

To: West Lothian Councillors

12.3.2022

West Lothian Council meeting, 15 March 2022

Paper 14 – Spaces for People Feedback

We are hugely disappointed – indeed shocked – to see the blanket recommendations in this report, to scrap all SfP (Spaces for People) schemes when the relevant TTROs expire over the coming months.

MAIN CONCERN

We draw your attention to appendices 2 and 3 of the report.

[App 2] Although introduced for pandemic reasons, SfP measures have reduced traffic speeds in roads most of which are widely used by pedestrians and/or cyclists. On the basis of research studies, reducing speeds on such roads is likely to have reduced road casualties.

[App 3] Moreover, accidents have indeed fallen - and drastically so. Clearly some of this will be due to reduced driving early in the pandemic. However, as the body of the report makes clear, traffic volumes then rose again. Combined with the above speed reduction data, it would be remarkable if these tremendous accident reduction figures were not due in part to the SfP measures.

In summary – the Council has reduced speeds on roads important to pedestrians and cyclists, and it has greatly reduced accident figures – huge achievements. And yet it is recommended to remove these measures in the near future! Instead, the Council should be proud of its success and should continue most schemes experimentally to assess whether the achievements are maintained despite traffic now reaching or exceeding pre-pandemic levels.

The recommendations in the report seem to take no account of these **facts** in Appendices 2 and 3 and instead rely wholly on the **opinions of those who chose to respond** to the public consultation.

PROPOSAL

The majority of SfP schemes should be retained meantime, and moved to Experimental Traffic Orders. This would allow a sensible period of up to 18 months to assess which schemes are truly beneficial in the traffic conditions which have developed post-covid, and also to test out any modifications thought potentially useful. The Scottish Government has recently revised the regulations such that ETROs are simpler to operate than previously, with just this sort of opportunity in mind.

The decisions as to which schemes should remain and move to ETROs should be on the basis of officer assessment of their benefit to road safety and in particular to supporting vulnerable road users.

The remainder of this paper, overleaf, contains further explanation and background on the consultation itself, on the criteria which the Council should use in making decisions, and on our proposal.

THE PUBLIC CONSULTATION – WHAT DOES IT TELL US?

Whilst we acknowledge the effort that went into undertaking the consultation, we ask councillors to consider the following points.

1. Respondents to the consultation were in the dark about accident reduction and speed reduction outcomes. Had these facts been presented in the survey, responses may have been very different.

Indeed it is clear from the results that the views of those who chose to respond to the consultation were at odds with the factual data in appendices 2 and 3. Respondents overall were negative about most aspects of the speed limits and SfP measures and many were convinced that they had increased danger. Yet the facts about speeds and accidents show that safety improved.

2. Those who chose to respond were highly unrepresentative of the general population, and in particular the **vulnerable categories** of the young and elderly were hugely under-represented..

- only 0.1% were under 16
- only 5.9% were 16-24
- only 6.2% were 65-74
- only 1.1% were 75+
- This age profile seems very likely to over-represent the opinions of car users – whereas public authorities should if anything have even greater consideration for vulnerable road users, in line with the traffic hierarchy in the Highway Code and in government policy documents.
- **Only 2.8% of respondents did not have a car** (or van) – grossly under-representing this category of people who have no choice but to get about by foot, bicycle or public transport.

3. Spaces for People has been controversial across the whole UK with certain categories of people highly motivated to respond. As a result, there has been concern by many local authorities that SfP consultations are not as reliable or representative as one would hope. Councils have therefore assessed SfP outcomes in a variety of ways and taken decisions not always in line with consultation outcomes.

- Knowledge of a survey is often passed between groups with an interest in one particular outcome, via email and social media, thus ensuring that members of those groups are more likely to respond than the typical person in the street. We ourselves do this for our members, as do other groups with different views and much larger social media or email lists.
- In view of the above, Edinburgh Council commissioned a representative survey by an independent polling organisation, in addition to their standard consultation. Whilst their consultation produced results similar to West Lothian's, the independent representative survey was much more positive on SfP measures. As a result Edinburgh retained the majority of its SfP measures, moving them to Experimental Traffic Orders for further assessment.
- Several local authorities with particular concerns have investigated responses in more detail and discovered minor or severe manipulation. One extreme Edinburgh example, which obviously was easily identified, involved [18,000 fraudulent submissions](#), but smaller multiple or fake entries were also discovered – as other councils too have uncovered.

In conclusion, public consultations can certainly be valuable in gaining ideas and suggestions, but the Council must be wary of taking them as referenda or decision-breakers. The fact that the some of the opinions of those who chose to respond are at odds with the factual data in appendices 2 and 3 is a clear reason for caution in relying entirely on the consultation results when making decisions.

COUNCIL DECISION-MAKING CRITERIA

Even in the unlikely event that the consultation results are assumed to represent the whole population, and if it is also bravely assumed that all respondents were aware that accidents and speeds had in fact fallen; Councils are there to take decisions based on policies and data, not on referenda.

Reducing road crashes and casualties is surely a central intention for the Council and this has happened!

Second, the SfP measures contribute to the Council's own climate emergency objectives. Furthermore, the Scottish Government has committed to reduce car-km 20% by 2030, as part of Scotland's legally binding climate objectives. The 20% reduction is an extremely tough commitment – and government expects local authorities to play their part. SfP measures are a small early contribution to meeting this commitment, as the Government has publicly recognised.

PROPOSAL

Whilst the consultation results are at variance with the facts in terms of the impact of SfP measures on public safety, they clearly indicate a level of concern amongst those people who chose to respond.

This concern is best tackled by publicising the facts on speeding and crashes; and by undertaking further research to ensure that these major benefits are ongoing and not purely a feature of the pandemic year, as well as to test whether modifications to any of the schemes could reduce the negative perceptions or improve the schemes in other ways.

We therefore urge the following decision...

The majority of SfP schemes should be retained meantime, and moved to Experimental Traffic Orders. This would allow a sensible period of up to 18 months to assess which schemes are truly beneficial in the traffic conditions which have developed post-covid, and also to test out any modifications thought potentially useful. The Scottish Government has recently revised the regulations such that ETROs are simpler to operate than previously, with just this sort of opportunity in mind.

In terms of which schemes should be retained, the **default** should be to retain all (converted to ETROs), including most or all speed limits, the 4 cycle lanes, and footway widenings wherever possible. However where there is a strong specific reason then a decision to scrap a scheme may be required.

As an example, in **Linlithgow High Street** the footway widening outside Oliphants, previously very narrow, has proved a major boon to pedestrians, has been in general well observed by motorists; and it would be an absolute tragedy to remove this. It has also benefited cyclists who no longer have to swerve around parked vehicles and avoid car doors opening in this narrow section of road. Some other footway measures, such as keeping Loanings traffic-free, sadly, have been dreadfully abused by errant motorists almost from day 1, and received no real enforcement to ensure legality. Without serious physical measures these schemes unfortunately will not be observed and may have to be dropped - although we strongly urge the Council as soon as possible to redesign the High Street in a more pedestrian and cycle-friendly way, including no parking on footways (the Council will in any case soon need to comply with the Pavement Parking measures in the recent Transport Scotland Act).

Specifically on speed limits, we appreciate, as in the report, that the government is to consult councils on widespread 20mph, but that is no reason to remove the current implementation. Indeed continuing implementation will provide the Council more experience and data to respond to the government and to adapt to the resulting measures when introduced.