



Campaign to Protect  
Rural England

## *A Safer Way?*

### **A response by CPRE to the DfT's consultation on the draft Road Safety Strategy**

July 2009

#### **Summary**

- CPRE (Campaign to Protect Rural England) welcomes the continued commitment to reduce the toll of preventable deaths and injuries on Britain's roads. In particular the new rate based target for risks to people walking and cycling shows the green shoots of a much needed fresh approach.
- We do not feel the draft strategy delivers on the two biggest issues – tackling traffic intimidation and joining up safety up with other transport goals, such as tackling climate change and obesity as well as improving the natural environment, in order for it to play its part in *Delivering a Sustainable Transport System (DaSTS)*.
- CPRE would like the headline vision to focus specifically on where Britain has been least successful compared to other countries: making people feel and be the safest in the world when choosing active modes of travel.
- Legal liability for dangerous road use needs to be amended to give greater protection to vulnerable road users. Criminal liability should be based on the objective standards of the driving test not a fictional 'careful and competent driver', while there should be a presumption in favour of civil compensation for personal injuries suffered by vulnerable road users involved in collisions.
- The strategy is urban focused and is not rural-proofed. There is a fatalistic assumption that everyone in rural areas drives and indeed the word 'village', let alone the need to reduce speeds in them, is not mentioned anywhere in the strategy.
- A shift in thinking from the three 'Es' of Engineering, Education and Enforcement to the three 'Ps' of Place-making, Promotion (of modes that cause less danger) and Prevention (of injuries and intimidation) is needed for a more balanced approach.
- The decision not to reduce the national speed limit from 60 mph to 50 mph failed to consider relevant considerations and is unlawful. This issue must be considered afresh on a wider basis than purporting to balance an attempted monetarisation of journey times and road deaths.
- Britain needs to follow the success of the systems approach used in best performing continental countries, in particular by adopting a road hierarchy through which there is clearer definition of road type functions and speed limits rather than locally set and inconsistent speed limits.
- As part of a road hierarchy, we need to move towards a presumption of 20 mph being the default in towns and villages and 40 mph on minor rural roads. This should be combined with a reduction in the clutter of signing and lining so that these mixed priority networks function more as shared spaces than simply conduits for vehicles.

## Introduction

CPRE was founded in 1926 and seeks to promote the beauty, tranquillity and diversity of rural England by encouraging the sustainable use of land and other natural resources in town and country. CPRE has over 60,000 supporters, over 2000 affiliated parish councils and branches in every county in England.

CPRE has been a leading voice for safer country roads for decades. In particular we have highlighted the hidden issue of traffic intimidation that means many people do not feel safe walking, cycling or riding on country lanes. Our *Rural Traffic Fear Survey* in 1999 showed the extent of the problems in rural areas and formed the basis of our response to the consultation on the current Road Safety Strategy. Our new *Think Piece on Traffic Signs Policy and Speed Limit Signage* examines the opportunities in the Department for Transport's (DfT) Traffic Signs Policy Review to take speed limit reduction and simplification forward.

Our *2026 Vision for the Countryside*, which sets out how we would like to see the countryside in our centenary year, calls for more walking and cycling and an end to 'hypermobility'. We are part of *Take Action on Active Travel*, an alliance of over one hundred organisations calling for policy changes to increase levels of walking and cycling. We therefore very much welcome this opportunity to comment on the DfT's new vision to make Britain's roads the safest in the world.

## Response to Consultation Questions

*1. Do you agree that our vision for road safety should be to have the safest roads in the world? (Chapter 3)*

No. At first glance, this headline sounds so sensible and uncontroversial that few would disagree or indeed consider what it really means. There is a risk that it will mean different things to different people and that this will mask deeper disagreements and realism about trade-offs and financial costs. We believe that the proposed headline for the new strategy is flawed and will hinder *Delivering a Sustainable Transport System*.

Paragraphs 2.10-2.11 show comparative data relating to road deaths per capita and so it seems the vision is in fact intended to mean that the UK should have the lowest road deaths per capita of any country. Although question 4 sets out four suggested targets, none of which are said to be more important than the other, the implied focus in this headline could mean that the first relating to the total number of deaths effectively becomes the primary target.

### Actual safety versus collision statistics

The first problem with such a vision is that having the lowest road death rate is not synonymous with having the safest roads. A road may have a low Killed or Seriously Injured ('KSI') rate because people are too scared to walk or cycle on it. The suggestion by the Parliamentary Advisory Council for Transport Safety 'the safest roads in the world... for all classes of road users' has merit but does not tackle the key issue of traffic intimidation.

### Roads, vehicles and people

The focus on 'the safest roads' does not distinguish between the safety of the roads, the vehicles and the road users or to propose a systems approach as the foundation of looking at all three to tackle risks. Nor does it identify the source of road danger and allocate responsibility equitably: cycling and walking may appear from KSI statistics to be dangerous and lorries comparatively safe but the former modes cause negligible danger to other road users in sharp contrast to lorries.

### Urban safety masking rural danger

A further problem, and particular concern for CPRE, is that improvements on urban roads could mask continuing danger on rural roads. Although the strategy notes that 63% of deaths occur on rural roads that carry only 40% of traffic, for non-motorised road users the problem is far worse: cycling is three times less safe on rural roads than urban roads, for example.

We believe that an overemphasis on reducing the number of overall road deaths could lead to resources being focused at the expense of local transport in rural areas. For example, the Benefit Cost Ratio (BCR) of

providing crash barriers along a trunk road may appear higher than providing a footway or lowering speed limits to provide a safe route to school or a bus stop. In order to provide the DaSTS goal of equality of opportunity, however, there must be a minimum level of safety for all road users and regard must be had as to whether the danger is caused or not by the road users at particular risk of death or injury. This means the need to balance maximising BCRs against overall policy fit or rather a utilitarian versus a rights-based approach, taking account of the right to life under Article 2 of the European Convention on Human Rights.

#### Focusing action where it is needed most

Although the United Kingdom is one of the best performers in the world for its overall road death rate, indeed the best for motor vehicle occupants, this masks worse performance for death rates for vulnerable groups such as children and types of road use such as walking and cycling. In addition besides the objective issue of levels of actual safety (road danger) for these groups and modes, there is the subjective problem of lack perceived safety (traffic intimidation). By some measurements, such as risk exposure per hour, urban cycling is not particularly more dangerous than walking but far fewer people feel safe enough to cycle.

As a society we are far more tolerant of individual road deaths that kill more people per year than rail or air crashes that are what grab the headlines. But indirect deaths caused by our unsustainable transport system, such as from air pollution and obesity due to lack of opportunities for physically active travel, are even higher than all direct transport deaths combined. A rebalancing of road safety policy is therefore vital.

We feel therefore that the vision should focus on the areas where the UK's performance is not up to scratch, to signal to those working in road safety and beyond that a different approach is needed. We would therefore like the vision to make people feel and be the safest in the world when choosing active modes of travel.

#### *2. Do you agree that we should define a strategy running over twenty years to 2030, but with review points after five and ten years? (Chapter 3)*

Yes, we agree with having a twenty year strategy with review points at five year periods. Given the relationship between KSI and motor traffic flows, plus the acknowledgement in *DaSTS* of the dangers of predicting the future by extrapolating past trends, there should be consideration at the review points of ratcheting up the targets if motor traffic growth ceases.

However, there need to be milestones at the review points to encourage progress and the piloting of new ideas. We would like a review of default speed limits for built up areas and minor rural roads at the review points, to see if 20 mph could be made the default for roads subject to a system of street lights and 40 mph the default for minor rural roads without median markings. This could be in the context of a move towards a road hierarchy, along the lines of the Dutch approach.

A review of the changes to bad driving offences made by the Road Safety Act 2006, that entered into force in 2008 should be carried out by 2013 in order that any changes could be in force by 2015. Similarly there should be reviews as to whether Intelligent Speed Adaptation should be mandatory for new vehicles, and if so when.

#### *3. Do you agree that our targets should be to reduce:*

- *road deaths by at least 33 per cent by 2020 compared to the baseline of the 2004–08 average number of road deaths;*

No, we believe that the target should be set higher at 40%. As the background research<sup>1</sup> report conducted for the strategy concluded, these targets could be met with existing measures. As explained later, we feel there is a need for changes to policy based on a systems approach, including changes to national speed limits and driver liability, and these would reduce road deaths further.

- *the annual total of serious injuries on our roads by 2020 by at least 33 per cent;*

As above

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<sup>1</sup> Broughton, *Post 2010 Casualty Forecasting*, DfT, 2009

- *the annual total of road deaths and serious injuries to children and young people (aged 0–17) by at least 50 per cent against a baseline of the 2004–08 average by 2020;*

For similar reasons we believe that there should be a higher target.

- *by at least 50 per cent by 2020 the rate of KSI per km travelled by pedestrians and cyclists, compared with the 2004–08 average? (Chapter 8)*

We believe that the target should be disaggregated such that risks for those walking and cycling are considered separately as there are different factors involved. The *Safety in Numbers* (2009) research by CTC, the national cycling organisation, cites evidence that the risk to individuals cycling is reduced by 35–40% as distanced cycled doubles. We believe that increases in cycling by 2020 alone should be sufficient to halve the risk and that general road safety measures should decrease the risk further. Given the need for particular emphasis on improving conditions for cycling, as its modal share is far lower than comparable European countries, we feel a stretch target of 75% would be appropriate.

There needs to be a target to reduce traffic intimidation,. Partly due to the lack of a baseline but also because this is a social justice issue it is appropriate that such a target is based on absolute proportions rather than relative improvements. We would like to see a target of 66% of people feeling safe walking and cycling on roads in their local area (about five miles from where they live) by 2020. This would not mean they need to feel safe on every road within five miles of their home but rather they feel safe walking and cycling to local shops, services and schools and accessing the natural environment.

Following Dutch best practice, we feel there need to be targets to hasten the conversion of residential roads to 20 mph or lower (e.g. Home Zones) and minor rural roads to 40 mph or lower (e.g. Quiet Lanes).

4. *We are proposing a set of indicators in order to help us to monitor performance (Appendix A). Do you believe these cover the right areas? (Chapter 8)*

There needs to be more clarity as to how the indicators, and indeed targets, fit in with the *DaSTS* challenge matrix.

In relation to target 8, 'Number of people killed in road collisions on rural roads', we would prefer to see this extended to include serious injuries as a better indicator of risk.

In relation to target 12, 'Proportion of vehicles exceeding speed limits', we think the emphasis should be on the drivers not the vehicles and the metric should be on the proportion of kilometres driven, for which the driver was exceeding the speed limit for their vehicle, which may of course be less than the posted speed limit.

We would like to see the following new indicators:

- Proportion of residential roads covered by 20 mph or lower speed limit;
- Proportion of minor rural roads (C and Unclassified) covered by 40 mph or lower speed limit;
- Proportion of single carriageway roads with 50 or 60 mph speed limit with facilities for walking and cycling;
- Proportion of people feeling safe cycling and walking in their local area;
- Proportion of trips under five miles (including the first part of multi-modal trips to public transport) made by active modes; and
- Amount of signing and lining per metre in new traffic schemes.

Data for the coverage of road lengths by different speed limits would be simple to collect where GIS data is available. In relation to the indicator for the proportion of people feeling safe walking and cycling, a separate indicator for vulnerable groups, for example people with a disability, school children and elderly, would be useful. Such intimidation targets would help deal with the lack of detailed walking and cycling data at the local authority level as they would be easier to collect such as through wider 'omnibus' surveys, such as those carried out for perceptions of safety for trips to and on public transport.

5. We have identified a number of factors that may affect our ability to deliver road safety improvements in the future world we are planning for. Do you think we have taken account of the key risks and opportunities? Are there others you would add? (Chapter 3)

Although stakeholders may say that it is 'likely that we will be living in a more carbon-constrained world', this is now a legal fact following the enactment of the Climate Change Act 2008 and its 2050 target of a cut of at least 80%. There is a strong likelihood that carbon budgets will decrease: Government policy is for the aviation sector's emissions to not be reduced below current levels, such that other sectors will need to reduce by 90%, while post-2005 science is showing even deeper cuts are needed than those that have currently proposed by the Climate Change Committee.

We do not believe that sufficient weight has been given to the synergies between reducing road danger and carbon emissions, such as by lowering speed limits or increasing modal shift to active modes. The DfT's *Low Carbon Transport: A Greener Future* is based on an overall target of cutting emissions by 34% by 2020, with domestic transport contributing a cut of 14%. However, if there an international agreement at the Copenhagen summit this December, the stretch target of 40% by 2020 will apply and transport will need to contribute a proportionately greater reduction.

The 'greater demand for road travel for leisure purposes' is likely to include active travel such as walking, cycling and riding on rural roads, as people take more short breaks in the countryside, so should not be thought of in terms of more motor traffic alone.

There needs to be emphasis on the increase in obesity related health problems and the need for a step-change in levels of active travel. Even the Mayor of London's proposal to increase cycling by 400% by 2025 would only result in a modal shift of 3% of trips to cycling, which is unlikely to change the obesity rate by more than a few per cent.

6. We think that the key challenge for road safety from 2010 is better and more systematic delivery, rather than major policy changes. Do you agree? (Chapter 4)

No, we disagree strongly.

Missing from the draft strategy is a true systems approach. In *Ending the Scandal of Complacency: Road Safety beyond 2010* (2009), the Transport Select Committee noted that:

'The systems approach to road safety, now adopted by the Netherlands, Sweden and elsewhere is different to that pursued by the UK. We believe that it is time for the UK to move towards this more fundamental approach which is accepted for other transport modes.'

Although the explanation of systems approach adopted by the Dutch in their *Sustainable Safety* vision has been cut and pasted into a box in the consultation, its principles have not been incorporated or any reasons given why, despite all the evidence, this approach should not be followed. The key element of the systems approach is a road hierarchy and the research commissioned by the DfT in relation to rural roads<sup>2</sup> stressed the need for such a hierarchy.

#### Rural road hierarchy

CPRE has long campaigned for a rural road hierarchy and secured a change to the Transport Act 2000 to require a review of what changes would be needed to introduce one. Section 269 of that Act defines a rural road hierarchy as: 'a system under which rural roads are categorised by a local traffic authority (by reference to the ways in which they are used) for the purpose of subjecting different categories of rural roads to different speed limits.'

The introduction of a road hierarchy would not necessarily need primary legislation as it could be carried out as part of the Traffic Signs Policy Review. We do not see major expenditure as being necessary for a hierarchy, indeed it could save money by reducing the need when lowering speed limits for signage clutter. We do not think it appropriate for significant funding for junction upgrades etc. on higher quality roads: this would be likely to induce new motor traffic and thereby increase road danger, whereas the alternative of

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<sup>2</sup> D Lynam, *Rural Road Safety – Policy Options*, TRL Ltd: PPR 200, 2007

funding sustainable transport, whether new shared use ways for non-motorised users along the busiest rural roads or reopening railways, would reduce motor traffic levels and hence road danger.

Essex County Council has already adopted rural road hierarchy principles into its second Local Transport Plan. This includes not just different speed limits but also the issues of maintenance, winter service, development control and even some freight routing, showing how road safety issues can be considered outside the usual silo approach. We believe these principles should be adopted nationally.

#### Driver liability

Primary legislation would be required for much needed reform to driver liability in the civil and criminal courts. The Road Safety Act 2006 introduced new offences for culpable road deaths such that our jurisdiction now has at least seven, surely more than any other jurisdiction and such that criminal justice professionals, not to mention lay assessors of fact, i.e. magistrates and jurors, are likely to become confused by alternative counts.

Although we believe it too early to judge the impact of the 2006 Act, as the relevant provisions came into force in 2008, we have serious concerns about the subjective nature of the tests for careless and dangerous driving. Rather than the current quasi-subjective test based on falling below or far below the standard of a competent and careful driver (leading to the assessors of fact thinking 'there but for the grace of God I go'), we would rather see an objective negligence based test, distinguishing between driving faults and serious or dangerous faults on the same basis as the driving test: the labelling of frequently lethal driving errors as 'careless' rather than 'dangerous' does not make sense. The changes should be reviewed by 2013 to allow new legislation to come into force by 2015.

The system of civil compensation for personal injuries caused by road traffic incidents for vulnerable road users in England is one of the least favourable in Europe<sup>3</sup>. Although other jurisdictions treat the problem in a number of different ways, a minimum entitlement for vulnerable road users such as 50% of personal injury damages would be appropriate. Such a presumption could be rebutted if there was gross negligence on the part of the VRU, unless the VRU is disabled, a child or elderly in which case it would be automatic. These changes to liability would help deal with concerns that representatives of vulnerable road users have expressed about shared spaces and surfaces, as well as sending out a message about appropriate use of shared spaces and minor rural roads.

#### *7. This consultation document sets out the current evidence on the key road safety challenges. Do you agree with our analysis? Would you highlight any others? (Chapter 2)*

We believe that speed should be the first factor listed and not the last, as it is internationally acknowledged to be the critical factor for road deaths. Besides motor traffic flows, speed is also the main factor for traffic intimidation, community severance and reducing it is top of the hierarchy of measures<sup>4</sup> for improving conditions for walking and cycling.

As explained in response to question 1, we believe that traffic intimidation is the biggest issue and it therefore needs to feature as the centrepiece of the vision. The measure proposed to tackle intimidation in the strategy is the roll out of 20 mph in residential areas but there is limited evidence that 20 mph zones let alone unenforced speed limits are effective<sup>5</sup> in increasing walking and cycling rates. CPRE's *Rural Traffic Fear Survey* in 1999 showed that 66 per cent of people felt threatened some or all of the time when walking, cycling or riding on country lanes. The comparable figure for main rural roads, which often make no provision for non-motorised users, would be far higher. The strategy proposes next to nothing to deal with traffic intimidation in rural areas.

In the Netherlands, Regional Traffic Enforcement Teams have since 2005 used the subjective feeling of not being safe as a key determinant of where to direct enforcement activity<sup>6</sup>. While in Copenhagen the

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<sup>3</sup> Groutel, *The Compensation of 'Vulnerable' Road-accident Victims*, Academy of European Law, Trier, 2001

<sup>4</sup> See for example the DfT publications *Manual for Streets* (2007) and *Cycle Infrastructure Design* (2008)

<sup>5</sup> Para. 2.20 in Greater London Assembly, *Braking Point: 20 mph speed limits in London*, 2009

<sup>6</sup> SWOV (Dutch Road Safety Institute), *Factsheet on Police Enforcement & Driving Speed*, 2008

perception of danger when cycling is used as a key performance indicator<sup>7</sup>. This type of indicator may be subjective and less clear-cut than KSI rates but it is just as important. Consideration of traffic intimidation and means to reduce it must be mainstreamed in other policy areas, such as Crime & Disorder Strategies, Planning Policy Statements and development documents.

### Locational issues

There are increasing numbers of people driving in the UK, whether living here, driving for work or just visiting, who learnt to drive abroad. Some data shows disproportionate risks involving drivers who learnt to drive in other countries<sup>8</sup>, disproportionate risks for minority ethnic vulnerable road users<sup>9</sup> and disproportionate contraventions by foreign registered freight operators<sup>10</sup>. However, there is also the problem of people learning to drive in urban areas then moving to rural areas (and vice versa) but being less familiar with different road conditions. As globalisation and movement of people increases these issues are likely to become ever more important.

8. *We are proposing a number of measures to support the effectiveness of the road safety profession. Do you think they will be effective? What else might need to be done? (Chapter 4)*

There is no single 'road safety profession' but rather a range of professionals whose work impinges on road safety. To complicate matters further, local authorities are increasingly using outside consultants to design schemes, draft policy and carry out road safety audits. Their lack of local knowledge can lead to excess caution in designing highway layouts and reluctance to implement innovative or even up-to-date measures.

We welcome the approach suggested in the DfT's *Manual for Streets* to move away from road safety audits to more holistic quality audits for lightly trafficked streets (by this we assume streets with lower motor traffic flows) and for urban designers to have a greater role than (motor) traffic engineers. Such a change is essential if we are to move from a 'one size fits all' to a context sensitive place-making approach. However, although the consultation proposes "moving away from a 'silo-based' approach that looks at engineering, enforcement and education separately" it fails to move towards a sustainable transport system approach that seeks a range of transport goals, for example modal shift as opposed to just casualty reduction.

There needs to be much better joined-up working as well as a step-change in standards so that safety and other schemes improve rather than detract from streetscape and landscape or indeed improve convenience rather than just provide facilities for non-motorised users. The quality of schemes on rural roads and of provision for cycling is often poor: making cycle training up to level 3 of the national standard compulsory for road safety professionals would be useful. Although there is considerable guidance for cycling, the guidance for rural roads is limited to examples of a couple of schemes of variable quality and we are not confident that the current DfT Rural Road Safety Demonstration Projects will change this.

9. *Do you agree that an independent annual report on road safety performance, created on an annual basis, would be a worthwhile innovation? (Chapter 4)*

Yes, this would be a helpful focus.

10. *Do you agree that the Road Safety Delivery Board should be tasked with holding Government and other stakeholders to account on the implementation of a new national road safety plan? (Chapter 8)*

Yes, but there must be consultation on a draft national road safety plan rather than using responses to this consultation without a further opportunity to comment: a long-term vision is different to an actual plan.

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<sup>7</sup> City of Copenhagen. *Copenhagen City of Cyclists: Bicycle Account*, 2006

<sup>8</sup> Research by London Councils suggest a collision risk three times higher for foreign drivers: *The Times, Foreign drivers face £900 roadside fines to halt rise in crashes*, 6 March 2009

<sup>9</sup> Transport for London, *Road Safety of London's Black and Asian Minority Ethnic Groups*, 2008

<sup>10</sup> Daily Telegraph, *Foreign lorries eight times more dangerous than British trucks*, 21 September 2008

*11. Do you agree that highway authorities reviewing and, where appropriate, reducing speed limits on single carriageway roads will be an effective way of addressing the casualty problem on rural roads? Are there other ways in which the safety of rural roads can be improved? (Chapter 5)*

No, we disagree strongly. Indeed the consultation already states that ‘progress has generally been too slow and too patchy’ (para. 5.29), so the proposed solution of tinkering with guidance to offer a bit more encouragement to local authorities to consider lowering speed limit is simply not credible. The lack of any duty to carry out speed limit reviews and the greater pressure on local authority finances means that speed limits across the country will become even more piecemeal and inconsistent. Besides covering the countryside with repeater signs, this is likely to lower respect for and compliance with speed limits.

Similarly the call made a decade ago in the current road safety strategy for 30 mph to be the maximum speed limit in villages is still being ignored by many local authorities. The lack of any consideration of the needs of villages, in fact the word ‘village’ does not even feature in the strategy, is a major concern for CPRE. The emphasis in paragraph 5.24 on established measures such as road markings is also concern and there is a major need for better guidance on more subtle measures that do not clutter the countryside.

### National Speed Limit

The decision not to reduce the national speed limit for rural single carriageways from 60 mph to 50 mph was made on the basis that the wide distribution of risks on rural roads and the large economic costs from increased journey times makes a ‘blanket approach’ inappropriate. A Freedom of Information Act request made by CPRE revealed that the decision failed to consider a number of legally relevant considerations, rendering the decision unlawful. For the reasons set out below we believe this decision to be so seriously flawed that the DfT must consider the reduction afresh with an open mind. In particular:

- i) There was no assessment as to what proportion of roads might have speed limits reduced, or at least what ranges of figures. We note that EuroRAP’s 2009 assessment suggested that 60% of A roads were not safe, although this ignored safety issues for non-motorised users so the actual figure could be even higher;
- ii) There was no assessment of the cost of signage required by local speed limits as opposed to a lower national speed limit or of the resulting negative visual impact on the natural environment and higher risk of collision with roadside objects;
- iii) There was no assessment of the benefits of a reduction in noise;
- iv) There was no assessment of the risk of displacement of traffic onto minor roads from A and B roads where the speed limit had only been lowered on the latter;
- v) There was no assessment of reduction in community severance or modal shift, particularly towards active modes, and resulting physical fitness benefits;
- vi) There was no assessment of the potential of lower speed limits lead to reduce the proportion of powerful and inefficient motor vehicles;
- vii) There was no assessment to changes in land use over time and reducing the need to travel, particularly by car, based on the impact on lower speed limits and the impact on travel time budgets;
- viii) There was no assessment of increased journey reliability whether due to more constant speeds or a lower risk of being delayed by crashes;
- ix) The decision that journey time benefits from excess and unsafe speeds within the speed limit (which could constitute an offence of careless or inconsiderate driving) should be valued unlike speeds over the speed limit was perverse and contrary to public policy; and
- x) Climate change calculations did not take account of the above and so were defective;

We believe that a comprehensive assessment of lowering the national speed limit to 50 mph, retaining discretion for local authorities to keep their safest roads at 60 mph, would show a range of Benefit Cost Ratios, based on the latest refreshed NATA, that are higher than the current proposal. But there must also be consideration of the wider policy fit of such a change, not just with the five DaSTS goals but also the overarching requirement in the *Climate Change Supplement to PPS1* to ‘reduce the need to travel, especially by car’. This is not to say that a decision could never be made on the basis of valuing time savings above every other objective, contrary to DaSTS or indeed the Secretary of State’s effective acknowledgement of the limits to time savings due to the data on travel time budgets. But it would require very careful reasoning.



### Minor rural roads

In *New Directions in Speed Management* (2001) the then Department for the Environment, Transport and the Regions stated that: 'The one aspect of the national speed limit system that comes in for most criticism is the notion that 60 mph is a reasonable maximum speed on country lanes.' Far from doing anything to address this problem, the proposal will make it worse. The focus on A and B roads will lead increasingly to the situation where main roads have lower speed limits than minor roads, typically C and Unclassified roads, which already have almost twice the number of crashes as major rural roads<sup>11</sup>.

We are very concerned that this will lead to diversion of traffic onto minor roads to take advantage of higher speed limits, whether for pleasure or due to the belief that journey times will be less. This is the exact opposite of what systems approaches to safety try to achieve in moving motor traffic off the minor road network onto higher tier roads with better safety records. There seems to have been no assessment of the probable displacement impacts of the changing of speed limits on A and B roads without changes to speed limits on minor roads. The mapping of risks on rural A roads may lead to further displacement onto minor roads, even if these are less safe for vehicle occupants.

### Non-motorised users

Risk mapping shows risks for overall traffic, predominantly motor traffic, and not for people walking or cycling. A road that appears 'low risk' may in fact pose high risks for non-motorised users who want to travel along or cross it, not to mention be intimidating for them. The data on rural roads in the consultation is entirely motor-centric, despite the popularity of walking, cycling and riding on country lanes. The risk of fatalities to car occupants of two vehicles travelling at 40 mph colliding head on is just 15%, but if such a car collides with a non-motorised user, the survival rate is for the latter is just 15%.

According to Lynam (supra) 'for the very large network of minor roads, engineering and enforcement programmes are very expensive, and many drivers' perception and use of these roads is inconsistent with their design and their usage by more vulnerable road users'. While CPRE would like to see a 40 mph speed limit on minor rural roads to be introduced by implementing Dutch style 40 mph zones, there is clearly a need for modification of drivers' perceptions of these roads, in particular the need to share space with non-motorised users, through a national public education campaign.

For busier roads, where there is limited potential to reduce motor traffic flows and speeds, there is a need to provide convenient facilities for non-motorised users, such as shared paths. This is a key element of continental systems approaches to road safety. Routes with the highest potential, e.g. linking villages to towns or more specifically to schools, stations, leisure and employment, should be the priority at first.

*12. How can we most effectively promote the implementation of 20 mph zone schemes in residential areas? What other measures should we be encouraging to reduce pedestrian and cyclist casualties in towns? (Chapter 5)*

The continued association of 20 mph as being just for 'residential areas' is not helpful. A speed limit of 20 mph needs to be the presumption for roads and streets in towns as well as villages and Quiet Lanes, with the burden of proof on highway authorities to justify why a higher speed limit would be appropriate and indeed safe for all road users.

People need to *feel* safe walking and cycling as well as be safe. Having to cross fast-moving traffic on busier roads can act as a major barrier and put people off making a trip by walking or cycling. Birmingham has made part of its inner ring road subject to a 20 mph limit while Oxford has done the same for High Street and part of Cowley Road, one of the main routes through the city. It is very disappointing that the consultation ignores this best practice and instead proposes limiting 20mph to 'streets that are primarily residential in nature and which are not part of any major through route'.

### Confusion between 20 mph zones and limits

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<sup>11</sup> The overall crash rate on rural 'A' roads was 23 per 100 million km travelled whilst on 'other' rural roads it is almost double at 40 per 100million km: DfT, *Road Casualties: Great Britain, 2006*

There is considerable confusion between the rules for 20 mph zones and 20 mph limits, indeed the consultation itself at paragraph 5.22 refers to 'un-engineered 20 mph zones' meaning 20 mph limits as all 20 mph zones currently have to be engineered. Our forthcoming research on police responses to highway authority consultations on introducing 20 mph shows significant confusion about the relevant rules, as well as police opposition to introducing 20 mph on the basis that it might encourage pedestrians not to use designated crossings. In addition the sign used to indicate a transition from a 20 mph zone to a 20 mph limit is particularly confusing.

Current requirements for 20mph zones are too inflexible, requiring a blanket approach to traffic calming that often damages local character and fails to take account of recent research on psychological traffic calming. Such subtle measures can win drivers over rather than antagonise them by seeming to shout at and hector them. The continental approach of not marking priority at junctions, which indeed was the approach here before the 1960s, should be encouraged so that road users negotiate space with each other at junctions within a 20 mph zone. The common law presumption is to give way to traffic from the right and this can be reinforced by adding 'circular features' to give the impression of a mini-roundabout.

We believe the Dutch approach<sup>12</sup> of focusing physical traffic calming measures where needed, in particular at junctions and desire lines, is more proportionate. Not only does it offer a better Benefit Cost Ratio, it would improve integration of traffic calming with the streetscape as well as being the only way that effective 20 mph speed limits could be rolled out across the country in the foreseeable future. We would like to see a merging of rules and guidelines for 20 mph zones and limits such that a wider range of traffic calming measures would be only required where average vehicular speeds (so including pedal cycles) exceed 24 mph and then only where needed.

To give the roll out of 20 mph momentum, we need targets for the proportion of urban and village streets covered by 20 mph and consideration of making it the default speed limit for highways subject to a system of street lights at the strategy's review points.

#### Enforcement and education

Enforcement and education are also important. The lack of any national campaign to secure compliance with 20 mph, in contrast to the 'It's 30 mph for a reason' campaign for 30 mph streets, is a concern. The attitude of many police forces and indeed the policy of the Association of Chief Police Officers is that all 20 mph areas should be self-enforcing and that any enforcement by them should be on an exceptional basis. With increasing number of towns adopting area wide approaches to 20 mph, this effectively means an area wide abdication of speed limit enforcement.

As Figure 7.1 shows, a proportion of drivers do not comply with any speed limit and though the figures for 20 mph roads are unfortunately not shown, the situation is similar. It is unacceptable that it is the policy of many police forces not to enforce 20 mph, as this limit is introduced where vulnerable road users are likely to be present and for whom compliance with the limit can be a difference between life and death.

20 mph as the norm in built-up areas is vital but it is not a panacea. Changes to driver liability (as noted above) are important as well as changes to the streetscape to reduce clutter and create shared spaces. We have raised the need for 'filtered permeability' in the CLG's consultation on eco-towns and believe that it is key to securing modal shift to active modes and reducing risks for them by obtaining 'safety in numbers'. Finally, having welcomed the new indicator for risk for active modes, it is concerning that this consultation question falls back to absolute casualty numbers.

#### *13. How can we provide better support to highway authorities in progressing economically worthwhile road safety engineering schemes? (Chapter 5)*

We have concerns about the emphasis of this question on schemes that are likely to prioritise engineering schemes with a narrow focus on reducing KSI as opposed to reducing intimidation, signage clutter and securing modal shift to sustainable and active modes.

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<sup>12</sup> SWOV, *Factsheet Zone 30: urban residential areas*, 2004

*14. What should Government do to secure greater road safety benefits from [motor] vehicles?*

We believe that the emphasis should be on reducing the risk that motor vehicles cause to road users, whether in motor vehicles or not. The largest source of such risk is excess speed. We recommend the Government:

- Encourages the use of Intelligent Speed Adaptation (ISA) in vehicles used by public bodies and their contractors such as through revised contract tendering.
- Works with insurance industry to offer lower insurance premiums to vehicles fitted with mandatory ISA, particularly for higher-risk drivers.
- Encourages the roll out of ISA in car club vehicles, particularly to make car club use affordable and possible for younger drivers or those with endorsements.
- Trials opportunities for serial speeders to be required to use mandatory ISA if they wish to continue to be able to drive, whether by licence conditions (much like the proposal for 'alco-locks') or the use of conditions in Anti-Social Behaviour Orders as a proportionate alternative to withdrawal of driving licences.

Very high levels of enforcement may raise economic and social concerns: new technologies should be used to help prevent dangerous behaviour occurring in high-risk drivers in the first place, rather than hoping that enforcement will 'make it more difficult for them to offend again' (para. 7.9).

*15. Do you agree that, in future, crash avoidance systems will grow in importance and will have the potential to greatly reduce casualties?*

No. They may have limited potential in relation to crashes that do not involve Non-Motorised Users and we therefore believe they should have a limited role.

*16. How can we best encourage consumers to include safety performance in their purchasing decisions?*

We would like to see greater emphasis on car clubs as opposed to purchasing cars. These could allow people to trial new technologies such as ISA without commitment, as well as reducing the tendency to make travelling by car the default way of travelling.

*17. We have highlighted what we believe to be the most dangerous driving behaviours. Do you agree with our assessment?*

Broadly, yes. The emphasis on speeding and variable penalties is welcome. However, we are concerned that the strategy does not tackle inappropriate speeds that are within the speed limit, particularly on country lanes where the speed limit is set too high, and speeding by larger vehicles, such as LGVs and HGVs, that may be within the speed limit for cars but which exceeds the speed limit for those types of vehicles.

Due to reliance on cameras triggered by vehicles exceeding a particular speed threshold, there is particularly poor compliance of the lower speed limits for larger vehicles on rural single-carriageways. This has a disproportionate impact on noise pollution, carbon emissions (impacting on National Indicator 186 for local authorities) and community severance.

We have previously welcomed moves to tackle careless *and* inconsiderate driving by introducing Fixed Penalty Notices for this two-limbed offence: given the need to tackle traffic intimidation, every opportunity must be taken to remind road safety professionals of the need to tackle inconsiderate driving. The focus on 'compliance' with bright line rules, such as not driving or drinking over a specific level, should not be at the cost of forgetting about showing consideration for other road users and sharing the road with them.

*18. What more can be done to persuade the motoring public that illegal and inappropriate speeds are not acceptable behaviours?*

The starting point has to be a move towards a road hierarchy and self-explaining roads, where it is clearer what type of road you are on and what sort of driving style, including but not just speed, is appropriate. At present speeding is so common, speed limits are so inconsistent and enforcement is still a rarity such that

many of those who speed feel speed limits and their enforcement are carried out on an almost random and unjustified basis.

There should be encouragement for fitting of ISA or manual speed limiters (as standard in French made cars) by providing information on how to do this and encouraging insurers to offer reduced insurance premiums.

*19. What more can be done to encourage safe and responsible driving?*

We would like to see greater emphasis on considerate driving and understanding the perspectives of different road users. We would like to move away from divisive language referring to motorists, cyclists and pedestrians, towards people driving, cycling and walking, emphasising that most people move about in different ways at different times.

Encouraging those who cycle to sit in an HGV cab or conversely encouraging those who drive, particularly those who have found to have driven inconsiderately, to undertake cycle training, would be helpful. For example, in the Netherlands cycling is a widespread activity, so people when driving understand and accept the needs of people who are cycling.

*20. Should more be done to reward good driving? If so, what?*

We have strong concerns that an absence of endorsements may simply reflect a lack of enforcement, particularly in relation to careless and inconsiderate driving. The market for insurance is competitive and provides safer drivers with no claims bonuses. Despite the concerns noted above, we do not believe that it is appropriate to second-guess this market based approach.

CPRE

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