



CABINET - 10 FEBRUARY 2017

REPORT BY THE DIRECTOR OF ENVIRONMENT AND TRANSPORT

COMMUNITY SPEED ENFORCEMENT SUPPLEMENTARY REPORT

Purpose of the Report

1. The purpose of this supplementary report is to advise the Cabinet of a press statement issued by the Department for Transport (DfT) in response to the publication of the Cabinet report 'Community Speed Enforcement' (item 8 on the agenda for this meeting), and to set out a revised recommendation for the Cabinet's consideration.

Background

2. Following publication of the Cabinet agenda on 2 February and subsequent media interest, the DfT issued a press statement, detailed below, which suggests that the County Council may be able to adopt the approach detailed in the main report.

"It is not correct to say speed cameras can only be used in areas where there have been specific incidents, although our non-binding guidance says this is best practice.

It is up to the Highways Authority and the police to decide whether to use cameras and how they wish to operate them. Guidance was issued in 2007 entitled Use of speed and red-light camera for traffic enforcement: guidance on deployment, visibility and signing. This can be viewed here <https://www.gov.uk/government/publications/use-of-speed-and-red-light-cameras-for-traffic-enforcement-guidance-on-deployment-visibility-and-signing>

This guidance is not mandatory but in October 2015 the Department for Transport wrote to local authorities drawing it to their attention.

In 2011 the Government asked local authorities to publish on their websites details of specific camera sites. Almost all local authorities with camera sites have published some information and a recently updated list of these websites is at <https://www.gov.uk/government/publications/fixed-speed-camera-collision-casualty-and-speed-data>".

3. The DfT statement confirms that the guidance is non-binding and non-mandatory and therefore locally the Council has the flexibility to adopt the wider use of speed cameras. However, this statement only partly addresses the first suggested national policy change in the original Cabinet report regarding camera site criteria and is silent on the second regarding funding.
4. Whilst the statement is welcomed it remains unclear as to whether the Council's proposed approach is considered by the DfT to be in line with the nationally published guidance. The County Council would also wish to seek clarity on the implications of choosing not to follow national guidance locally, for example, with regard to potential challenges to the legality of enforcement.
5. In order to clarify the position it is proposed that the attached letter be sent to the DfT. This seeks to confirm where the Council's proposed approach fits within the context of the published national guidance and whether or not the Government would consider using the new fine revenue arising from the approach to reimburse local highway authorities for the installation costs of new speed cameras.
6. Should the approach proposed by the Council be considered to be in line with national guidance it is recommended that the Council continues to press for the retention of fine revenues from new camera sites to fund their installation costs, as detailed in the original report. However, if the DfT confirms that the proposed approach is not in line with national guidance, it is recommended that the Council also continue to lobby for a change in the guidance, to ensure it does not have to act outside this to meet the needs of its communities.
7. To prove the concept of the proposed community safety camera approach it is recommended that consideration is given to developing a trial scheme or schemes. These would help to understand the effect on speeding levels within the area and adjacent roads and to identify the likely pay back periods that may be required should the fine revenue be made available by the Government.
8. Should the Council be successful in its campaign it will be necessary for it and/or its local partners to provide initial funds for such a scheme which would be reimbursed from revenue created by the installation of the cameras. This includes the surpluses generated by the locally run driver education workshops (NDORS), which are currently retained locally, and the fine income which it is understood would currently be retained in full by the Government.
9. In the light of these latest developments the recommendations to the Cabinet have been amended as set out below

Revised Recommendations

10. It is recommended that:
 - a) The letter attached to this supplementary report be sent to the Department for Transport and copied to local MPs for information;

- b) Subject to the response received from the Department for Transport, the Council continues to campaign for change to the national policy guidance on safety cameras, notably for new siting criteria, and in any event for the retention of fine revenue by local authorities to fund the camera installation costs;
- c) Support for the Council's proposed approach be sought from partner organisations which comprise the Leicester, Leicestershire and Rutland Road Safety Partnership;
- d) The Director of Environment and Transport:
 - i. develop suitable trial schemes to prove the concept of the proposed community safety camera approach;
 - ii. develop local criteria for the wider use of safety cameras in Leicestershire; and
 - iii. submits a further report to the Cabinet detailing the response from the Department for Transport to the appended letter, the proposed trial sites, and the proposed local criteria.

Appendix

Appendix – Letter to the Department for Transport from the Director of Environment and Transport.

Officers to Contact

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