has been prepared as a start to a campaign to engage with the Government. The leaflet will be copied to MP's, partner organisations and other authorities to invite them to support the Council's campaign to achieve this change.

**Relevant Impact Assessments**Equality and Human Rights Implications

36. There are no Equality and Human Rights Implications directly arising from this report. The proposed policy changes would bring a significant benefit to communities with speeding concerns. The ability to install speed cameras more freely will reduce road deaths and injuries and improve the quality of life for the communities served by the County Council.
37. No detailed equality assessment has been undertaken on the proposed changes to community speed enforcement. Equality and Human Rights Impact Assessments (EHRIA) will be undertaken, as appropriate, during the review of any appropriate departmental strategies, prior to final decisions being made.
38. This will ensure that any new, proposed or significantly changed policies, practices, procedures, functions or services are assessed for equality and human rights implications.

Crime and Disorder Implications

39. The Authority continues to recognise the importance of seeking to address crime and fear of crime, including from speeding vehicles. It emphasises the importance of implementing policies and measures to ensure that it provides safe, high quality environments.

### Environmental Implications

40. No detailed environmental assessment has been undertaken on the proposed changes to community speed enforcement. However, the County Council will assess the environmental implications of relevant new policies and schemes at appropriate points during their development.

### Partnership Working and Associated Issues

41. The Safety Camera Scheme is directly managed by Leicestershire Police. It forms an integral part of the Leicester, Leicestershire and Rutland Road Safety Partnership (RSP). The RSP brings together the following organisations:
- Leicestershire County Council
  - Leicester City Council
  - Rutland Council
  - Leicestershire Police
  - Leicestershire Fire and Rescue Service
  - Highways England
  - Leicestershire Magistrates' Courts
  - Public Health.
42. The overall objective of the RSP is to reduce the numbers of people killed and injured on the highway network within the Partnership area through collaborative working. The RSP seeks to achieve this through the provision of camera enforcement and evidenced based programmes of road safety education, training and promotion.
43. Whilst the Safety Camera Scheme is directly managed by Leicestershire Police, there is a memorandum of understanding between the main partners along with a service level agreement and budget plan.

### Risk Assessment

44. The proposed changes to community speed enforcement have not been risk assessed. However, the County Council will assess the risks of relevant new policies and schemes at appropriate points during their development.

### Background Papers

Environment and Transport Overview and Scrutiny Committee - 12 September 2016 – 'Road Casualty Reduction in Leicestershire and Future Approach to Casualty Reduction'

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=1044&MId=4781&Ver=4>

### Appendix

Draft Community Speed Enforcement leaflet.

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