

SUBMITTING EVIDENCE TO A SCOTTISH PARLIAMENT COMMITTEE**DATA PROTECTION FORM****Name:****Date:**

27/01/19

**Organisation:
(if required)**

Spokes, the Lothian Cycle Campaign

**Topic of
submission:**

20mph bill call for evidence

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RURAL ECONOMY AND CONNECTIVITY COMMITTEE
RESTRICTED ROADS (20 MPH SPEED LIMIT) (SCOTLAND) BILL
SUBMISSION FROM [INSERT NAME] Spokes

Subtitle (Arial 12, bold, left aligned)

Body text (Arial 12, left aligned)

Please do not add any organisation logos

Scottish Parliament 20mph Bill: Stage 2 Call for Evidence¹
Response from Spokes, the Lothian Cycle Campaign

Introduction

Spokes originally responded to the Bill in Sept. 2017²; at that time we focussed on the need for the Bill and the advantages to be gained from it. Now, 16 months on, the case *for* the Bill appears widely accepted - 80% of the public is said to support it in principle - so it is time to turn to the practicalities, especially in the light of City of Edinburgh's experience with a widespread introduction of the 20mph limit.

We have also completed the online survey which accompanies this call for evidence.

Benefits of Slower Speeds

In our view the major beneficiaries of the Bill would be health, and social justice. Calmer streets would encourage more walking and cycling; children could walk or ride to school rather than being driven, and parents would be more confident about their safety, even unaccompanied. Levels of emissions would be reduced, to the benefit of all.

The most frequent reason given for people not cycling more, is fear of traffic. We believe this must be taken seriously and not just seen as an excuse. Cycling is very popular, as shown by for example the turn-outs for events like Pedal for Scotland, where cyclists come in their thousands; likewise, thousands go regularly to cycle - in gyms; or they take bikes on cars to off-road trails. But this never seems to translate into daily cycling to work, schools, shops etc, where, nationwide, the numbers are stuck at around 1%.

A further aspect of this paradox is that cycling is not inherently unsafe; statistics show that the health benefits of cycling greatly outweigh any risks from crashes. The problem is that,

¹ https://www.parliament.scot/S5_Rural/Restricted_Roads_20mph_Bill_-_approach_paper.pdf

² <http://www.spokes.org.uk/wp-content/uploads/2015/04/1709-20mph-Bill-Spokes-response.pdf>

to the cyclist on the road, cycling seems and *feels* unsafe. The average cyclist rides at 9 - 10mph; a vehicle passing at 20 is doing twice that speed; but a vehicle passing at 30 is three times faster; and this is where the fear kicks in. Drivers mainly have no *intention* of intimidation (and would probably be surprised to learn of it); but that is the effect they do have, at 30 mph; at 20, the effect feels much less.

Cycling is hugely beneficial for mental as well as physical health. We believe the recent rise in mental health issues, creating so much stress for the NHS, could be improved by higher levels of cycling and indeed walking.

In terms of social justice, slower speeds would benefit most the elderly and infirm, as well as children. Evidence shows that disadvantaged areas also suffer a disproportionate burden of road casualties. It's time to give non-motorised users a fair share of the roads and streets.

Implementation – problems and successes

The City of Edinburgh introduced a 20mph limit over a period of 2 years, starting in 2016. An exercise in monitoring and evaluation is currently being undertaken, so no full analysis is yet available.

However, evidence so far for its success seems to point in two directions, with different people having different viewpoints.

On the one hand, many people feel that very little seems to have changed. Even if there was an initial period when speeds appeared to be lower, the old norms have quickly re-established themselves. It is rare to see a vehicle actually keeping to the 20 limit when it doesn't have to. Too many vehicles are still exceeding even the original 30 limit. Even buses, which might be expected to be the most likely group of drivers to comply, are breaking 20 limits routinely.

Whilst Spokes traffic counts show a continuing gradual rise in the % of city centre rush hour traffic made up by bikes, and a decline in the car %, the rate of change has not changed significantly post the 20mph implementation.

On the other hand, early police statistics do show a steep decline in casualties following introduction of the 20-mph policy, with a 24% drop in the 3 last months of 2017 compared to a year previously – and, perhaps even more significantly, a one-third drop in people killed or seriously injured³. Whilst no one can be certain of the explanation, chief Superintendent Richard Thomas stated, *“The 20mph speed limits may well have played some part in that. They're not always being adhered to, but they've modified driving in the city – we're seeing more careful driving in the city.”*

In summary, and in the absence of the full Report on Edinburgh's project, views on the experiment are mixed. Unfortunately vehicle speeds do not appear to have been reduced to the extent that would be noticeable to all of the public. And that, surely, is the point. If the

³ <https://www.edinburghnews.scotsman.com/news/fewer-casualties-and-positive-data-winning-the-argument-for-20mph-zones-1-4712729>

roads are to attract more pedestrians and cyclists and thus encourage healthier lifestyles, vehicle speeds must not only be reduced, but must be kept lower for a period of time long enough to have some effect on behaviour.

Getting drivers to reduce their speed is a social change on a par with cutting smoking or drinking. It is a major undertaking, and the challenges must be recognised and prepared for. It is one thing for a change to get 80% public backing, but quite another to achieve it in practice.

The need for Enforcement

Whichever view one takes of the success of Edinburgh's default 20mph policy, there is wide agreement that too many vehicles still exceed the speed limit too often. In view of this, we should ask: to what extent were the three 'E's of traffic management - Education, Engineering, Enforcement - engaged in the trial? This throws the main burden onto Enforcement.

There was some 'education' though it could have been more extensive. There was very little engineering - the aim was to implement a signed-only scheme, and only consider speed humps etc at a later stage in particular trouble spots.

As for Enforcement, this has clearly been insufficient. In the 6 months following 31 July 2017 police did hand out 960 warnings to drivers who had exceeded the 20mph limit, yet only 55 fines were issued.⁴ Critics have argued that Police Scotland do not possess the resources to effectively enforce Edinburgh's 20mph zones.

Currently enforcement is left to the police, and we are unclear whether the police are happy with this or regard it as a major priority. The Bill therefore needs to look at *alternative means of enforcement*, and at the consequent legal framework which might have to be adapted to enable this to happen (see Methods of Enforcement, below)

To some extent these problems have already been anticipated at earlier stages of the Bill. It's worth quoting pp 20-21 of the earlier version:

“We would recommend that a national 20mph awareness campaign is rolled out by the Scottish Government to coincide with the transition to a default 20mph limit, as police enforcement will likely remain at current levels. As mentioned above, non-compliance with 20mph limits is a recognised problem in schemes already underway across the UK. In 2015, 20mph roads had the lowest level of speed limit compliance in the UK, across all vehicle types – for example, 84% of cars exceeded the limit (compared with 52% on 30mph roads).⁵⁹ In Bristol, 9 out of 10 drivers were caught breaking the new 20mph speed limit.⁶⁰ (our italics).”

Bill, pp20-21

⁴ <https://www.edinburghnews.scotsman.com/our-region/edinburgh/almost-1000-drivers-caught-breaking-20mph-limit-in-edinburgh-1-4711231>

There is clearly significant non-compliance in Edinburgh; the Bristol finding was 90% non-compliance, and we would not wish this to be repeated across the whole of Scotland. We believe the Bill should anticipate the problems which will arise from what amounts to a major shift of public behaviour.

The current version of the Bill has almost nothing to say on enforcement; and the earlier version, cited above as pp20-21, has the following sentence:

“Enforcement of new 20mph limits will be dependent on effective education and awareness campaigns to effect a cultural change where 20mph becomes the new norm.” In other words, enforcement becomes a part of another E, Education. That is hardly a satisfactory situation. Why is the Bill ducking the issue?

Methods of Enforcement

While it is welcome that some enforcement *has* taken place, this is an issue which the Bill should surely be addressing. Perhaps the simplest solution would be to give the police some incentives to address road behaviour, such as a proportion of the fines imposed. And bodies which monitor police performance could insist on regular improvements in police performance in this area.; for more information on this, see http://www.20splenty.org/camera_blog

Whether Local Authorities (rather than the police) would be capable of mounting an adequate enforcement regime is another possibility. A locally-based system might well be more appropriate than a national one, though a national basis might also be necessary to ensure uniform levels of training and competence. We also believe any scheme should be self-funding eventually, ie income from fines would be used to maintain the scheme.

The scheme could in essence be an independent Traffic Police Force whose role would be to achieve compliant behaviour on the roads and streets. Speeding would be the main element, but driver behaviour is currently non-compliant in a number of ways which can be observed frequently and in many locations, such as running red lights and making banned turns. In any case, it is essential that the enforcers have a visible presence on the streets.

We also believe enforcement measures should be obvious to the public, such as the flash of the camera - and the knowledge that every flash will be followed up - no 'dummies'. However, if cameras are used, their locations should not be disclosed; there should be no requirement to tell drivers where they are, as at present, otherwise their deterrent effect is greatly reduced or even nullified.

One of our members has experience of traffic enforcement in Norway. Here, the fines are realistic - at least four times what ours are. They are also graded, i.e. the faster the vehicle goes, the higher the fine; and the police do not disclose the location of their patrols. Compliance levels are consequently very high; one feels very comfortable cycling there.

In many parts of Scotland a force dedicated to traffic enforcement would offer a valuable source of meaningful employment (“real jobs” with a clear social benefit) and would, as we have indicated, pay for itself from the fines recovered, in addition to the health costs which would be saved.

Finally, we would like to see experiments with enforcement by average speed cameras. These have been found exceptionally effective not just on trunk roads, but on Old Dalkeith Road, an urban road in Edinburgh, where no injury collisions at all were reported in the first year of operation, and the level of offences was cut to a trivial level⁵. They should now be trialled for 20mph enforcement, and the Bill should facilitate this.

Conclusion

In summary, we believe that a 20mph Bill could, if properly introduced and enforced, potentially have great benefits in calming the roads and making them more attractive to cycling. The city of Edinburgh has taken, and is taking, many measures to increase cycling (and walking) as a mode of travel, and these are having some success, but to provide alternative or off-road facilities for every street or road in the city would be well-nigh impossible, and certainly very expensive. We have to make the *existing* roads more cycle-friendly, in order to offer a 'door-to-door' travel solution; and speed reduction, if achieved, could make a huge contribution to this.

Evidence on the current Edinburgh scheme so far is mixed, as explained above, with both positive and disappointing aspects. Importantly, reductions in speed must be sufficient to produce conditions where everyone would feel comfortable enough to travel by bike.

The changes needed should be recognised as a major change in social behaviour, comparable with, say, the introduction of seat belts, and should be approached with similar methods to those used already in schemes to achieve major changes in public attitude. This would require the full backing of the Government, and, in particular, adequate Enforcement. We need a Bill that will produce the best outcomes for Scotland as a whole.

I am indebted to Anna Semlyen of '20sPlenty' for comments on the draft of this document.

Peter Hawkins

Spokes Planning Group

peterhawk@phonecoop.coop

spokes@spokes.org.uk

⁵ <http://safetycameras.gov.scot/news-publications/news/old-dalkeith-road-average-speed-cameras-transform-driver-behaviour/>