

Living Streets is the national charity that stands up for pedestrians. With our supporters we work to create safe, attractive and enjoyable streets, where people want to walk.

A Safer Way: Consultation on Making Britain's Roads the Safest in the World

Response from Living Streets

Summary

- 20 mph should be adopted as the default speed limit in all built-up areas, as opposed to the targeted approach mooted in *A Safer Way*;
- We need more appropriate street design, placing pedestrians at the top of the road user hierarchy and building them back into their environment;
- The civil liability framework in the UK must be reformed such that the burden of proof falls upon the driver to prove that s/he was *not* at fault in the event of a collision with a vulnerable road user.

1. About Living Streets

- 1.1 Living Streets is the national charity that stands up for pedestrians. With our supporters we work to create safe, attractive and enjoyable streets, where people want to walk. We work with professionals and politicians to make sure every community can enjoy vibrant streets and public spaces.
- 1.2 The history of Living Streets demonstrates the strength of our agenda. We were formed in 1929, as the Pedestrians Association, and have grown to include a network of 100 branches and affiliated groups, 28 local authority members and a growing number of corporate supporters. As well as working to influence policy on a national and local level, we also carry out a range of practical work to train professionals in good street design, and enable local communities to improve their own neighbourhoods. We run high profile campaigns, such as Walk to School and Walking Works, to encourage people to increase their walking levels and realise a vision of vibrant, living streets across the UK.

2. Responding to the consultation

- 2.1 This response from Living Streets focuses on three main themes that we believe will have the biggest impact on pedestrian road safety over the next ten years.
 - a) 20 mph;
 - b) Appropriate street design;
 - c) Driver liability.

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2.2 The response draws on our 80 year experience of standing up for pedestrians. Our arguments led to such road safety milestones as the introduction of speed limits and the driving test in the 1930s, the green cross code in the 1970s, and 20 mph zones in the 1990s.

3. 20 mph

3.1 We believe that 20 mph as a default speed limit in all built-up areas is the most important potential policy change that can come out of the road safety strategy. We are therefore taking this opportunity to be clear in setting out the case for **20 mph as a default speed limit in built-up areas**. We disagree with the proposals in paragraph 22 of the Executive Summary to *A Safer Way* to target 20 mph merely on

“streets that are primarily residential in nature... and other streets where pedestrian/cycle movements are high (for example around schools or markets) and which are not part of any major through route.”

As it stands, the many high streets and residential streets of the UK that happen to lie on a major through route would be excluded from the benefits of 20 mph limits. We see no reason for residents and shoppers on those streets to be discriminated against, purely because they happen to live or shop on a main road. We want the road safety strategy to be clear in stating that 20 mph is one of the most significant actions to improve road safety and general quality of life in all built-up areas – not merely targeted areas around schools, markets or residential streets. **Therefore the assumed opt-out for ‘major through routes’ should be removed.**

The road safety benefits of 20 mph are well known, and recognised in *A Safer Way*, but 20 mph can also be a key ingredient of many other government objectives around community cohesion, climate change, and health in particular. Therefore this section will concentrate on the many reasons for further implementation of 20 mph, and is followed by more specific answers to the consultation questions within *A Safer Way*.

3.2 Putting People First

We believe that limiting speed to 20 mph helps create an environment in which pedestrians feel confident about crossing the road, children can play outside their homes and it is quiet enough to hold a conversation. A study from the Commission for Integrated Transport in 2001 found that where cities have 20 mph speed limits covering between 65% and 85% of the street network, they are transformed “from being noisy, polluted places into vibrant, people-centred environments.”¹

The 30 mph speed limit was introduced in 1934 when there were just 2 million cars in the UK. Today there are over 28 million. There is now roughly one car for every two people in the UK. From a ‘crossing the road’ point of view, 30 mph was a far more appropriate

¹ Commission for Integrated Transport (2001) *Study of European best practice in the delivery of integrated transport*



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speed in the 1930s than it is today. The relative rarity of a car on the street meant that crossing it in good time before one appeared was a simple matter. With today's increased car use, sufficient gaps in 30 mph traffic are much harder to come by. A 20 mph speed limit immediately *puts people first* by ensuring that traffic is travelling at a speed slow enough to adapt to pedestrian presence.

3.3 Improving Sociability

Heavy traffic damages communities – and the speed of traffic plays as great a role as its density. Research from Basel in Switzerland has shown that the sociability of streets increases as street traffic speeds decrease. For example, the number of people saying they 'linger' in their street increases from 24% in a 50 kph (31 mph) street to 37% in a 30 kph (19 mph) street². Meanwhile, research from Bristol in the UK has shown that residents on busy streets have less than a quarter of the local friends that those living on similar streets with little traffic have³. At 20 mph, even a heavily-trafficked street instantly becomes easier to cross, less noisy, and more sociable.

3.4 Encouraging Walking

A 20 mph speed limit in built-up areas allows for the safe mixing of motorised and non-motorised modes of transport, and makes it easier for pedestrians and cyclists to enjoy the same direct and safe routes for their journeys as motorists. By adopting this 'level playing field' approach to speed limits, local authorities can encourage pedestrians to take to their streets.

Research into traffic calming undertaken in Glasgow found that walking levels increased in traffic-calmed neighbourhoods.⁴ However we believe that there is scope for more research from around the UK. Portsmouth has only just started looking at modal shift as a result of 20 mph; we expect to see the results of this research soon.

However there is more evidence available from Europe on how lower speed limits encourage walking and cycling. The 20 mph approach is increasingly adopted in European countries where rates of walking and cycling are much higher and casualty rates for sustainable road users much lower than in the UK.⁵

In Munich, with a "pedestrian friendly city" policy, 80% of the road network has a 30 kph limit. Some residential areas have even lower limits. In Graz, Austria, over 80% of the network has 30 kph limits. Cycle usage increased by 17% while cycling casualties fell. Munich also has very low casualty rates for vulnerable road users. Graz and Munich

² Daniel Sauter & Marco Hüttenmoser (2006) . The contribution of good public spaces to social integration in urban neighbourhoods.

³ Joshua Hart (2008). Driven To Excess. Available from www.driventoexcess.org

⁴ Morrison, D., Thomson, H. and Petticrew, M. (2004). *An evaluation of the health effects of a neighbourhood traffic calming scheme*, *Journal of Epidemiology and Community Health*, 58, pp. 837–840

⁵ Atkins, W. S. (2001) *European Best Practice in the Delivery of Integrated Transport*, Summary Report, London: Commission for Integrated Transport.

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exemplify best practice because they have stabilised or reduced the *use* of the car, despite increasing levels of car ownership⁶.

3.5 Positive impact on emissions and traffic flow

There are wider benefits of 20 mph. Contrary to some reports based on test-track conditions⁷, research, again in Germany, showed that driving at a steady 30 kph (19 mph) will actually reduce vehicle emissions as braking and accelerating between junctions and other obstacles decreases⁸. It is very much an environmentally friendly traffic speed.

Additionally, traffic flow is smoothed by reducing the “bunching” effect at junctions. Some local authorities have already pioneered this approach to traffic management. The London Borough of Camden has linked the traffic lights on Camden High Street to build in a natural “green wave” of 20 mph: travelling faster than this will simply result in the next set of lights the driver approaches remaining red.

4. Answers to specific consultation questions

4.1 Do you agree that our vision for road safety should be to have the safest roads in the world?

While this is an admirable ambition, we are concerned that its simplicity could be interpreted as an excuse to remove all element of risk for drivers (of which pedestrian presence is a major factor) from our roads. Strictly speaking, the “safest” roads for pedestrians are motorways – roads from which they are, of course, banned. Even the slightest pressure to take a similar segregated approach to road safety in our towns and cities would be a major backwards step in encouraging more walking. Pedestrian safety is enhanced as the numbers of pedestrians rises and drivers become more aware of how to behave around vulnerable road users.

We are confident that the Government’s intention is not to discourage or hinder walking, but in setting the framework for potentially the next 20 years of road safety, the vision must be as inclusive to all road users as possible. Therefore we recommend that the vision above be amended to read: *Our vision is to have the safest roads, for all users, in the world.*

4.2 Do you agree that we should define a strategy running over twenty years to 2030, but with review points after five and ten years?

Yes, but cross-governmental strategies on both obesity and climate change aim to realise significant increases in the numbers of people walking and cycling. At the review points

6 Atkins, WS (2001) *European Best Practice in the Delivery of Integrated Transport*, Summary Report, London: Commission for Integrated Transport.

7 http://www.theaa.com/public_affairs/news/20mph-roads-emissions.html

8 Dr. Carmen Hass-Klau (1990), *An Illustrated Guide to Traffic Calming* p3

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therefore, particular attention should be paid to ensuring that the approach to road safety remains appropriate with increased popularity of sustainable transport.

4.3 Targets

Hitherto the strict targets-based approach to road safety has been useful in setting out an easily understandable and quantifiable set of benchmarks for road safety interventions. However the world has changed significantly since 1987. Carbon reduction and promoting healthy lifestyles are now major policy objectives for government with their own targets to meet, which should be considered in conjunction with future road safety targets.

The Climate Change Act 2008 sets a carbon reduction target of at least 26% by 2020. The Stern Review highlighted the need for transport to play an important role in this overall challenge, by moving towards low carbon or carbon neutral modes. Local journeys are those with the biggest potential conversion to entirely carbon-neutral modes such as walking and cycling. Indeed, one of the stated shortlisted goals of government's *towards a sustainable transport system* programme is "encouraging and enabling more physically active travel (such as walking and cycling)"⁹ as a means of reducing carbon emissions from local transport. The same report highlights the negative local environmental effects of road traffic noise and emissions on local quality of life.

Meanwhile one of the five key themes of the government's *Healthy weight, healthy lives cross-government* (our emphasis) strategy for tackling excess weight is to "build physical activity into our lives... by everyday activity... and the promotion of a supportive built environment."¹⁰

Promoting and enabling the carbon-neutral, active travel choices of walking and cycling must cut across *all* government output, particularly the road safety strategy – the tone and ramifications of which will help to set the agenda for transport policy over the next 20 years.

Therefore the primary aim of the road safety strategy must be to encourage significantly more walking and cycling, in the context of safer roads for everyone. This means reducing the impact of motor traffic where people want to walk and cycle, so that in the future nobody can claim to be put off from those travel choices purely on the grounds of fear or environmental concerns.

Further to our concerns in response to question 1, the new approach to road safety must move away from a culture of separating pedestrians from the street environment unnecessarily. We need to reach a situation whereby drivers *expect* to encounter pedestrians more regularly on our streets, and so can adapt their behaviour to the situation – rather than continuing to promote an outdated approach which implicitly places car drivers at the top of the local street hierarchy. This means, among other things, greater enforcement of Highway Code rule 170 (stating that drivers must give way to pedestrians

⁹ *Towards a Sustainable Transport System*, Department for Transport (2008)

¹⁰ *Healthy Weight, Healthy Lives*, Department of Health (2008)

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crossing side streets), introducing driver civil liability (discussed further in our response to question 12), 20 mph as a default speed limit for built-up areas, and a street design approach following the hierarchy set out in the *Manual for Streets*¹¹ whereby pedestrians are considered first.

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;**
Yes.
- **the annual total of serious injuries on our roads by 2020 by at least 33 per cent;**
Yes.
- **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;**
Yes – but this should be a rate-based target taking into account the need to encourage more young people to walk to school.
- **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?**

We welcome the intentions behind this new target. However currently we do not believe that there are sufficient measuring tools in place to record accurately distances travelled on foot. Due to the short nature of walking journeys we recommend that such rate-based targets are set against trips or numbers of people walking, rather than distance travelled.

We also have concerns about treating pedestrians and cyclists the same in terms of targets. While the two modes have some common road safety issues, they are fundamentally different. While we of course consider that everyday cycling should not be considered a ‘specialist’ activity, it remains the case that many people think this. Research undertaken in London has demonstrated that walking is by far the most ‘appealing’ form of local transport (86%), with cycling appealing only to 46% - the least popular mode of transport other than the Tube at 42%. Additionally there is a significant gender gap – women are more likely to find cycling unappealing than men¹² – and so the setting of such targets has important equalities implications.

Therefore with this vast difference in potential uptake of the two modes, and because walking requires no special equipment and is inherently more suitable for many people for ad hoc short journeys of a mile or less, with no need for additional infrastructure (e.g. cycle parking), it seems inappropriate to lump them both together in road safety targets. The two modes have significantly differing barriers to increased uptake, so it would be unfair, for example, if significantly increased levels of walking fostered an impressive rate-based figure that masked relative increased injuries to cyclists.

¹¹ *Manual for Streets*, Department for Transport (2007)

¹² *Attitudes to Cycling 2008, Research Report prepared for Transport for London*, Synovate 2008.

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In this way, we recommend a separate target of: *reduce, by at least 50% by 2020, the rate of KSI per walking trips, compared with the 2004-08 average.*

4.4 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?

Yes, but an indicator pertaining to traffic fear needs to be added. One of the major barriers to more walking and cycling is that people feel fearful for their safety. Another PI should therefore be *% of people stating that they are dissuaded from walking/cycling because of road safety concerns.*

4.5 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?

Most factors have been covered.

The implication in paragraph 3.4 in *A Safer Way* is that lighter vehicles can cause casualties to increase. In the event of a low speed collision with a pedestrian, a lighter vehicle is actually beneficial to road safety in that context: simple physics shows that the momentum of the vehicle will be less, resulting in less momentum being transferred to the pedestrian – and therefore less likelihood of serious injury. While perhaps a minor point, this does demonstrate the need for road safety thinking to move away from being centred on vehicle occupants: it is vehicle occupants themselves who are the cause of most collisions, and the focus must now be about changing driver *behaviour* for the better.

4.6 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)

Yes to a certain extent, but it is time for **one** major policy change: as already stated in section 3, 20 mph must become the default speed limit in built-up areas across the UK. This more than anything else will have immediate positive impacts for nearly all of the KPIs identified in Appendix A, as well as increasing walking and cycling, reducing carbon emissions, and civilising our streets.

4.7 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?

We agree, particularly with the recognition of children aged 11-15 and people older than 80 being disproportionately at risk as pedestrians. We believe that a major reason for 11-15 year olds being at such risk is due to prevalence of being driven to school when at primary school – rendering secondary school children lacking essential ‘road sense’ when they make the transition to independent travel¹³.

We welcome the recognition of driver behaviour as a challenge, but would add that driver *opinion* also has to change. The current road culture in the UK is overly car-centric, failing to recognise that pedestrians are legitimate road users who have every right to be on any

¹³ *Backseat Children*, Living Streets (2008). http://www.livingstreets.org.uk/news_and_info/media_news_releases.php?id=887

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part of the public highway (apart from motorways) at any time. It is even more concerning that such an attitude appears to be prevalent in the official police reports of collisions. According to *Road Casualties in Great Britain 2007, Annual Report*¹⁴, by far the greatest factor in pedestrians killed or seriously injured is recorded as being “pedestrian failed to look properly”. Other examples of questionable factors include “pedestrian wearing dark clothing at night” or “dangerous action in carriageway (e.g. playing)”. This attitude is demonstrative of a culture whereby pedestrians are considered nuisances unless they are confined to the pavements.

We of course appreciate that, in many cases, the pavement and appropriate ‘official’ crossing points can work well for the benefit of all road users, but future road safety campaigns focused on the legitimacy of pedestrians to use the public highway would be an example of how government can help to work towards a culture of sharing the road in the UK.

4.8 We are proposing a number of measures to support the effectiveness of the road safety profession. [a] Do you think they will be effective? [b] What else might need to be done?

- a) Yes.
- b) While some police forces have started to say they will enforce 20 mph limits^{15 16}, there is currently a lack of national endorsement from the Association of Chief Police Officers on the subject. Therefore more needs to be done at the strategic policy level to persuade the police to take 20 mph more seriously.

4.9 Do you agree that an independent annual report on road safety performance, created on an annual basis, would be a worthwhile innovation?

Yes.

4.10 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?

Yes.

4.11 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?

We agree that rural roads and rural communities are severely affected by speeding traffic. While the current speed limit remains appropriate on the majority of our well engineered rural single carriageways, it is too high for smaller roads, and particularly those that link

¹⁴ *Road Casualties Great Britain: 2007 - Annual Report*, Department for Transport (2008).

¹⁵ http://www.oxfordmail.co.uk/news/4308526.Police_will_impose_planned_20mph_limits

¹⁶ <http://www.hampshire.police.uk/Internet/news/releases/Joint+speed+operation+promotes+20mph+road+safety+message.htm>

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settlements and lack adjacent footways. We want to see the speed limit on all rural unclassified roads (colloquially known as country lanes) reduced to 40 mph, and a maximum of 30 mph through all villages – with 20 mph on all ‘restricted roads’¹⁷ and other village streets where there is local community support.

Many village streets lack pavements, and in fact many essential walking links between settlements are along 60 mph roads with no adjacent provision for pedestrians. While we believe that, in areas with high footfall, ‘naked street’ approaches to urban design are beneficial to road safety¹⁸, this is often not the case in quieter rural areas: here, adequate provision away from motor traffic and in visible and well-lit locations is essential for improved pedestrian safety.

4.12 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?

a) Rather than focusing on targeted zones, we believe that the implementation of 20 mph should come in the form of the cheap and easily implemented signed-only 20 mph *limits* approach. This can be promoted effectively by highlighting and clarifying the following:

- 20 mph limits represent value for money – Portsmouth implemented 20 mph across the majority of its streets for a mere £500,000;
- 20 mph speed limits reach a far greater proportion of the local population than 20 mph zones, bringing the benefits of people-friendly traffic speed to everybody;
- 20 mph improves significantly local quality of life – for a detailed explanation of this, see Living Streets policy briefing 02/09, *20 mph Brings Streets to Life*;
- 20 mph can be implemented on streets with average speeds currently higher than 24 mph;
- Local police support for enforcing 20 mph is growing.

However the perceived police disinterest in enforcing 20 mph at a national level needs to be tackled. Government should seek a statement from the Association of Chief Police Officers demonstrating that police forces across the country will take 20 mph speed limits seriously.

b) **Street design.** Advanced Stop Lines (ASLs) are currently used to good effect at many traffic lights. Not only do they bring benefits to cyclists, allowing them to adopt an assertive position at the front of the traffic queue, but they also create a space between motor traffic and pedestrians contributing to a greater sense of safety. We believe they should be used far more frequently: in particular at all light-controlled pedestrian crossings. For instance, recently a woman was killed near Marble Arch in London whilst using a light-controlled pedestrian crossing: if the vehicle involved had been required to stop further from the

¹⁷ As defined in Section 82(1)(a) (of the Road Traffic Regulation Act 1984 (RTRA 1984)) as a street with streetlamps no more than 183 (185 in Scotland) metres apart

¹⁸ For more information see Living Streets Policy Briefing 01/09, *Naked Streets*.

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crossing, her life may well have been saved. In addition, the use of existing ASLs must be much more stringently enforced to ensure that their accident-reduction potential is met.

In general, however, there needs to be a sea change in attitudes towards urban design. The DfT's *Manual for Streets* is a step in the right direction, and we look forward to its extension to other streets, and the publication of Scotland's *Designing Streets*. A "user hierarchy" wherein the needs of pedestrians, cyclists, and public transport users are considered, in that order, before those of private motor cars, should underpin all future work on the streets of the UK. Genuinely adopting this approach across all highway authorities would bring huge improvements to pedestrian and cyclist safety.

In addition, if planners followed the Manual for Streets guidelines in all urban areas this would lead to, among other improvements: better street lighting, a reallocation of roadspace to pedestrians and cyclists where appropriate, more informal crossing points, and more shared spaces in busy pedestrian locations. All of these measures have been proven to improve both driver behaviour – through greater awareness of vulnerable road users – and overall road safety.

The **civil liability** framework in the UK is currently such that it discriminates against vulnerable road users and must be reformed. As it stands, motor vehicle drivers are presumed not liable for damages in the event of a collision with a pedestrian or cyclist. This is in contrast to most of the countries in the rest of the EU, where the burden of proof falls upon the driver to demonstrate that they were *not* at fault in such collisions. In this way, by establishing an element of fairness in civil liability, we can move towards a culture wherein motor vehicle drivers take their responsibilities as 'kings of the road' more seriously than at present.

4.13 How can we provide better support to highway authorities in progressing economically worthwhile road safety engineering schemes?

20 mph speed limits are far more economically viable than the piecemeal zonal approach – the latter requiring expensive traffic calming, which can also be unpopular. Portsmouth City Council spent a mere £500,000 implementing a 20 mph limit across the whole city. Prior to this, they had been planning to spend £2 million on ten targeted 20mph zones over five years¹⁹. Therefore, as above, we want to see the department promote 20 mph limits as a road safety scheme *even where average speeds are currently 24 mph or greater*.

4.14 What should Government do to secure greater road safety benefits from vehicles?

We believe that it is approaching the point where there are little significant extra benefits to be gained from the design of motor vehicles. The focus should now shift to driver behaviour. The only major technological improvement to motor vehicles will be compulsory fitment of intelligent speed adaptation (ISA) on all new motor vehicles, and subsidised retro-fitment on older vehicles. ISA is currently being trialled in London, and we welcome that the strategy is positive over the road safety benefits of the technology. 6.24

¹⁹ London Assembly Transport Committee (2009) Braking Point

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states “we expect that industry will take forward the technology” – but we would expect that government will take additional steps to legislate for ISA implementation as soon as is practically possible.

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

No – at least as far as pedestrian casualties are concerned. Once again, the focus must turn to driver behaviour around vulnerable road users, as opposed to promoting a false sense of security in drivers by relying on vehicle technologies. Drivers must start to take far more responsibility for their disproportionately greater risk to other road users.

4.16 How can we best encourage consumers to include safety performance in their purchasing decisions?

In addition to tax bands based on greenhouse emissions, cars that are demonstrably less safe for pedestrians should be subject to a higher rate of tax. Euro NCAP ratings for pedestrian safety can provide a framework.

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

Yes, but additionally:

- The drink drive alcohol limit should be reduced to 50 mg;
- 20 mph should become the default speed limit on all restricted roads in built-up areas.

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

We need to reach a point where travelling above the speed limit becomes as anti-social as drink driving. Therefore we want to see a combination of continued hard-hitting advertising campaigns, coupled with effective enforcement from an increased police presence and higher penalties for those found speeding in built-up areas.

4.19 What more can be done to encourage safe and responsible driving?

We believe that one element of safe and responsible driving in the presence of vulnerable road users is a degree of empathy with their experience. Driver training is a crucial element of this. Therefore our response to the *Learning to Drive* consultation recommended that demonstrable cycle proficiency becomes a prerequisite for gaining a full driving licence.

4.20 Should more be done to reward good driving? If so, what?

Owning a driving licence is a privilege to be earned, not an assumed right. Good driving should be ‘rewarded’ only with the continued validity of one’s driving licence. Rewarding it in any other way is misguided and fails to recognise the legitimacy of other road users;

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pedestrians and cyclists would not be expected to be 'rewarded' for good behaviour, and neither should drivers.

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