

## SURREY POLICE AND CRIME PANEL – 30 JUNE 2021

### PROCEDURAL MATTERS – PUBLIC QUESTIONS AND RESPONSES

*As the responses refer to operational matters, there would be no supplementary questions to ask of the PCC from members of the public.*

#### 1. Question submitted by Kay Hymas

I live on Gatton Park Road, Redhill. RH1 2DZ. An accident blackspot and notorious for speeding. (Barely anyone sticks to the speed limit)

After our horror smash last October, when the speeding car destroyed two vehicles, walls, fences before ending up in my next-door neighbour's front garden. We were told that the road was on the priority list for enforcement by the Surrey Police Traffic Unit. This was at the insistence of Councillor Bramhall.

Since then, we have had ONE patrol in the past 8 months.

I want to know where the traffic patrols are that we were promised and why this road has been neglected again?

I will point out there are two local schools who filter out onto this road, the volume of bumps and accidents so far have not resulted in loss of life. It will.

#### **Response:**

I wish to thank Kay Hymas for her question.

Road safety and speeding has come up a number of times when I have been speaking to residents and councillors about their priorities for safety in Surrey. I am discussing road safety with the Chief Constable at a Surrey wide level and it is important that residents highlight areas of concern to Surrey police.

I am not involved in the detailed day to day operational roads policing, however, once permission has been given by Kay Hymas, my office will forward this query onto the Traffic Unit in Surrey Police to provide a response. I will make sure that this is done.

**PCC Lisa Townsend**

#### 2. Question submitted by Hazel Watson

Can the Police & Crime Commissioner give an update on the deployment of the acoustic noise cameras purchased by the previous Police and Crime Commissioner and confirm if any action has been taken as a result of readings recorded by the acoustic cameras in excess of the legal limits. Furthermore, if the acoustic cameras have not been deployed, can the Police and Crime Commissioner explain why this is the case?

#### **Response:**

The previous PCC David Munro funded two projects relating to traffic noise last year. The first was for the static acoustic cameras and the second for noise monitoring equipment.

For the Noise Monitoring Equipment, an update is provided below from the lead Surrey Police Traffic Officer:

*Both the Western & Eastern Casualty Reduction Officers, along with Guildford SNT, conducted an operation into the ongoing concerns raised by residents of excessive noise from motor cycles.*

*This was along A3100 London Road, A246 Waterden Road at the junction with A246 Epsom Road in Guildford.*

*During this particular operation there were 8 motor cycles (primarily mopeds) observed and those that were subjected to the sound level monitoring were not found to be over the legal decibel limit nor their exhaust systems defective.*

*One motorist was identified as not having a policy of insurance which was dealt with by means of being reported for summons, owing to existing penalty points.*

*I have not directed officers to utilise the noise monitoring machines to undertake prosecutions for noise and directed that this piece of equipment is to be used as supporting evidence for the offence of modified exhausts, which is generally dealt with by way of Fixed Penalty Notice (FPN) or Summons.*

*To offer further assurance that we try and deal with anti-social use via all methods available to us there is another area of legislation that police use to try and manage anti-social use of vehicles is Section 59 of the Police Reform Act 2002 which gives the police powers to stop, seize and remove a vehicle if they have reasonable ground for believing that the motor vehicle is being used on any occasion in a manner which constitutes careless and inconsiderate driving (as defined by the Road Traffic Act 1988 [18]) or which is causing, or likely to cause, alarm, distress or annoyance to members of the public.*

*I do not attempt to measure and make records of the sound-levels from individual vehicles in Surrey as this is predominately for the Department for Transport and/or the Local Authority under their Environmental Health Departments to gather. The Local Authority are the primary organisation that should lead on noise in our communities, however the police have a role to play as it is illegal to modify an exhaust system to make a vehicle noisier after it has been 'type approved' (checked it meets environmental and safety standards). The police can also take action if a vehicle's silencer doesn't work in the way it was designed or if you're driving in a way that creates too much noise.*

*Taking into consideration our role in dealing with modified exhausts the legislation directs us to deal with identified offences by way or a FPN or a Vehicle Defect Rectification Scheme (VDRS).*

*Acknowledging that without a noise monitoring machine any officer can subjectively assess whether a vehicles cause excessive noise. This subjective assessment is undertaken by the police officer applying their judgement as to whether the vehicle is producing excessive noise and therefore does not comply with The Road Vehicles (Construction and Use) Regulations 1986. Where sound level meters are used for an assessment, the vehicles are tested against a set threshold noise level that is not bespoke to the specific vehicle (i.e. the threshold noise level does not refer to the type approval noise level specific to that make and model of the vehicle).*

*However my current view is that there is limited benefit to officers or I, in the collection of data regarding different vehicles sound levels as they can dynamically change due to the environment in which they are at the time of an assessment, similar to each manufacturer*

*having requirements to publish their vehicle specifications which are only correct in the environment of the manufacturer. As we know there is disclaimer that they acknowledge stating the way a vehicle is driven, used and the environment in which it is, may affect the noise, fuel consumption, miles per gallon etc., hence the difficulty of dealing with noise as a sole agency.*

*The extra difficulty for us when considering offences for noise is that if and when motorists are summoned/reported to court the evidence required for a test/assessment is easily challenged, as we must have undertaken it to achieve stable and repeatable test conditions. So for example the best case evidence would be that the procedure requires a Wide Open Throttle (WOT) test and a constant speed test. The WOT test specifies that a target acceleration be achieved i.e. the revs being at a specified level. Then of course the change of gear selection or sat at idle which can vary the noise. These tests would then be combined in a weighted average which is a function of the actual acceleration achieved in the WOT test and the Power-to-Mass Ratio. As well as the make and condition of the road surface.*

*This is why I have directed officers to consider the modification of exhausts that are identified supported with a noise reading (albeit the main offence being the modification of an exhaust not the noise level).*

With regard to the static acoustic cameras, the update from Surrey Police is as follows:

*In relation to the static noise monitoring equipment which funding was approved for, Surrey Police is afraid that it is still in the planning phase with a number of hurdles which need to be overcome, with one of the main ones being a review by Chartered Institute of Public Finance and Accounting (CIPFA) who are scrutinising all of our project work currently, Surrey Police has been advised of what is required of it and unfortunately it is going to be a lengthy process to make sure the project is approved.*

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