



# BBRAG NEWS

Bromley Borough Roads Action Group - No. 31 (December 2004)

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## *Editorial*

*As well as Mayor Ken Livingstone's new Transport Plans for London, the latest London Road Safety Plan is covered herein and it shows for the first time that "stakeholders" (typically local organisations in London) want fewer speed humps rather than more. Perhaps BBRAG has had some influence on this change of public opinion, or is it just that ordinary people have become fed-up with them?*

*Other articles cover topical issues on the question of the impact of traffic speed on accidents, how to set speed limits, the rocketing parking fines in London, the Freedom of Information Act and how PACTS was breaching charity law.*

*Note that this Newsletter only comes out every two months but you can pick up the latest news much faster from the "News" page of our web site at [www.bromleytransport.org.uk](http://www.bromleytransport.org.uk). Best wishes for Xmas and the New Year.*

*Roger Lawson, Editor*

## **Mayor Proposes New Transport Plans**



Ken Livingstone has unveiled proposals for spending £10 billion on London's transport infrastructure. The definite items included in the plan are:

- Construction of the Thames Gateway bridge (see possible picture above).
- More reliable and increased capacity tube services with some "air-cooled" trains.
- Schemes to relieve traffic congestion at Coulsdon, Bounds Green and Bexley including widening of the North Circular.
- Extending the East London Line to Dalston, Croydon and Crystal Palace.
- New DLR links to Woolwich, Stratford and Barking Reach.
- Extending the Metropolitan line to Watford Junc. and Croydon Tramlink to Crystal Palace.
- A high quality bus transit system linking Greenwich to Abbey Wood, and Ilford to Dagenham.
- More CCTV and other improvements to many stations, trains and bus services.
- A "Low Emission Zone" by 2007, including quieter and cleaner buses.

## **Possible Projects?**

Other proposals which are described as "possible" or subject to funding being obtained are as follows, although as pointed out in our previous newsletters all of these projects are controversial and probably uneconomic:

- A Western extension of the Congestion Charge zone.
- West London and Cross River Tram projects.
- The Crossrail project.

### ***How They are Going to be Paid For***

The committed projects will be funded by £3 billion in new borrowing, £4 billion from Public Private Partnership contracts and £3 billion in government grants and fare rises. But the latter means that tube and bus fares will rise even more than previously indicated with bus fares to go up by 10% more than inflation for the next three years and 2% above inflation for a further 2 years. The London Congestion Charge will also rise. But at least it is clear that he is trying to minimise further rises in local council taxes to fund these plans.

### ***Greens Object As Usual***

The proposals were immediately criticised by Darren Johnson, GLA Green Party member, on the basis that the fare rises were being used to fund road construction such as the Thames Gateway bridge, and effectively meant motorists were being subsidised by public transport users.

*(Editor's Comments: This is clearly a distorted view as almost all the expenditure is going on public transport systems and the Thames Gateway Bridge got widespread support on many grounds. In reality the proposals make a lot of sense, and getting public transport users to contribute to the improvements is also sensible - after all they are the major beneficiaries. Perhaps the Mayor is finally being influenced by wiser heads in the Greater London Assembly and the Government so that practical projects are going ahead, and uneconomic, grandiose and poorly supported schemes are being put on the back-burner. However there is of course still an over-emphasis on public transport projects as opposed to improvement of the road transport network in London. Plus few of the new schemes provide major benefits to the residents of Bromley).*

## **Excessive Speed and Road Accidents**



Many people claim that excessive speed is one of the prime causes of road accidents, and contributes to the severity of casualties. Hence the government slogan "Speed Kills" and the proliferation of speed cameras and speed humps.

But commentators such as the Association of British Drivers (ABD) point out that from past research published by the Transport Research Laboratory (TRL), it was only a minor factor in most accidents.

Recently the Department for Transport (DfT) have published a new report that analyses the factors rated by police officers as contributing to accidents from 1999 to 2002. This is only for some parts of the country however, as there is no national system as yet.

### ***Speed "Not the Main Killer"***

The above was a headline in the Daily Telegraph based on the DfT report, but no doubt other publications put a different slant on it. In reality it could be read in many different ways.

For example, the following is the breakdown of contributory factors for all accidents:

<b>All Accidents</b>	<b>%</b>
Inattention	25
Failed to judge others persons path/ speed	23
Looked but did not see	19
Behaviour -careless/thoughtless/reckless	18
Failed to look	16
Lack of judgement of own path	14
Excessive speed	12
Slippery Road	8
Behaviour - in a hurry	7
Impairment - alcohol	6

Clearly on the above numbers, excessive speed is only 7<sup>th</sup> in the list, and is only a factor in 12% of accidents. In addition one should bear in mind that not only are these factors very subjective in that they rely on judgement after the fact, but that a rating of excessive speed does not mean that any driver was breaking the posted speed limit (it could simply be "inappropriate" speed).

The ABD argue that the above reasons probably explain why speed cameras are so ineffective at preventing serious accidents, with road fatalities actually rising last year in the UK despite massive expenditure on speed reduction programmes.

### ***Speed a Large Factor in Fatal Accidents***

However, here's a similar table for fatal accidents alone, from the report:

<b>Fatal Accidents</b>	<b>%</b>
Excessive speed	28
Behaviour -careless/thoughtless/reckless	21
Inattention	18
Lack of judgement of own path	17
Failed to judge other person's path/ speed	16
Looked but did not see	14
Impairment - alcohol	14
Failed to look	10
Behaviour - in a hurry	7
Aggressive driving	6

The probable reasons why excessive speed is at the top of this table (even though it is still only contributes to about one quarter of accidents) is:

- a) Because it also increases the severity of injuries, unlike other factors.
- b) Because many fatal accidents are caused by driver impairment through alcohol or drugs, or other illegal activities.
- c) If the cause of a fatal accident is not clear, it's easy to assign excessive speed as a contributing factor.

Clearly if one could reduce the speed of drivers involved in fatal accidents, then lives might be saved, but it is not clear that using speed cameras or speed humps to penalise drivers who are slightly over the speed limit and who are otherwise behaving appropriately is going to have any impact whatsoever.

### ***Motorcyclists Are a Particular Problem***

One interesting fact revealed by the report is that motorcyclists are particularly prone to have accidents where speed is a contributing factor (at about 40% which is much higher than for other vehicles). But if speed cameras were effective such accidents would be falling when in fact they are rising. Increasing accidents to motorcyclists are one reason why fatal accidents are rising and not falling.

### ***Pedestrians and Accidents***

One of the common arguments for traffic calming is to protect pedestrians (particularly children) from speeding drivers. But as the report says: "*The results suggest that excessive speed is a less important contributory factor to accidents involving pedestrians and pedal cyclists, compared with other types of accident*".

Even though most accidents to pedestrians are known to be precipitated by the pedestrian (eg. by stepping off the curb without looking), excessive speed by a vehicle involved is rarely a contributing factor either to fatal or non-fatal accidents.

### ***Conclusion - Driver Behaviour is the Problem***

Clearly there is evidence in this report that will be used by both sides in the speed debate, but at least it should stop either side making rash statements as some have in the past. It seems more sensible to consider excessive speed as just one aspect of inappropriate driver behaviour caused by behavioural problems or lack of experience and training.

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### **New Ideas for Setting Speed Limits**



Our April 2004 issue covered how speed limits are currently set. The official approach was documented in "Circular Roads 1/93 - Setting Local Speed Limits". In summary this used a simple, but eminently practical approach. The type of road was taken into consideration and the speed of traffic also. The latter used the 85<sup>th</sup> percentile to determine what was a reasonable level to use in that it was based on the fact that 85% of drivers were already travelling at less than that speed.

In other words, if a new speed limit was set at that level, and driver behaviour was unchanged, then only 15% would be breaking the law. Or alternatively, clearly 85% of road users felt it was safe already to drive at that speed or less, if the road was not restricted.

But Circular Roads 1/93 has fallen into disuse as the "speed kills" lobby have campaigned for lower speeds and local politicians have found it good publicity to call for lower speed limits despite the fact they are often ignored. More and more speed limits are being set based on unsound evidence, political whim and without regard to enforceability. However, as the leaflet was more than 10 years old, and didn't cover such matters as 20 mph zones, home zones and "quiet" roads, it was due for an update.

As a result the Department for Transport is proposing to update the Circular and a draft has been put out for public consultation (see [http://www.dft.gov.uk/stellent/groups/dft\\_rdsafet/documents/divisionhomepage/032869.hcsp](http://www.dft.gov.uk/stellent/groups/dft_rdsafet/documents/divisionhomepage/032869.hcsp) ).

### ***Average Speed Instead of 85<sup>th</sup> Percentile***

The new system is altogether more complicated and they are also proposing to introduce use of the mean speed as a reference level instead of the 85<sup>th</sup> percentile. To quote "*The aim should therefore be to align the local speed limit so that it is not substantially higher than the original mean speed driven on the road.....*".

In reality of course this means that 50% of drivers who presumably previously considered they were driving at a safe speed will now be breaking the law. In addition of course, if drivers reduce their speeds to remain legal, and as there will still be a distribution of speeds, anyone could argue for a further reduction on the basis that the limit would now be significantly above the new average.

*(Editor's Comments: In my view the new approach is flawed and the proposals over complicated. Objections have already been submitted. We suggest you do the same).*

Incidentally the Association of British Drivers (ABD) have a good article on speed limits on their web site at: [http://www.abd.org.uk/speed\\_limits\\_85th.htm](http://www.abd.org.uk/speed_limits_85th.htm)

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## **London Road Safety Plan Consultation**



Transport for London (TfL) have issued a consultation document on the Review of London's Road Safety Plan. It

includes seventeen new proposals for consideration. These are covered below.

### ***Lots More Speed Cameras***

The proposals include increasing the number of speed cameras in London to cover all sites where there are four or more KSIs in three years. The London Safety Camera Partnership already operate 650 safety cameras and this could mean another massive increase.

### ***Speed Cameras in 20 Mph Zones***

It is proposed to trial speed cameras in 20 mph zones, including "hypothecation" of the fines. This is partly in reaction to the unpopularity of speed humps, but it ignores the practical difficulties that motorists have of adhering to such low limits.

### ***Humps Falling Out of Favour***

One interesting aspect of the report is that of the 300 "stakeholders" consulted during it's preparation, 37% wanted fewer speed humps, whereas only 17% wanted more. A clear indication that the tide of opinion is turning against humps!

### ***Driver Speed Awareness Training in Lieu of Prosecution***

However, to offset the increased number of fines from the above proposals, they would like to see training as an alternative to prosecution.

### ***More Research into and Targeting of Unlicensed Drivers and Vehicles***

It seems one in twenty drivers are uninsured and the Metropolitan police are aware of 7000 vehicles that are used for persistent traffic offences whose owners cannot be traced. In addition, there are apparently 4000 persistent offenders of the London Congestion Charging system who cannot be traced. As regulations get tighter, and penalties heavier, more and more drivers find it is easier to become traffic "outlaws".

### ***Double Daylight Saving***

There might be as many as 50 fewer road deaths in London each year if we moved our clocks forward one hour (to be the same as other European countries).

### ***Summary***

They have also proposed to commission research into "anti-social driving", although it's not totally clear what that is or how it might be defined. In summary there seems to be the usual excessive emphasis on speed as a factor in road accidents, and on speed cameras as a solution when the evidence is very unclear. Their other proposals do generally make some sense however. A copy of the consultation report can be obtained from Bernie Hewing on 020-7941-4431 if you wish to submit your own comments.

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### **Parking Fines in London Rocketing**



A record 5.9 million parking and bus lane fines were issued in London in the year ending March, up by 500,000. This generated revenue of £269 million including £222 million in parking fines according to a survey by AppealNow.

Westminster headed the "rich-list" with an estimated £52.6 million in revenue (up by 34%) followed by Camden with £18 million (up by 41%).

Other high earners were Kensington & Chelsea and Islington. All these boroughs use clamping and towing-away extensively.

Westminster achieved the top position apparently by running a bonus scheme for parking attendants. Prizes include widescreen TVs for "champion" ticketers. The result was a massive increase in appeals after people such as milkmen were ticketed when making deliveries. Even a council spokesman admitted it was a mistake.

Camden of course uses the income generated to fund the rash of speed humps that are spreading over the borough (strongly opposed by many local residents) and to promote other "anti-car" policies.

*(Editor's Comments: These boroughs seem more interested in raising revenue than controlling parking and they use clamping and towing-away, which are extremely expensive penalties, for very minor infringements. I gather the Greater London Assembly will be examining the issue of parking in London as there seem to be widespread concerns about some of the enforcement policies and practices. There is also no coherent policy across London which means you never know where you stand. Note that even Bromley uses parking surpluses to subsidise public transport schemes, which your editor thinks is wrong. Parking revenues should be used solely to regulate parking and to provide parking facilities. There is no good reason why motorists should subsidise other transport users, as they already do that through national taxation in any case).*

The Greater London Assembly Transport Committee is undertaking a "scrutiny" into parking in London so you will have the opportunity to put your point of view (see <http://www.london.gov.uk/assembly/scrutiny/index.jsp> where it should appear in due course).

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### **New TRL Report on Speed Humps**

The Transport Research Laboratory (TRL - see <http://www.trl.co.uk>) have recently published a new report on speed humps - TRL614. It suggests that there is no case for changing speed hump usage or design. But this report is a simplistic whitewash of the case against using speed humps.

Certainly changing the design would be pointless as it is clear from previous research that the way humps work is by inflicting pain and suffering on those people who exceed a given speed level (what that speed is varies from vehicle to vehicle and person to person and is difficult to predict). But they claim that normal road users in normal vehicles will not suffer any discomfort.

### ***Flaws in the Research***

Unfortunately the research is exceedingly flawed as they only used one private car type (a recent model Astra which is hardly representative of the range of cars on the road), and it appears they only used one driver, and a very limited number of passengers, so they didn't even test a reasonable sample of the population.

They acknowledge that "people with a mobility impairment may suffer extreme discomfort or pain when driving over humps even at low speed", but this didn't affect their recommendations and they didn't bother to evaluate such vehicle occupants. In fact back problems are the leading cause of disability and affect 1.1 million people in the UK, so they are hardly a small minority. Some 5 million people see their GP each year with back pain, and two thirds of adults in the UK have experienced back pain (sources: the BBC, Action Research and charity BackCare). Are these people not to be taken into account?

They also reported no significant damage to vehicles from passing over humps even though they only drove over them 85 times. For example, for me to get to my local Post Office I have to drive over 36 humps there and back. I do this trip almost every day so I actually travel over some 9,000 humps per year (ignoring those met on other trips). That would have been a more realistic level of testing, but maybe they couldn't find any volunteers to suffer to that extent!

### ***Discomfort to Passengers Conceded***

They did actually find that even at very low speeds, the typical London taxi, buses and ambulances could cause major discomfort to passengers in the rear. They suggest that taxis in particular should be redesigned, but seem to have unrealistic expectations of how soon this

might happen and how quickly existing vehicles are likely to be replaced, or whether it will happen at all.

They ignore the fact that humps are often not visible at night or in dappled shade, or that people park alongside "cushions" which defeats their purpose.

This is a poor scientific study which seems to have been designed purely to support the objectives of the Department for Transport (DfT) who commissioned the study to justify its advocacy of such devices. Even the problems it did find, have been discounted and ignored in the summary conclusions.

Perhaps the DfT should take more notice of the recent TfL London Road Safety Plan Consultation where 37% of stakeholders who were consulted wanted fewer humps as against 17% who wanted more (see report above). Clearly responsible public opinion is turning against the use of speed humps, despite such bad science being used to support them.

### ***Chairman of Local Bus Company Agrees***

Following publication of a letter from your editor in Local Transport Today which highlighted some of the above issues, the Chairman of bus company EYMS in Hull wrote these words in response: "*Even Hornsea Town Council members who thought that we were being unnecessarily difficult when we withdrew bus services from the main shopping street concerned changed their opinion when we arranged demonstration runs that proved that even at speeds as low as 10 mph the discomfort for a passenger sitting at the rear of a Mercedes Vaio 27-seat minibus was quite considerable*".

### ***More Explanation of Misleading Results***

Another letter writer to "Local Transport Today" was someone who was involved in testing speed humps at TRL a few years ago as a cyclist. Part of what he said was: "*What I found remarkable was that, despite riding as fast as we could on a range of bicycles, none of the humps was particularly uncomfortable. I believe the reason for this was that the humps on the TRL test area had been very carefully constructed and were in excellent condition. They were constructed of concrete, had*

*smooth surfaces, gradual slopes and no vertical face. Unfortunately many humps found on our roads are not built or maintained to such high standards."*

It is surely the case that the dimensions of humps are critical to the comfort issue, and one only has to look at those on Old Hill, Chislehurst to see the impact of poorly dimensioned humps. Also humps in Bromley are generally not constructed of concrete but of asphalt which is difficult to construct to an exact profile and also spreads over time as traffic impacts the hump.

*(Editor's Comments: It appears to be the case that since TRL became "privatised" and has to depend on contracted income from producing reports for such bodies as the DfT they have become less independent and more liable to produce reports biased by political imperatives. They ignore evidence that does not fit their preconceptions, and ignore practical issues in favour of theoretical evidence that is not replicated in the real world).*

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### **Hillingdon Fund for Hump Removal**

The London Borough of Hillingdon has set up a special fund to be used for the removal and replacement of humps by "friendlier traffic calming measures". From next April when residents complain about humps and there is no road safety issue, or alternative road safety measures can be installed, then the humps will be removed. The fund will form part of the capital budget in Hillingdon for next year, subject to final approval in the budget process (Transport for London appears keen to fund installation of humps but apparently doesn't like to fund their removal).

The first street to have humps removed will be Otterfield Road, Yiewsley. Hillingdon has also set up a "Motorist's Forum" so that the council can hear and take into account the views of road users in the borough.

*(Editor's Comments: An admirable pair of initiatives which it would be a good idea to copy).*

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### **Beckenham Development Problems**

Two new developments in Beckenham are causing much concern to local residents. Firstly the Beckenham Hospital Site is being redeveloped. This will increase usage of the site substantially with the number of staff increasing from 190 to 330 and visitors also rising by a large number. However parking provision will only rise from 110 to 138 spaces and will be totally inadequate. There are also other problems with the proposal such as site access, increased traffic generation and architectural issues.

The second development of concern is the proposal to increase the size of the Tesco store in Elmers End Road. Although there are proposals to increase car parking substantially, local residents are concerned with the extra traffic generation in an area that is already congested.

More information on these sites and the objections can be obtained from the web site of the West Beckenham Residents Association - see <http://www.wbecra.com>

*(Editor's Comments: As usual, when new planning development are put forward, little account seems to be taken of the traffic and parking issues, which results in increasing problems for residents in the borough).*

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### **Tesco Orpington Store Approved by Roger Lawson, Editor**



At a council planning meeting on the 10<sup>th</sup> November, the second application by Tesco for a large superstore on the Station Road car park site was approved (see artists impression above).

Councillors voted to approve the plans by 10 to 4, which was disappointing bearing in mind that local ward councillors spoke against it as did several committee members. Concerns on the size of the building, the parking issues and traffic congestion were all raised but to no avail. Apparently submissions from the public were about 200 to 1 against, and of course the Orpington Car Park Action Group (OCPAG) made extensive submissions which were not covered in the report to the committee at all (there was one sentence alone in a 29 page report mentioning their interest which is a good example of the prejudice of council staff).

Council officers recommended acceptance and discounted the last minute report on traffic issues submitted by OCPAG from independent consultants. On parking they seemed to suggest that they thought there was sufficient capacity elsewhere in Orpington (when there isn't) and that in any case, government regulations required reduction in parking (which is not true in this case). The difficulties for local businesses who use the long term parking provided by the existing building were hardly discussed at all by the committee.

Councillors seem keen to take the benefits of "regeneration" from the Tesco development and were encouraged to do so by Tesco saying that if the second application was accepted they would drop the appeal on the first (which was even more bulky with less parking, so it was a case of "wouldn't you prefer the lesser of two evils").

### ***A Question of Natural Justice***

Of course what was not discussed at the meeting was the unfair situation that councillors (supported by council staff with their recommendations) were effectively deciding on a matter from which councillors and council staff were likely to gain substantial benefit. This arises from the fact that the rumoured £25 million from sale of the site would go straight into council coffers. The site was owned by the council and the surplus resulting will do much to prop up council budgets, including covering big shortfalls likely next year from increased staff pension funding. This money will effectively get the current administration out of a hole, and

enable them to keep council tax rises lower than they might otherwise be.

It is of course patently contrary to natural justice that a quasi-legal body such as a planning committee (which should be solely making decisions based on planning law) should be put in such a position where conflicts of interest are impossible to avoid. The fact that one of the committee members stepped down on those grounds apparently does not hide the fact that the recommendations of council officers might be tainted by such circumstances. Note that I am not suggesting that either councillors or council staff acted corruptly or were deliberately biased, but the knowledge they had may have tainted their views unconsciously.

Evidence to support this suggestion is the dropping of the original Planning Brief for no good reason, which your editor has been unable to persuade anyone to take responsibility for, or give any reason why it was quietly forgotten about.

### ***More Degradation of the Road Network***

This saga has been yet another example in Bromley of where planning developments seem to be decided more on short term advantages while ignoring the long term degradation of the road network in Bromley, on which we all rely.

They also ignored the needs of professional businesses in Bromley in favour of bigger shops and more low paid jobs for shop assistants.

Your editor looks forward to two years of chaos while the site is redeveloped, followed by persistent traffic congestion. He for one, will be avoiding Orpington in future.

Please remember when the site is finished that council staff suggested that traffic congestion will not worsen as a result in their expert opinion! We will no doubt see whether that is the case in due course.

### ***But It's Simply a Plot to Make Us Healthier***

Of course it could just be that the reason for approval of the Tesco development was that the council wanted to make office workers walk further to where they park, thus anticipating

government policy. According to a report in the Financial Times a few days later, it seems that a new government white paper on health will recommend that offices are redesigned so that employees walk further. So the car park or cafeteria might be deliberately placed some distance away.

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### **More Lunacy in Lewisham**

In our last edition we mentioned the proposed traffic calming scheme for Blackheath Village which includes numerous speed humps. Your editor subsequently studied this scheme in some detail and with a capital cost of £220,000 and a likely saving of 1.7 slight accidents per year (based on council data), it seemed a very poor value scheme. Payback would be about 8 years using the conventional calculations, whereas Bromley would not even look at such a poor return as it's usually easy to identify more "profitable" schemes.

Anyway, councillors still decided to proceed with the scheme, so workmen turned up at the end of October to start work. This involved the total closure of roads through Blackheath for three weeks at least, and maybe a further eight weeks. Needless to say, local shopkeepers and residents were somewhat dismayed. Traders and their supporters formed a crowd on the Monday that work was planned to commence and obstructed workmen with the result that the council suspended operations. Shopkeepers were furious that there had been no consultation on the road closures, in what is one of their busiest trading periods before Xmas.

Later the council agreed to work on side roads first and to try and defer road closures until after Xmas, with more consultation in the meantime.

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### **Freedom, At Last**



On the 1<sup>st</sup> January 2005, the Freedom of Information Act comes into force. This is a major step forward in gaining access to information held by public bodies.

It means that you have guaranteed rights, with a few minor exceptions, to see any information held by central or local government and other public agencies. In addition, there are strict timescales laid down for provision of information, only minimal costs are chargeable, and your rights are enforceable through an independent "Information Commissioner".

In the past, the regulations about what was disclosable by your local council were obscure and arcane. So for example your editor has had difficulties in the past persuading council staff to provide information on traffic calming schemes and planning proposals. As with many other public bodies, there was a tendency by council staff to assume documents were confidential, or to obstruct the release of "sensitive" information. This attitude is going to have to change under the new laws.

Although there is no obligation to retain information unnecessarily, the Act is retrospective and there are penalties for destroying information when it has been requested. There are some reasons why information requests can be refused - for example because they relate to law enforcement, or commercial confidentiality, or relate to individual people but even some of those exemptions can be overruled if it is in the "public interest" that disclosure should take place.

#### ***How Much Will It Cost You?***

If the cost of producing the information is less than £450 (£600 for central government) then the only charge will be for photocopying and postage - those cost limits represent about 3 days work. Above that the supplier can refuse to do the research, or can ask for the actual cost to be paid (but see below regarding "environmental" requests).

#### ***Environmental Regulations Will Also Help***

Also coming into force on the 1<sup>st</sup> January 2005, are the Environmental Information Regulations, which overlap with the FOI Act and provide more extended rights for "environmental" matters. That means things such as air, water, landscape, etc, that you might expect. But it also covers health and safety. So for example, any

discussion of road safety issues would be covered by these Regulations. Likewise the London Congestion Charge system would be covered because it was claimed to have environmental benefits based on pollution reduction (although of course we haven't seen much data disclosed on this as yet which will now certainly come into the public domain).

The great thing about the Environmental Regulations is that there are no cost limits on information provision although you can be charged a "reasonable amount" for provision of the requested information. There are also fewer exceptions - for example normal "commercial confidentiality" does not apply.

### ***Businesses are the Biggest Users***

One oddity that results from such disclosure of commercial contracts is that in other countries where such laws have been introduced, the heaviest users of these rights are companies. They use them to research new business opportunities, do market research and learn what their competitors are doing.

### ***Publication Schemes***

What information is available? Well all public bodies are required to produce a "Publication Scheme" which shows what main documents are available. So you can see this list on Bromley Council's web site (and many of the documents are available there also). But note that you are not restricted to that information alone. Even simple things like internal emails, internal discussion documents, notes or recordings of informal meetings, etc, are all open upon request. And there is an obligation to assist you in searching for relevant information.

For more information go to the following web sites: <http://www.dca.gov.uk/foi/index.htm> (the Department of Constitutional Affairs) and <http://www.cfoi.org.uk> (the Campaign for Freedom of Information - a copy of their logo is shown in the heading of this article).

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## **PACTS Breaches Charity Law**



PACTS, the Parliamentary Advisory Council for Transport Safety, is a pressure group for improving transport safety (see <http://www.pacts.org.uk>). Its stated objects are "*To protect human life by advancing legislation directed to the promotion of transport safety*". Although it does some good work in educating politicians and the public on such matters as road safety, it also misleads and misinforms. For example it advocates more use of speed humps and speed cameras when there is little evidence of their benefit. Even its official sounding name is misleading in that it has no official recognition by any government body.

Your editor first noticed this organisation when he exchanged letters in the pages of the Times with its chief executive, Robert Gifford, on the subject of road humps. Mr Gifford claimed that expenditure of £100,000 by a local authority saves one road death, which is patent nonsense when you consider the millions of pounds spent in London alone on traffic calming measures, with no obvious reduction in fatalities.

PACTS is actually a registered charity, but it also campaigns for changes to the law and takes part in party politics. For example, Mr Gifford appeared on the BBC "The Politics Show" in February 2004 where he criticised the Conservative party for "*wanting to start all over again*" in relation to road safety issues. PACTS also regularly issues press releases supporting or opposing proposed new legislation.

But registered charities are not supposed to take part in such activities. To quote from the Charity Commission's own documents: "*An institution whose stated purposes include the attainment of a political purpose cannot be a charity*" and political purposes includes changes to legislation. Clearly it is wrong for PACTS to obtain the benefits of charitable status (such as tax benefits), and therefore your editor complained to the Charity Commission.

How this organisation was permitted to register is also extremely odd when its objects are so clearly contrary to existing Charity law (which

incidentally is soon to be clarified and tightened up even further by new legislation).

The Charity Commission has recently confirmed, after much dithering, that it is in discussions with PACTS about changing its objects and activities so as to make it compliant with the law. It is good to see that this blatant breach of charity law is being closed. (Note: BBRAG is not a registered charity for similar reasons, even though we have educational aspirations as does PACTS).

*(Editor's Comments: Clearly PACTS is as casual with sticking to charity law as it is concerning the facts about road safety).*

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## News Snapshots

Sundry news in the last few weeks that is worth a mention is as follows:

+ When is a speed table not a traffic calming device? When it's a kerb-level pedestrian crossing according to the gospel of Councillor George Taylor as he approved an environmental improvement scheme for Elmfield Road and High Street, Bromley. The approval of such "humps" conflicts of course with the adopted "no more humps" policy (officially "a preference for non-vertical deflection traffic calming devices") and hence the apparent need for such sophistry on the part of Mr Taylor.

+ Bromley council is proposing to spend £160,000 on "local safety schemes" in Pickhurst Lane, West Wickham, Widmore Road, Bromley, Croydon Road, Beckenham and Bromley Road, Beckenham. These proposals include a lot of specific road environment changes such as new pedestrian refuges, road narrowing, parking restrictions, improved signage and road markings. These roads were selected because they are some of the most dangerous in the borough according to accident statistics (they have all suffered multiple "KSIs" in the last three years).

*(Editor's Comments: BBRAG generally supports these proposals as this kind of expenditure on road safety is usually very cost effective).*

+ Cornwall County Council are to remove an installation of "Rippleprint" (a traffic calming device covered in a previous newsletter) in Newquay. Apparently local residents found that the ride over them was smoother, the faster they went! They also complained about "bits falling off" their vehicles by the induced shaking and exacerbation of back problems.

+ The latest edition of TeLeSCoPe (the newsletter of the London Safety Camera Partnership) contains another complimentary mention of Bromley's road safety achievements. The newsletter also contains a "Frequently asked questions" section in which the first question was: "How much revenue has LSCP generated and what are your forecasts for the next two years?". Unfortunately they proceed not to answer that question, but talk about accident reductions instead.

+ The government has announced the order of 30 high-speed commuter trains to run from Ebbsfleet and other stations in Kent to St Pancras. They may reach speeds of 140 mph but will not be in service until 2009.

+ An interesting web site that your editor came across by accident recently is "Station Parking" (see <http://www.stationparking.com>). This provides a matching service between local residents and businesses who have spare parking spaces near stations, and people who need them. They claim success with a pilot scheme in Essex, but the service seems to be little used at present. They also plan to cover airports and other events. *(There is no need to tell the Editor that this probably breaches planning laws, but I doubt that anybody would pay much attention so long as it was not a public nuisance).*

+ Police in China have devised a new way of enforcing adherence to traffic laws. More than 100,000 people die each year in China as a result of traffic accidents - in other words they kill as many in a week as die in the UK each year! Many of the accidents are caused by failure to stick to the basic "rules of the road". So police introduced a bounty of £1.50 for each photograph of a traffic violation. In one week they received 16,000 photos and videos and issued 5,000 fines to drivers as a result.

+ An outline planning application has been made to build 251 houses on the Ravensbourne College site (it has been known for some time that the College would like to move to another site nearer central London such as Greenwich). This is an "intensive" development of the site which will no doubt raise local objections, and BBRAG will be looking at the traffic issues.

+ BBRAG has covered the economics of trams in previous issues. Nottingham are looking to extend their existing tram system over a new line with the use of 15 trams at a cost of £300 million. Meanwhile the local bus company has purchased 34 new buses at a cost of £88,000 each. As a writer to the local paper pointed out, this means that if the £300 million was spent on buses instead of trams, then they could buy 3,400 buses instead of the 15 trams. Needless to say, the council is having some difficulty persuading the government to fund this project.

+ The National Audit Office says that traffic congestion costs business £3 billion per year. They also criticised the Highways Agency, who are responsible for trunk roads, for not moving quickly enough to tackle gridlock using such approaches as utilising the hard shoulder in peak times, contraflow systems, ramp metering, and dedicated lanes.

+ Ken Livingstone is proposing to raise the London Congestion Charge from £5 to £8. More on this in our next edition.



## Contact Information

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B.B.R.A.G. Treasurer and Newsletter Editor: Roger Lawson (Tel: 020-8467-2686, fax: 020-8295-0378, Email: [roger.lawson@btclick.com](mailto:roger.lawson@btclick.com)), Chairman: Peter Appleby. Contact either of the above for information on the aims and objectives of B.B.R.A.G. or for membership information (membership costs £9.50 per annum for individuals, or £7.50 if you opt to receive our Newsletter via email, or £50 for corporate membership). B.B.R.A.G. would be happy to advise or assist anyone who is concerned about any traffic, transport or road safety issues in the borough.

Our internet web address is:

<http://www.bromleytransport.org.uk>. This contains much useful information including articles extracted from our newsletters. It also contains a "News" page which is updated regularly with items of topical interest.

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## BBRAG Background Information

The Bromley Borough Roads Action Group (B.B.R.A.G.) stands for a more democratic and more rational approach to the traffic management problems of the London Borough of Bromley. Our initial formation some years ago was based on opposition to the kind of traffic calming scheme that was being introduced in the borough that simply caused more traffic congestion, and general inconvenience to road users, without any significant benefit in terms of road accident reductions. In fact, the money wasted on such schemes could have been much better spent on actual improvements to road safety in other areas. We now take a more general interest in all transport and associated environmental issues in the borough of Bromley and the greater London area. This includes traffic management schemes, public transport, road safety, parking policies, air pollution, other transport environmental issues such as noise, and associated local and central government policies. Our prime objective is to promote improvements in the transport infrastructure while stopping wasted expenditure on unpopular, ineffective or inappropriate policies.