

Liverpool Cycle Forum

Item 5: Responses from the Police and Crime Commissioner to questions submitted by Forum members prior to the meeting.

Q1. Does Merseypolice have a strategy to deal with the high KSI rates for vulnerable road users, in particular cyclists? Liverpool is one of the worst regions for cyclist KSIs. If so, what is the strategy?

- We have an agreed Roads Policing strategy. This supports the Merseyside Road Safety Partnership strategy and objectives. As such, the partnership KSI reduction strategy represents our KSI reduction strategy. It is this work that has identified the key 'thematic groups' of vulnerability within Merseyside (older road users, motorcyclists, cyclists and pedestrians within Liverpool city). We support all these thematic groups with enforcement and education. We also contribute to the Partnership action plans for each thematic group. We will support education opportunities where possible and are active with Bikesafe, Engage and Drive Safer for Longer.
- We have a specific operation (Lamela) to increase levels of enforcement targeting 'risk taking behaviour' of all road users.

Q2: On my commute from Woolton to the University, I use the cycle route recommended by Liverpool council which runs partly on 'traffic-calmed' roads. Stretches of Woolton Road are 20mph (at Bishop Eton/Calderstones/Mosspits schools) and all of Lawrence Rd/Earl Rd is 20pmh. Yet, in my daily experience, traffic moves at 40pmh+ which is frightening for a person on a bicycle since there are no segregated cycle lanes. What will MerseyPolice do to protect people who are cycling on these roads? Does Merseypolice consider this cycle route safe for children ? Are there any plans to enforce 20mph speed limits (using speed cameras) in these 'traffic-calmed' routes as progressive cities such as Bristol already do?

- Our stance regarding this is representative of ACPO/NPCC guidance. Over recent years there has been a proliferation of 20-mile-an-hour areas and zones across the United Kingdom, with the inevitable result of the public and local authorities demanding police enforcement. Whilst the police service fully supports any measures that increase road safety, it simply cannot commit to a sustained programme of enforcement and it relies upon Association of Chief Police Officers (ACPO, now superseded by the National Police Chiefs Council (NPCC)) guidance to outline it's response to the new speed limits. In 2007 the ACPO Secretariat circulated a letter on the ACPO Intranet confirming the enforcement guidance on 20 mph limits and zones:
- "Whilst the benefit of reduced speed limits in residential areas is recognised, the means by which such a speed limit is achieved clearly rests with the advice provided by the Department of the Environment, Transport and the Regions (DETR). This advice to local authorities should ensure that sufficient engineering

works are in place to result in an average speed of 20 mph or less. It is not acceptable for the Police Service to enforce such speed limits as a matter of routine. In the event that offenders are detected in the normal course of police work, it is recommended that prosecution should be by way of process and that the evidence should reflect the fact that the offence was committed within a reduced speed limit zone.”

- It is incumbent upon the Police Service to ensure resources are used effectively in responding to community priorities. The current Department for Transport (DfT) national guidance, issued to local authorities insists that any 20 mph area/zone be adequately engineered. However, this is somewhat ambiguous as there are 20mph limits/zones without such engineering support or the ‘engineering’ varies from signage to physical features such as road humps and tables. It is this and the need to manage police resources that has led to the policy that poorly engineered schemes should not be considered for routine enforcement. Speed limits (including areas and zones) should have engineering/clear signage and not rely upon routine police enforcement.
- In summary, this means:
 - It is incumbent on the local authorities to implement suitable engineering to support any 20 mph areas.
 - Police enforcement must not replace this measure but should be an additive deterrent to ensure compliance and address specific complaints.
 - The Police Service must not become the ‘cheap option’ to achieve compliance in 20mph limits and zones.
- As a result the National Police Chiefs’ Council’s position has remained to date that if a 20-mph-speed-restriction is in place and there is no engineering or clear signage to effectively achieve compliance without enforcement, then there would be no routine enforcement. However, the police will respond to identified issues such as complaints from communities or evidence from local authorities. This position should address the issue of genuine drivers being prosecuted when they simply didn't know they were in a newly introduced speed limit, leading in a loss of public support.
- Documents from the DfT (Traffic Advisory Leaflet 1/2013) have discussed the reduction of engineering requirements when a road is shown to have average speed at or lower than the 20mph being introduced. This document discusses at length the criteria local authorities should consider for 20-mph-limits and zones, as well as the need to continue to monitor speeds both before and after implementation. When discussing urban speed limits this circular also clearly states “general compliance needs to be achievable without an excessive reliance on enforcement”. This would of course meet the current police enforcement rationale, as there would be little enforcement necessary if speeds were low when the limit was introduced.
- The police rationale is that if the speed restriction is necessary to ensure the safety of vulnerable road users then compliance should be the aim, not prosecution - engineering not enforcement. If engineering is in place then police

are more likely to routinely enforce to ensure compliance as and when police resources allow. The current position is considered still to be appropriate.

Q3: In the last two years, I have reported three dangerous close overtakes to Merseyside police - all these incidences happened in 20mph roads. The response was poor and my impression is that the police does not take aggression of motorists towards cyclists very seriously. On one occasion a police officer dismissed my case with the following statement: 'The driver might have had a reason to drive that fast' [sic]. On another occasion the police officer refused to take a statement from me, since it 'would be the driver's word against my word' hence futile. Does Jane Kennedy agree with this attitude towards vulnerable road users?

- I think that this issue was addressed on the night by Sgt Paul Mountford.

May I ask that the Cllr and pcc are asked to describe what is happening year on year to cyclist serious injuries, deaths and minor injuries in Liverpool. How the police collect minor injuries data? What their estimate is of its completeness? What the policy is on prosecution of motorists who injure cyclists by driving without care? What Merseyside will do to ensure cyclists can get across the river when trains are not running?

- Slight injury collisions are recorded using the Department of Transport (DfT) 'Stats 19' reporting process. This information is published nationally by the DfT. (KSI data is published on the RSPG web pages)

Re the question above which includes Bristol now enforcing 20 mph zones.

- I have contacted Avon and Somerset police and they have informed me that will enforce if there is a 'proven danger', otherwise, it would be up to the local authority to change the road layout etc. This is very similar to stance of the Merseyside Police.

Policy on prosecution of drivers who injure cyclists due to driving without due care and attention.

- There is no specific guidance regarding cyclists or any other vulnerable group. We have a Road Traffic Collision policy and all injury collisions are investigated in line with this policy. We prosecute where appropriate, the general objective remains the same as above – to modify driver behaviour in order to prevent these incidents from happening.