

SURREY POLICE AND CRIME PANEL

POLICE AND CRIME COMMISSIONER FOR SURREY

ROAD SAFETY AND PARKING

7th December 2017

INTRODUCTION

This paper provides the Police and Crime Panel with an update on issues relating to road safety in Surrey and parking issues. The paper covers three key areas;

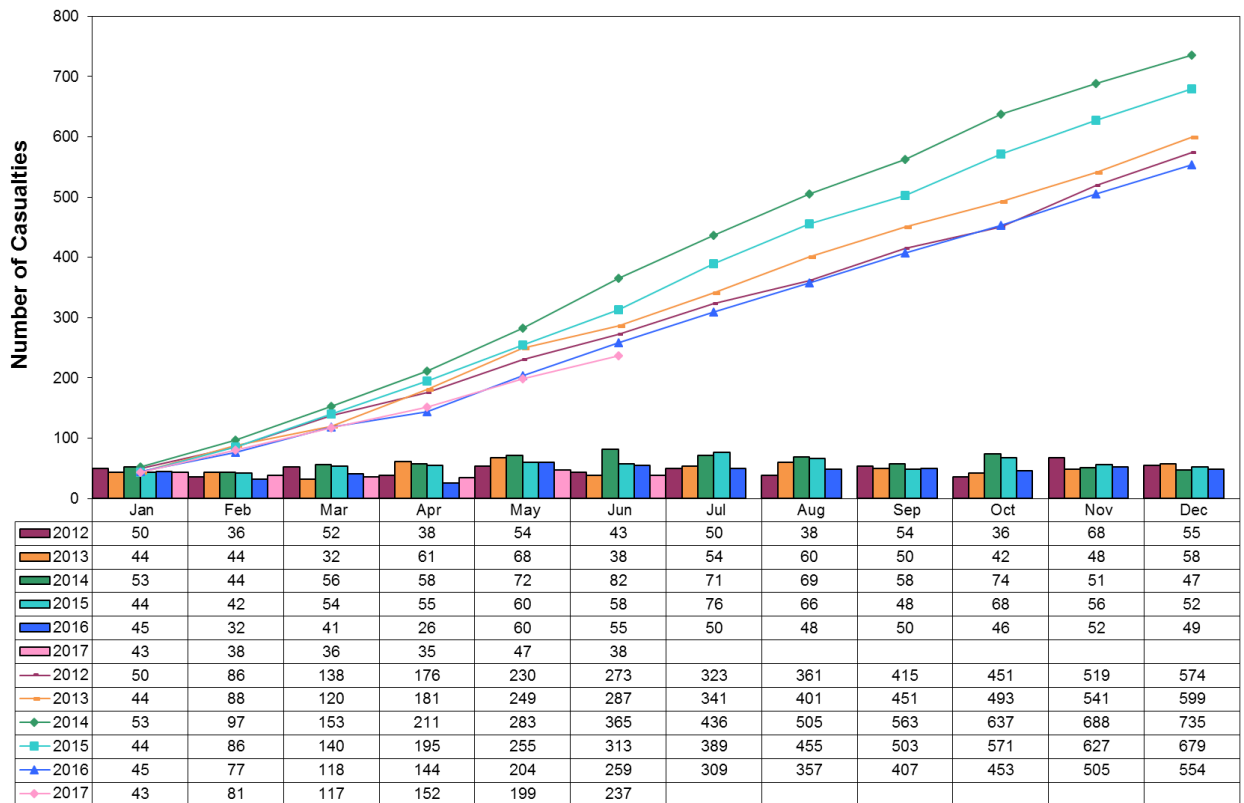
- Key statistical information based on a full year, verified data for 2016 in both narrative and infographic form and also compares performance over the past 5 years.
- Work in progress to redefine Drive SMART, develop the desired structures and focus, and also highlights the key role Surrey Safety Camera Partnership plays in enabling this.
- The report details which powers are available to Civil Enforcement Officers and which can only be enforced by the Police. However, there is not always absolute delineation and some offences, such as parking on zigzags outside schools or obstructing a dropped curb could be dealt with by either party.

CURRENT STATISTICAL INFORMATION

Statistics for those killed or seriously injured on Surrey's roads are based on the calendar year and are collated from data submitted to the Department for Transport (DfT) by officers or Police Process Units. This data is then passed to Surrey County Council by DfT having been verified, and then to police and other partners.

Consequently there is a delay in producing official statistics, which is common across the country.

Below in table 1 is a summary showing killed and seriously injured (KSI) statistics over the past 5 years with the most recent data being to the end of August 2017 for fatalities and June for serious injury. This shows a marked reduction of 8% in the overall number of KSIs in 2016 when compared to the baseline average for 2010-2014. Fatalities on Surrey roads are mainly in line with previous years.

Table 1**Killed or Seriously Injured Casualties**

This bucks the national trend, where there is an average 5% increase in fatalities and an 8% increase in KSIs across England which includes a 12% increase in the South East.

Surrey is one of a very small number of areas experiencing a decrease in casualties. The increase in KSIs nationally may be affected by a change in reporting processes by some forces and use of the CRASH system, which Surrey adopted in 2012.¹

As of 13th October 2017 the unverified data has recorded 25 fatalities and 378 KSIs but this may include instances of death being due to a medical episode rather than a collision and consequently these numbers cannot be relied upon as accurate.

The location of KSIs is generally consistent with built-up areas or main arterial routes. The main causation factors continue to be excess speed and lack of attention and higher risk groups are motorcyclists and pedestrians.

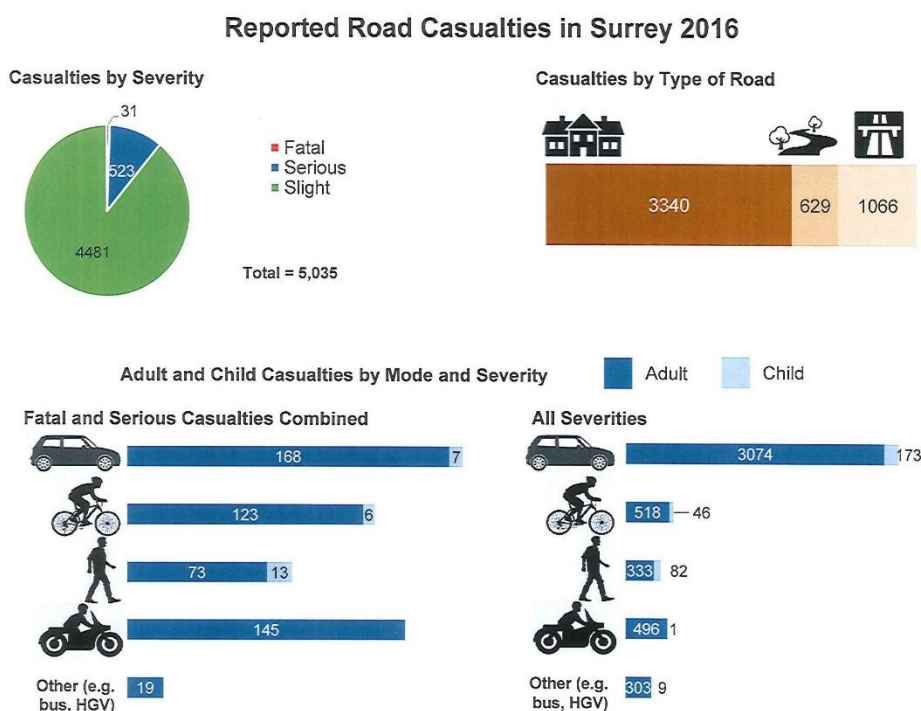
The table 2 below shows the frequency of KSI's per Surrey district over three years

¹ Current performance for 2017 is based on both verified and unverified data, therefore there may be a slight change when figures are formally published.

Table 2**KSIs 2014-2016**

Guildford	292
Tandridge	185
Mole Valley	183
Waverley	182
Reigate & Banstead	177
Elmbridge	163
Runnymede	126
Spelthorne	122
Woking	114
Surrey Heath	112
Epsom & Ewell	82

Infographic 1 below summaries the data by type of road, differential between adults and children and the severity.

Infographic 1

Reports concerning poor driver behaviour are categorised by the Surrey Police contact centre under the heading ASB15 Vehicle nuisance/inappropriate use. This can range from complaints of speeding to dangerous driving or cycling, parking to noisy vehicles. Below is the number of such reports broken down by Borough or District.

As table 3 shows there has been a significant increase in reports of anti-social driving. In particular, Surrey Heath has seen a 90% increase in driver-related ASB. Work is underway with partners to fully understand the reasons behind the rise.

Table 3

BOROUGH	2016 TOTAL	2016 YTD (30- SEP-16)	2017 YTD (30- SEP-17)	+/- Y TD	% +/- YTD
Epsom & Ewell	356	261	333	72	28%
Mole Valley	295	224	296	72	32%
Reigate & Banstead	701	511	647	136	27%
Tandridge	397	294	367	73	25%
Elmbridge	445	349	380	31	9%
Runnymede	369	285	346	61	21%
Spelthorne	535	422	465	43	10%
Guildford	644	453	492	39	9%
Surrey Heath	293	190	361	171	90%
Waverley	412	314	292	-22	-7%
Woking	408	316	387	71	22%

ROAD SAFETY

Surrey Safety Camera Partnership (SSCP)



SSCP was established in 2004 to manage investment in safety cameras and, latterly, income from NDORS (the National Driver Offender Retraining Scheme - an alternative to drivers attending court). It is a very mature and successful partnership between Surrey Police, SCC and Highways England and has recently published its 2017/18 business plan which includes a capital programme for digitalisation of safety cameras. The remit of the partnership explicitly includes the relationship to Drive SMART, the wider road safety tasking and coordination function and core operational police resources and the intention is that it will become the framework around which the Drive SMART partnership is developed.

SSCP is largely self-funded from NDORS income and receives a management fee from Highways England for managing the safety cameras on the strategic roads network. Around 35,000 people attended courses in Surrey last year. Up to £100,000 is allocated from SSCP income to the Drive SMART Board each year for use on initiatives at the discretion of the Board and several posts linked to Drive SMART are fully or partly funded.

Drive SMART



Drive SMART is the road safety initiative between Surrey County Council, Surrey Police and other partners, including Surrey Fire and Rescue, which has been in operation since 2009. This built on the framework of the long-standing Surrey Safety Camera Partnership, formed in 2004, and at its inception managed a £1m investment by Surrey County Council in order to reduce those killed or seriously injured on Surrey's roads and reduce anti-social driving.

The main focus of Drive SMART has been to determine road safety priorities for the coming year, allocate funding to operational and communication initiatives and campaigns, and monitor performance. Strategic priorities and funding allocation has been the responsibility of the Drive SMART board, chaired by the SCC portfolio lead, while tactical delivery against agreed priorities has been co-ordinated by the Operational Group, chaired by the Head of Roads Policing.

Surrey Safer Roads Partnership

There have been some notable successes, primarily the outcome of reduced numbers of people killed or seriously injured on Surrey's roads under the current format of Drive Smart and SSCP. However, there is a jointly held desire to develop the partnership into a more structured road safety partnership, including establishing appropriate governance arrangements, objectives and business planning, and a stronger analytical and tasking function linked to partners' core resources. The aim is to develop an effective road safety partnership which will reduce road casualties, tackle anti-social driving and make Surrey's roads safer.

A project board has been convened to lead the work to establish a more formalised partnership with the following objectives:

- To develop a structure for delivering effective and efficient partnership working to reduce KSIs and anti-social driving within Surrey
- To ensure governance arrangements for Drive SMART are robust and effective
- To recommend terms of reference for the differing levels of governance within the partnership
- To develop a model to improve partnership working between SCC, Surrey Police and other partners
- Ensure a strategic overview and direction of all road safety responsibilities and activities completed within Surrey

- Maximise the effectiveness of funding streams to address road safety
- Achieve the overall aim of reducing KSIs and incidents of anti-social driving and ensure Surrey's roads are safer through effective partnership working

The project will consider membership, functions, roles and responsibilities, decision-making powers, business planning and support required. A meeting will be convened in December 2017 to brief key stakeholders on the work and progress to date. The project will be informed by a similar review of Sussex Safer Roads Partnership which has already developed role descriptors and governance structures.

The intention is to complete the review and implement changes by April 2018. Until this time, the formal Drive SMART board has been placed in abeyance, though tactical delivery and partnership working continues as part of daily business and working to the priorities already agreed for 2017/18. Funding requests are being progressed on an individual basis with Board members being consulted and asked for views outside of calling a formal meeting. For example, £10,000 has just been allocated to support Safe Drive Stay Alive following a business case from Surrey Fire and Rescue.

HIGHWAYS ENFORCEMENT

In the 12 years since decriminalisation of parking, the rationale for transferring powers from police to local authorities remain valid. Furthermore, since 2004, the demand profile of Surrey Police has changed with a greater emphasis on vulnerability than was the case in 2005. The nature of the work facing officers on the Area Policing Teams (APT) is far more complex and unpredictable than it has been in the past.

However, while the current arrangements have been in place for 12 years there remains some confusion amongst the public and indeed between police and local authority contact functions as to where responsibility lies in the event of parking issues.

Contravention of the majority of parking regulations in Surrey has been decriminalised and, in the main, is the responsibility of Local Authorities who have created Civil Enforcement Areas.

Local Authority powers within Civil Enforcement Areas are limited to offences of:

- causing a vehicle to stop on part of a road appointed, or deemed to have been appointed, as a hackney carriage stand;
- contravening a prohibition or restriction on waiting, or loading or unloading, of vehicles
- prohibition on stopping vehicles on or near pedestrian crossings
- other offences in connection with parking places
- parking in loading areas
- prohibition of parking vehicles on verges, central reservations and footways
- parking of HGVs on verges, central reservations or footways
- parking a vehicle wholly or partly on a cycle track

- Bus lane contraventions
- failing to comply with the indication given by a traffic sign that is subject to civil enforcement
- Certain contravention of road traffic signs subject to a traffic regulation order such as yellow Zig Zag Lines
- prohibition of double parking or vehicles parked in excess of 50mm from a kerb.
- parking a vehicle either adjacent to a dropped footway, cycle track or verge, or where there is a raised carriageway (in order to assist pedestrians, cyclists or vehicles) within a special enforcement area.

Obstruction of the Highway offences were not decriminalised, since they are used by the police in many circumstances. In addition, simply to create a decriminalised equivalent for civilian enforcement officers was thought to give too much discretion, potentially leading to lengthy arguments and appeals. The primary Police powers in respect of vehicles causing an obstruction fall under three areas of legislation:

- **Unnecessary Obstruction** *Reg 103 of the Road Vehicles (Construction & Use) Regs 1986.*
This would be the primary offence police would utilise to deal with normal 'parking' type obstructions on the road such as blocking of footpaths, access points etc.
- **Wilful Obstruction of the Highway** [Section 137 Highways Act 1980](#)
This would be considered if the driver was committing an obstruction on purpose, deliberately or intentionally.
- **Leaving Vehicles in Dangerous Position** *Section 22 Road Traffic Act 1988*
If the parking / obstruction was deemed to be such that its presence or condition would involve a danger or injury to others then this greater, endorsable offence would be considered

There are a number of instances where situations could be dealt with by either CEOs or Police. For example;

Yellow zig zag lines outside of a school.

Would be subject to Civil Enforcement however they must be subject to a Traffic Regulation order and signs placed near the yellow zig zag lines. Police action could be considered if the parking obstructed the passage of vehicles along that section of highway.

A vehicle parked blocking a driveway or dropped kerb Council enforcement

Under the Traffic Management Act 2004, councils which operate Special Enforcement Areas (SEA) are granted the power to enforce contravention code 27: Vehicles Parked adjacent to a dropped footway.

Police

Could enforce utilising Unnecessary Obstruction especially where it relates to pedestrians crossing or cyclists leaving or entering the carriageway.

Vehicles Parked on Footways causing pedestrians to walk into the road.

This could be dealt with by way of penalty charge notice issued by a Civil Enforcement Officer; however, while there is a power to immobilise an offending vehicle, the effective resolution would naturally be to get the vehicle removed. This would require powers under reg 4 of the Removal and Disposal of vehicle regs 1986 which is a Police power coupled with the Obstruction offences.

It should be stressed that, in all cases where there is an expectation of a Police resource attendance there must be an awareness that such deployment requests will be assessed around threat, harm or risk and in accordance with the Force's deployment policy and such incidents cannot routinely demand a deployment.

There are opportunities to improve the information provided to residents as much of the customer confusion and dissatisfaction comes from confusing messages at the outset when reporting situations to the respective Police or Council contact centres. Misunderstanding of powers and responsibilities are frequently resulting in complainants being directed between both Police and Local Authority.

Much of this could be addressed through adequate training or briefings at a call taker level. Surrey Police's contact centre staff are due to receive training from Spelthorne Borough Council's Community Safety Team on the role local District and Boroughs can take in a number of anti-social behaviour areas (including anti-social parking).

Further opportunities could be to further utilise Joint Enforcement Teams where they exist to address some of the issues. There may be some scope for police to support JET teams in this area where parking features as part of an identified and agreed problem.

However this would require further discussion and careful management to effectively manage both public and partner expectations.

Conclusions

Based on verified figures, there has been a reduction in those killed or seriously injured on Surrey's roads. However, casualty figures can change dramatically if, for instance, there is a period of poor weather and we cannot be complacent; every serious casualty or fatality is one too many.

Work is currently ongoing to understand the detail behind the significant rise in reports of anti-social driving.

A more formalised road safety partnership, based on the framework of the Surrey Safety Camera Partnership and drawing on lessons learned in the review of SSRP, remains desirable and is being implemented.

There is no appetite by Surrey Police to extend its responsibility for parking enforcement as the increased demand would not be manageable. However, there remains opportunities in providing better information to the public, joint training and using the Joint Enforcement Teams, where they exist to provide a better service to Surrey's Residents.

RECOMMENDATIONS

That the panel note the report.

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