



House of Commons
Transport Committee

**Road traffic law
enforcement:
Government Response
to the Committee's
Second Report of
Session 2015–16**

**First Special Report of Session
2016–17**

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Transport Committee

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First Special Report

On 13 May 2016 we received a response from the Government to the Transport Committee's Second Report of 2015–16, *Road traffic law enforcement*, which we publish with this Special Report.¹

Government Response

Introduction

Recommendation 1. As the number of traffic police has fallen, so too has the number of road traffic offences detected. However, the number of “causing death” offences, which will always be recorded where they occur, has not fallen. This is significant as this suggests that the reduction in overall offences that are recorded does not represent a reduction in offences actually being committed. (Paragraph 17)

Recommendation 2. Engineering and education must be backed up by effective enforcement with road users knowing that infringements will be detected. We recommend that the Government aim to tackle the overall number of offences committed by taking measures to support police forces in maintaining the number of specialist road traffic officers. By use of specialist officers, and appropriate use of technology, enforcement can be used alongside education which can make road users aware that serious driving offences will be detected. (Paragraph 18)

Response: The level of effective roads policing is not necessarily dependent solely on one factor, for example all police officers can enforce the law, including road traffic law, and there can be improved targeting of resources on particular problems.

How road traffic offences are enforced are operational matters for the police, taking into account local demands and priorities, while decisions on the size and composition of a force's workforce are for Chief Constables and Police and Crime Commissioners. As Her Majesty's Inspectorate of Constabulary has repeatedly set out in its reports, what matters is how officers are deployed, not how many of them there are in total.

As announced in the Chancellor's 2015 Autumn Statement, police spending will be protected in real terms over the Spending Review period, when local income is taken into account. This is an increase of up to £900 million in cash terms by 2019/20 and reinforces the Government's commitment to protect the public.

Police engagement with the local community provides the opportunity for the public to influence and contribute to law enforcement and road safety activity. The use of technology can assist law enforcement to free up officers' time for the activities which need their direct and professional involvement.

Having a specialist force could lead to more resources being devoted to roads policing, but it has always been stressed (as it is in other areas) that it is not numbers that matter but the best use of resources.

¹ [HC 518](#), published on 15 March 2016

As part of the programme of police reform, the Prime Minister has announced a review of arrangements for policing national infrastructure and this is currently ongoing. Included in the scope of this review is the policing of the Strategic Roads Network (SRN).

There is no intention to simply carve out policing functions from Home Office forces and any model, if developed, would need to take account of the interface between roads policing at a local force level and the policing of the SRN.

This is a cross-Whitehall review and there is no answer already decided.

As regards non-criminal aspects of policing the roads, Highways England Traffic Officers provide a dedicated service on the strategic road network. The availability of such traffic officers improves traffic management and frees up police time for functions which require the special powers, expertise and experience of the police. This adds to police flexibility and improves the efficient use of resources.

Speed

Recommendation 3. If enforcement is going to be effective as the number of dedicated road policing officers continues to fall, the use of technology is essential. Speed cameras are an important and effective part of the technology toolkit. However, the deployment of speed cameras needs to be done in an evidence-based way that achieves better road safety. Average speed cameras can contribute to overall speed limit compliance, and reduce the impression that motorists are unfairly caught out by speed cameras. (Paragraph 29)

Recommendation 4. Further deployment of average speed cameras (ASC), which are generally better received by motorists than traditional fixed speed cameras, should be considered. Existing ASC schemes should be assessed for their long-term effectiveness and, based on this, Highways England should develop best practice for their deployment. (Paragraph 29)

Response: The Government agrees that average speed cameras make a positive contribution to speed limit compliance. We are very clear that speed cameras, where used, should be to improve road safety.

On the Strategic Road Network (SRN) the Highways England approach to road safety is evidenced based using a range of data and intelligence to ensure suitable options for improvements are developed. These will be a mixture of engineering, encouragement and where required enforcement. The use of cameras is not seen as a primary tool but could form part of a package of measures to improve road safety.

Highways England is currently updating their guidance on the use of cameras (including average speed) based on current best practice. This will ensure they are used where maximum benefits will be delivered and are likely to form part of a package of measures to reduce those killed and seriously injured (KSIs) and improve the customer experience.

The RAC Foundation has commissioned a project to review the benefits of average speed cameras that should be published in the summer. The safety benefits of average speed cameras schemes do vary but they all appear to be positive and so Highways England will continue to monitor the performance of the current and new sites on the SRN.

Recommendation 5. In pursuing any aim to improve speed limit compliance, speed camera placement must relate to safety rather than revenue, and be sited in such a way that aims to reduce casualties. (Paragraph 30)

Recommendation 6. We recommend that the Government monitor the placement of speed cameras by local authorities to ensure that this is the case. Where revenue is taken from speed camera enforcement, the funding arrangements must be transparent and the revenue put back into road safety grants rather than kept by local authorities or the Treasury. (Paragraph 30)

Response: Ensuring that cameras are effectively deployed is important. In 2007 the Department for Transport issued guidance to local traffic authorities *Use of speed and red-light camera for traffic enforcement: guidance on deployment, visibility and signing*. This can be viewed at <https://www.gov.uk/government/publications/use-of-speed-and-red-light-cameras-for-traffic-enforcement-guidance-on-deployment-visibility-and-signing>. While this guidance is not mandatory, in October 2015 we wrote to local authorities drawing it to their attention.

The guidance details site selection criteria which have been shown to contribute to the reduction of speeds and casualties at camera sites, and recommends that locally agreed deployment criteria are developed under which traffic authorities and road safety partnerships have a systematic approach to site selection that can be demonstrated locally.

The guidance also states that whilst the primary objective for camera deployment is to reduce KSIs at known collision locations, cameras can also be beneficial where there is community concern – i.e. the local community requests enforcement at a particular site because traffic speed is causing concern for road safety, or where there are engineering factors that cannot be implemented in the short term and enforcement is being used as an interim measure.

In terms of siting, we consider the highways authorities and the police must decide whether to use cameras and how they wish to operate them. They are best placed to determine speed management for their areas, based on local knowledge and the views of the community. No central record of placement is kept but in 2011 the Government asked local authorities to publish on their websites details of specific camera sites. Almost all local authorities with camera sites have published some information and a list of these websites, updated in 2016, is on gov.uk.

The Government does not believe that cameras should be used as the default solution in reducing accidents, nor as a way of raising revenue. We expect local organisations to look at ways other than cameras to improve safety on our roads.

In general, government spending plans are set separately to specific tax revenue or income received from fees – such as revenue from speed camera enforcement or fixed penalties which go to the Consolidated Fund – as this income or revenue is often subject to fluctuations or volatility. Spending delivered through departments, for example through the Department for Transport allocating roads funding at an aggregate level, is set out through multi-year plans agreed at Spending Reviews – a Treasury-led process to allocate resources across government according to the government's priorities.

Recommendation 7. It is too early to determine the impact of increasing the national speed limit for HGVs to 60 mph. While the rate of accidents involving HGVs is lower than the rate of accidents involving other vehicles, it is more likely for any accident involving an HGV to be fatal. The Government should therefore monitor the impact of this speed limit change carefully, and make future changes if there is a negative effect on road safety. (Paragraph 33)

Response: The changes to HGV speed limits (from 40 mph to 50 mph on single carriageways and 50 mph to 60 mph on dual carriageways) are being monitored in an evaluation for the Department for Transport. The “Evaluation of the National HGV Speed Limit Change” project started in late 2015 and will deliver its final report in May 2018.

The early results indicate an average increase in HGV speeds of about 1.6 mph had taken place on single carriageway roads affected (with a 95% confidence range of almost +/- 1 mph around the 1.6 mph increase) and a (statistically insignificant) 0.2 mph increase on dual carriageways. There is insufficient data at this stage to detect an effect on road safety.

Recommendation 8. Exceeding the speed limit is a contributory factor in 16% of fatal collisions. The proportion of vehicles exceeding speed limits is decreasing, though the current number is still too great. (Paragraph 34)

Recommendation 9. We recommend that the Government, in considering how to reduce road casualties, identify where drivers are exceeding the speed limit in particularly dangerous areas. Support should be given to police force areas in deploying specialist roads police officers in those locations, and also in deploying educational campaigns to make road users aware that enforcement is underway. (Paragraph 34)

Response: Highways authorities and the police are best placed to identify areas where excessive speed presents the greatest risk of incidents and how enforcement or education should be deployed. For the Strategic Road Network (SRN), Highways England is adopting a ‘Safe System Approach’ to road safety. This will focus on safer roads, safer vehicles and safer people and is set out in their ‘Our approach to improving road safety – National Incident and Casualty Reduction Plan (ICRP)’. As part of this, Highways England will be developing their intelligence on which driver behaviours are likely to have the biggest impact on road safety and target these areas in partnership with key stakeholders. Excessive speed has already been shown to be a key factor in both increased risk and severity of incidents and so will be targeted along with other behaviours.

Drink-driving

Recommendation 10. We recommend that information on whether a driver or rider has been drinking alcohol but is not over the legal alcohol limit is incorporated into non-fatal post-collision data collection and is published. By incorporating this level of detail into the existing STATS19 post-collision data collection, in which “Driver/Rider impaired by alcohol” already exists, the costs of implementing this can be kept to a minimum. Producing this data would have the benefit of assessing the impact of drivers and riders who are impaired by alcohol but have remained within the legal limit, and this can be used to inform future policy decisions. (Paragraph 40)

Response: The variables collected for STATS19 are regularly reviewed by the Standing Committee for Road Accident Statistics (SCRAS). Following each review a new specification is phased-in, including any changes to existing variables or the introduction of new variables. Any changes to the specification need to balance the needs of users of the statistics against the burden on police forces to collect the data.

The next review is likely to take place in 2017 or 2018. Users and police forces will be consulted on the need and viability of recording the breath alcohol content value rather than just a pass / fail result as part of the review. It is important to note that this information will only be available from forces using digital breath screening devices. No further information is available from non-digital devices. Therefore it is likely that even if the change is adopted breath alcohol content levels will not necessarily be available for the whole country.

The Department for Transport will propose the change outlined in this recommendation but recognises that it can only go ahead if users give it high enough priority and the National Police Chiefs' Council supports it as well.

Recommendation 11. As the Government and the police are in agreement that it is safest that people do not drink at all if they are going to drive, we recommend that the Government assess the experiences of other countries that have lowered their legal blood alcohol limit, particularly Scotland. (Paragraph 41)

Response: The Government takes very seriously the threat that all dangerous drivers, including drink and drug drivers, pose to the safety of other road users. However, we have no current plans to change the drink drive limit. The Government believes that rigorous enforcement and serious penalties for drink drivers are a more effective deterrent than changing the drink drive limit.

We have already made several important changes to drink driving legislation. In April 2015 it became a requirement for high risk offenders to undertake medical tests before they are allowed to drive again. We have also removed the so called 'statutory option' The statutory option allowed suspected drink drivers the choice of having an evidential breath specimen replaced with an alternative specimen of blood or urine for analysis if the breath sample they provided showed that they had between 40 and 50 micrograms of alcohol per 100ml of breath in their system. If this was the case they could then choose to provide an alternative sample for analysis.

Schedule 11 of the Deregulation Act 2015 omits several sections of the Road Traffic Act 1988 resulting in the statutory option of having breath specimens replaced by alternative specimens for analysis being repealed. This came into force on 10 April 2015.

We will be very interested to see the substantial evidence base from the changes made in Scotland, when it is available.

Seat belts

Recommendation 12. The proportion of road traffic fatalities not wearing a seatbelt is a concern. This is an area where enforcement cannot be easily implemented by external technology. According to Department for Transport surveys, the proportion of drivers using seat belts is very high and amongst passengers reasonably so. We recognise that

legislating for any mandatory in-car technology requires assurances that it would not interfere with normal, legal use of the car, that the existing exemptions (to the law) are replicated in the technology, and that unjust costs will not be passed to consumers. (Paragraph 45)

Recommendation 13. For this reason, we do not recommend that the Government pursue any form of mandatory seat belt interlock legislation. Instead, we recommend that a new education campaign be used to reduce the number of road traffic fatalities not wearing a seat belt. (Paragraph 45)

Response: Educational campaigns in England and Wales are delivered through the THINK! campaign, which provides information to road users to encourage safer behaviour on our roads and help reduce the number of people killed and seriously injured. It is vital that we spend taxpayers' money wisely, so issues are prioritised based on casualty statistics and where we are most likely to have impact.

As the Committee notes, seatbelt wearing rates are relatively high. In the Department for Transport's most recent seat belt survey in 2014, 98% of car drivers observed in England were wearing seat belts, along with 96% of front seat passengers and 87% of rear seat passengers. Compared with the previous seat belt surveys conducted in 2009, wearing rates in England increased in 2014 for all car occupants except rear seat passengers where the wearing rate decreased from 89% in 2009 to 87% in 2014. However, this decrease was not statistically significant.

As the Committee also notes, the minority of drivers and passengers who still choose not to wear a seatbelt are likely to be particularly difficult to influence through educational campaigns. We have therefore prioritised other campaign issues where we feel we can have greater impact. These are set out in the THINK! marketing plan published on gov.uk. We will of course keep seatbelts under consideration for future activity and monitor changes in wearing rates.

Technology may be a more effective 'nudge' for increasing compliance further. Since November 2014, it has been mandatory for all new cars sold across Europe to have a seat belt reminder with both visual and audible warnings for the driver's seat and initial discussions are underway to extend such systems to other vehicle categories and seating positions. In the meantime, the Department for Transport is also a founder member of the European New Car Assessment Programme (Euro NCAP), which assesses the safety of new cars. The scheme encourages manufacturers to develop vehicles which deliver the highest levels of pedestrian and vehicle occupant safety. This includes awarding additional points for manufacturers which fit seatbelt reminder systems to front and rear passenger seats. Increasing numbers of manufacturers are voluntarily fitting seatbelt reminders for passenger seats in cars.

Mobile phones

Recommendation 14. The proportion of drivers detected using hand-held mobile phones while driving has remained relatively constant since 2002. The changes to penalties proposed in the Government's road safety statement are welcome and may have a beneficial effect, but they do not address the difficulties with detection. This

is an area in which future technology may be used to fill the gap left by a reduction in specialised road traffic officers. In addition, the use of hands-free mobile phones presents a problem of distracted drivers, which should be addressed. (Paragraph 50)

Recommendation 15. We recommend that the Department fund research into the development and effective deployment of technology to detect illegal mobile phone use while driving. (Paragraph 50)

Response: We recognise that detecting offenders using a mobile phone currently predominately relies on the offender being seen using it on the road. We know from a 2014 survey² in Scotland and England, 1.6% of car drivers were observed using a hand held mobile phone; we are considering how we can better use camera technology to help secure prosecutions. Many drivers want the flexibility that in-car technology provides for safer ways of connecting, for example through Bluetooth which is rapidly becoming standard in many vehicles. Developing technology to detect mobile phone use when driving would have to cope with detecting whether a driver or a passenger is using a phone and in what circumstances i.e. whether driving or using some other form of transport.

We are aware of existing technological solutions which deter drivers not to use their phone while driving with variations of a “drive safe mode” and downloadable apps to the phone are already available. As part of the consultation to change the fixed penalty fine and increase points (which closed in March 2015) we invited views on how these could be encouraged. We would welcome working with the mobile phone industry on how drivers can be encouraged to use such devices so that there is a wider uptake or that the app becomes standard. Ultimately, use of such a device has to be supported by a change in behaviour by drivers.

Vulnerable road users

Recommendation 16. The vulnerability of cyclists provides a particular road enforcement challenge. A “near miss” involving a cyclist can be close to a fatal accident, and “near miss” reports involving cyclists should be considered in that light. It is clear that there is a problem with the actual and subjective safety of the roads for cyclists, as well as the perception of the likely result of reporting offences to the police. The level to which cyclists feel unsafe on the roads due to a perceived failure to enforce traffic law is at odds with the Government’s aim to promote cycling, and must be addressed. (Paragraph 55)

Recommendation 17. We recommend that the Government’s strategy should not only promote cycle use, but must do so whilst reducing the proportion of people who consider that it is too dangerous for them to cycle on the roads. (Paragraph 56)

Recommendation 18. There appears to be substantial feeling that collisions or near misses involving cyclists are sometimes not effectively handled. More generally, there is great variation between police forces in how a road user is able to report near misses, and the development of best practice would be of benefit to all road users. (Paragraph 57)

2 [Seat belt and mobile phone use surveys: England and Scotland, 2014](#)

Recommendation 19. We recommend that the Home Office commission research on how collisions or near misses are handled by the police, particularly how this varies between each force area, and how this impacts the proportion of people who believe it is too dangerous to cycle on the roads. (Paragraph 57)

Response: The safety of cyclists, and all other road users is an important issue, and one that the Government takes seriously. Changing the perception of the risk around cycling is one of the main factors in getting people to cycle more. To achieve this, the Government is promoting a range of measures – from the THINK! campaign addressing road user behaviour to funding for high quality infrastructure in the Cycle Ambition Cities, and Bikeability cycle training for children, to increase their confidence on the road.

Bikeability is not only for children. There is a range of training available to suit all requirements from the complete beginner wanting to boost their confidence, to those seeking to develop more advanced skills. The Bikeability website contains further information for those wishing to find a suitable cycle training provider. Some local authorities also provide free or subsidised adult cycle training for people who live or work in the area. The Department for Transport will also be offering additional “Bikeability Plus” modules to schools, designed to address specific barriers to cycling. Examples include balance bike training for Early Years children, led rides and opportunities for children to demonstrate the cycling skills they have learned to parents, aiming to improve parental perceptions of cycle safety.

In addition to this, the Department for Transport published the draft Cycling and Walking Investment Strategy for consultation on 27 March 2016. The Strategy includes a commitment to reduce the rate of cyclists killed or seriously injured on our roads, each year, and sets out a number of ways to achieve this through improving the safety of cyclists and addressing the perception that cycling is unsafe. These include new measures as laid out in the revised version of the Traffic Signs, Regulations and General Directions, for example new types of traffic lights for cyclists to give them a head start at junctions, changes to advance stop boxes to increase the size, and remove the requirement for cyclists to enter on the left.

On the issue of near misses and how they are handled, this is an operational matter for the police. The Committee will be aware that we have written to Chief Constable Suzette Davenport, Gloucestershire Police, National Policing Lead on Roads Policing who has agreed to respond directly to the Committee on this matter.

Recommendation 20. We recommend that the Department for Transport assess the impact of Transport for London's Safer Lorry Scheme and, if it is found to have reduced cyclist and pedestrian casualties in London the Government should press the issue in the European Union to make the requirements mandatory for HGVs across the EU. (Paragraph 61)

Response: Transport for London (TfL) introduced the Safer Lorry Scheme (related to mirrors and sideguards) after a consultation, associated with an impact assessment. The Department for Transport will consider any further TfL impact assessments of the scheme, now it has been introduced. The Department for Transport is already working

pro-actively with the European Commission and other EU Member States, the Society of Motor Manufacturers and Traders (SMMT), Transport for London and other stakeholders to improve the safety of HGVs

Specifically on sideguard provisions, the Department for Transport plans to consult in the second half of 2016 to ensure these important safety devices remain on the vehicle throughout its operational use. Department for Transport officials have negotiated improved requirements for mirrors on the passenger side of the largest HGVs and these will apply from 1 July 2016. Camera monitoring systems will be permitted to replace mirrors from around 1 September 2016, which should further improve driver vision around HGVs.

In addition the Department for Transport is working with its European counterparts on specifications for safer and more aerodynamic cab designs in HGVs. Furthermore, the Department for Transport's British Road Safety Statement, published in December 2015, includes a number of actions focusing on safer vehicles, including some which contribute specifically to cyclist safety.

Recommendation 21. There have been calls from campaign groups to restrict the hours during which HGVs can use the streets in central London, in order to reduce congestion and the risk that these vehicles pose, especially to vulnerable road users. We recommend the Department for Transport evaluate the effect of such policies on the safety of vulnerable road users and on road haulage operators to see if a package of measures can be devised to balance the needs of these two groups. (Paragraph 62)

Response: Restrictions on traffic in central London are primarily decisions for Transport for London (TfL) and also the London Boroughs and City of London, in consultation with communities, the public and stakeholders. TfL, as a major transport authority, has the capacity to forecast and evaluate the likely effects.

The Department for Transport's view is that a blanket ban of HGVs from large parts of central London at peak times would be likely to have major economic effects on haulage, city centre businesses and construction. Earlier deliveries prior to a morning peak ban are inconsistent with many business models (including many small businesses) and a morning peak ban would curtail the construction day substantially at major sites.

In London, the vast majority of HGVs are travelling to make a delivery to a business, construction site or home (and not travelling across London). Banning lorries at rush hour could simply displace the problem, forcing a later peak, and increased 'flooding' of vehicles onto the road network. It would also be likely to shift the goods onto smaller vehicles, such as vans, which would have a number of unwanted impacts, for example an increase in congestion and pollution. There could also be an increase in the overall number of collisions with cyclists and pedestrians, as the roads would be busier.

There are other policy options for reducing conflicts between HGVs and cyclists during peak periods. These include encouraging consolidation and allowing more retiming of deliveries.

Fixed penalty notices

Recommendation 22. The police must have the power to enforce the law effectively against careless and inconsiderate drivers. The Fixed Penalty regime ensures that this takes place. However, it is important to secure the confidence of drivers that all are treated fairly and that enforcement is not merely a matter of ‘bad luck’. This underlines the need for visible specialist road traffic officers who can make informed decisions at the scene about whether an action was careless or inconsiderate, and secure public confidence that such a decision is not being made lightly or capriciously. There is a danger that if specialist road traffic officer numbers fall too far, FPNs for careless and inconsiderate driving may become very rare, and this public confidence may be lost as it appears that an offence being detected becomes the result of bad luck. We therefore recommend that police be supported to maintain the number of specialist road traffic officers. (Paragraph 66)

Response: The Home Office has responded to the issue of specialist road traffic officer numbers at recommendation 1 and 2.

Recommendation 23. We note the proposals to increase the fixed penalty fine and penalty points for use of a hand held mobile phone while driving. It is vital that penalties represent an actual deterrent and are a true reflection of the danger posed by these offences. The Government’s acknowledgement that the level of fines for this offence is not a deterrent indicates that other penalties, which are lower than the proposed new fines, should be examined. (Paragraph 70)

Recommendation 24. We recommend that the Government assess the deterrent value of other fixed penalty notice fines and point endorsements. In addition, we recommend that the Government conduct an immediate review into the penalties for motoring offences committed while driving an HGV, to evaluate whether the current levels are effective. (Paragraph 70)

Response: The deterrent effect of penalties is important and whenever resources allow we keep these under review. There have been significant reviews and changes recently, with further changes in the pipeline, related to the consequences of motoring offences committed while driving an HGV.

In addition to penalties for motoring offences, HGV (and bus) drivers are included in the vocational driver conduct process, operated by the Traffic Commissioners. This process can and does result in the temporary revocation of licence entitlements. The Senior Traffic Commissioner reviewed and then, last December, published new statutory and guidance including about the appropriate level of revocations.

Traffic Commissioners also regulate HGV operators and the function was reviewed in 2014/15 and the findings published.

The Government increased the financial penalties for fixed (including graduated) penalty HGV driver offences in 2013. The cumulative total of financial penalty deposits which can be issued at one occasion is up to £1,500. Some single fixed penalty notices for commercial vehicles total £300. The Driver and Vehicle Standards Agency (DVSA) practice is to issue up to three of them on the spot where offences have been committed (with the policy for four such offences or more being prosecution).

The Department for Transport consulted in 2014 about the introduction of fixed penalties for historical (on the record) drivers hours offences detected up to 28 days after being committed. The changes are planned to be introduced later this year.

The Department for Transport is also exploring options to bolster the effectiveness of the regime around tachograph falsification, including potentially to create a new, higher level of fixed penalty for this offence. This would be of particular benefit in the case of foreign drivers, who can be difficult to pursue through the courts.

Diversions courses

Recommendation 25. We are concerned by the inconsistent application of diversionary courses across the country. The NSAC is available almost universally, but other courses are growing in their use, and a situation may arise where the same driver, driving in the same manner, would face different treatment in different force areas. If these courses are to be effective methods for deterrence and rehabilitation of offenders, it is important that their use be consistent. (Paragraph 78)

Recommendation 26. We recommend that, for as long as research continues to support the efficacy of diversionary courses, each course is made available nationwide, with the Government encouraging police forces to make use of all courses for which there is evidence to demonstrate their effectiveness. (Paragraph 78)

Recommendation 27. Every method of dealing with offences available to the police must be supported by evidence that demonstrates that the method is just and will discourage future offending. At present, courses are offered in lieu of a fine and points endorsed on an offender's licence, with the fee for the course meaning that the points are the main part of the penalty that an offender avoids. (Paragraph 79)

Recommendation 28. We recommend that research should be undertaken to assess whether use of a course alone produces the required deterrent effect. (Paragraph 79)

Recommendation 29. There are clearly concerns about the transparency of the operation and funding of diversionary courses, reinforced by the variations in fees between force areas and the profits earned by providers. (Paragraph 80)

Recommendation 30. We therefore recommend that after March 2016, the Government urges the Road Safety Trust and its subsidiary UKROEd to undertake a review to ensure that the development, quality and financial character, including the consequences for insurance premiums, of such courses is transparent and publicised. We further recommend that the costs for diversionary courses should be standardised nationwide unless there is a clear and convincing reason not to do so, and that the Government consider legislating to ensure that this is the case, so that the public can be confident in the transparency of these courses. (Paragraph 80)

Response: Diversionary courses, their application and use, are primarily a police matter. The Department for Transport, in conjunction with the Road Safety Trust, has commissioned Ipsos MORI to carry out an evaluation of the National Driver Offender Retraining Scheme (NDORS) speed awareness course.

The main objective of the research is to conduct an impact evaluation of the National Speed Awareness Course scheme, including the impact of the courses on reoffending/reconviction rates and collisions.

We also want the evaluation methodology that is devised to be suitable for future evaluations of the speed awareness courses, and transferable to other NDORS re-training schemes.

The Project Board overseeing the work includes representatives from Department for Transport; the Driver and Vehicle Licensing Agency (DVLA); the Road Safety Trust; NDORS; the National Police Chiefs' Council (NPCC); the Parliamentary Advisory Council for Transport Safety, an All-Party Parliamentary Group (PACTS); and the RAC Foundation. The Department for Transport would be interested to see how the Trust addresses this issue before considering Government action or legislation

Chief Constable Suzette Davenport, Gloucestershire Police, National Policing Lead on Roads Policing and Chair of the new Road Safety Trust, which oversees remedial educational courses, has agreed to respond directly to the Committee on this matter

Freight enforcement

Recommendation 31. **The DVSA's activity demonstrates that technology can be used to make intelligent targeting decisions with limited resources. The high level of prosecutions relative to vehicles stopped by the Industrial HGV Task Force—the precursor to the London Freight Enforcement partnership—is a good example of how successful joint intelligence-led operations can be. This is demonstrated by this partnership maintaining information on which operators are more likely to have defects, and then targeting them alongside random checks on the roads of London. (Paragraph 85)**

Response: We agree with this statement. Joint intelligence-led operations that are successfully carried out are crucial to ensuring our roads are safe.

Recommendation 32. **More needs to be done to reduce the prohibitions issued to non-GB vehicles in particular, and intelligent targeting of operators that are known, or suspected, to be non-compliant can achieve this. There is also a place for random checks, and DVSA must not let these slide. (Paragraph 86)**

Response: The Driver and Vehicle Services Agency (DVSA) has published its 2016/17 business plan, which includes an objective of 188,000 targeted vehicle compliance checks, which is consistent with the activity level in recent years. There is also an objective of identifying 20,418 serious roadworthiness defects and traffic offences. This is a move away from lower level defects and offences and a focus on those that pose the highest risk to road safety.

Most vehicle checks are not random, because it is more effective for DVSA to target its resources based on the past records of operators and also observations of state and condition of vehicles approaching check points. However, DVSA will continue to conduct random roadside examinations in order to understand the baseline condition of the national fleet and assess how effective its targeting is. Also, no operators are currently exempt from

checks but near future developments in the DVSA Earned Recognition Scheme will mean that exemplar operators will not be the subject of targeted roadside inspections and will be monitored remotely using electronic means.

Recommendation 33. We recommend that the Government assess the impact of intelligence sharing and joint working in London and the South East, and ensure that it is possible for information and technology to be used effectively by the DVSA across the country in order to improve compliance. (Paragraph 86)

Response: The London partnership does monitor its effectiveness, with quantitative information being analysed and produced by Transport for London: this demonstrates its results and the benefits of the approach taken.

The partnership depends upon focus and commitment from the police, DVSA and local transport authorities. DVSA will continue to work with the Department for Transport to develop similar arrangements elsewhere using experience gained in the London partnership.

DVSA is continuing to develop technology to improve its enforcement capabilities. Work is ongoing to improve the identification of drivers using sophisticated electronic devices to interfere with their record of driving along with technology to make analysis more accurate and quicker.

DVSA is also working with the police on the integration of automatic number plate recognition (ANPR) networks which has the potential to provide a step change in traffic targeting by access to over 7,000 camera feeds (DVSA has 16 currently). They are in partnership with the UK Border Force on access to their new freight targeting system, which will contain details of all trucks entering Britain.

The Home Office is leading the delivery of a programme to establish a modern national ANPR service. The initial phases of the programme will establish the national platform and deliver the transition from existing Police Authority solutions. DVSA is engaged with the programme team and on completion of those phases, DVSA will make the business case to join the service; this is forecast for 2017.

The EU cross-border enforcement directive

Recommendation 34. We see the benefit in the intended purpose of the directive, as non-resident offenders must be enforced against. The laws of the UK relate to the actual driver of the vehicle, whereas the Directive as it stands only shares the vehicle's registered keeper. We understand that work to remedy this is ongoing and that the Government intends to have the Directive changed by the time it is required to be transposed in May 2017. (Paragraph 89)

Recommendation 35. We recommend that the Government pursue changing the directive to make it effective and should report back on progress. (Paragraph 89)

Recommendation 36. The insurance industry is by its nature multinational and information should be available across borders to allow for enforcement against foreign uninsured drivers. We recommend that the Government, in its discussions with EU

colleagues on the CBE Directive, explore possibilities of expanding the Directive to allow for the sharing of insurance details in order to allow uninsured non-resident drivers to be enforced against with greater ease. (Paragraph 91)

Response: The European Commission is currently undertaking a review of the Cross Border Enforcement (CBE) Directive to understand its effectiveness in improving road safety and to consider whether any additional amendments would be appropriate in the future. The review will report in November 2016. The UK supports this review and is involved in these discussions as we see opportunities to negotiate amendments that are likely to be beneficial to the UK position. We are happy to keep the Committee updated on progress.

The CBE Directive currently provides for exchanging vehicle registration data but does not go further in compelling member states to provide driver details, which would facilitate member states with driver liability regimes pursuing offending drivers. We hope that this can be addressed in the review. It is not, of course, just an issue which affects the UK as there are other EU Member States who have driver liability regimes. We are actively engaging on these points with the Commission to encourage a workable solution. There is an opportunity to press for changes to the Directive through the current review which could make it easier for Member States, including the UK, to enforce the Directive. Any change would require amendments to the CBE Directive and, given that the review report is not due until November 2016, we do not expect any amending Directive would be made to take effect ahead of the UK transposition date of 7 May 2017.

We note the Committee's comment on sharing of insurance details. The offence of no insurance is not one of the offences within the CBE Directive and establishing whether a vehicle is insured would require a wider remit for the exchange of data. We recognise the benefits of tackling uninsured drivers and we are happy to consider how this can be best pursued, including seeking the views of the insurance industry.

Devolution of powers

Recommendation 37. Granting local authorities the power to enforce against moving traffic offences makes sense. It allows enforcement to take place even where roads police numbers are in decline and it provides valuable local accountability. We see little evidence to support the Department's position that there is little support for this and find it difficult to understand the Minister's unwillingness to consider it. (Paragraph 99)

Recommendation 38. We repeat the previous Transport Committee's recommendation that Part 6 of the Traffic Management Act 2004 be commenced, and also recommend that the Government consider the case for allowing additional moving traffic offences to be subject to civil enforcement in London. (Paragraph 99)

Response: Whilst the devolution of parking enforcement has been successful, it has not been without considerable concerns from motorists and, indeed, the Transport Select Committee. In its Report of 2013 into local authority parking enforcement, the Committee expressed concern about the way in which local authorities used CCTV for parking

enforcement. There have been concerns around revenue raising, penalty levels and the number of penalty charge notices (PCNs) issued. In response to this, new legislation was enacted in March to restrict the use of CCTV for parking enforcement.

Against this background the Government remains to be convinced about the case for giving all authorities the powers to enforce moving traffic contraventions and the Government is not keen to see local authorities installing a raft of new cameras on yellow box junctions and elsewhere to issue PCNs for moving traffic contraventions. Freedom of Information requests have indicated that some councils have made large sums of money from some box junctions. We have no plans at present to give local authorities outside London greater enforcement powers and in this context we do not consider it appropriate to give London further powers.