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Editorial

As you can see from reading this edition, your editor has been busy in the last month writing letters to his MP. In case you get the wrong impression from the first article, it is not my desire to see more speed camera prosecutions pursued, but the exact opposite. I would like to see "Safety Camera Partnerships" put out of business because all they do is persecute law abiding citizens for technical, but in reality, trivial offences. It's now an industry where the people employed in it are corrupting justice. Apart from the issue raised, they have a strong motive to generate more fines so as to keep themselves employed and the "partnerships" in business. Of course the very idea of a "partnership" between magistrates and police is a corruption of justice in that it undermines the independence of the judiciary from law enforcement, which is a breach of your human rights.

Well I have had my say, but I do encourage you to write to your own MP on these matters. Or of course write to the editor if you have some views you want published.

Roger Lawson,
Editor

Perverting Justice



The Government stopped funding Safety Camera Partnerships and it now depends on local authorities to provide such funding out of road safety budgets.

As a result, some Police authorities such as the Thames Valley Police have now arranged that funds from fees for "Speed Awareness Courses" are diverted to finance the operations of the camera partnerships. Your editor wrote to his Member of Parliament (who happens to be a Government Minister) on this subject and ABD members may care to do the same. This is a summary of what was said:

Is diversion of Speed Awareness Course Fees an example of Perverting the Course of Justice?

The Government stopped funding Safety Camera Partnerships. They are now dependent on local authorities to provide their funding out of road safety budgets.

Offenders allegedly involved in speed-related offences are being offered "Speed Awareness Courses". Some Police forces have now arranged for some of the revenue from fees for "Speed Awareness Courses" (many of which are run by commercial organisations) to be diverted to finance the operations of camera partnerships.

For example, Thames Valley Police (led by Rob Povey, head of roads policing) have arranged to receive money from the payments made for such courses, thus enabling it to reactivate cameras in that county and maintain the operations of the "safety camera partnership". This has been widely reported in the press and Mr Povey even made it clear in a video posted on YouTube by Thames Valley Police.

I question whether this is legal (I have seen no evidence that it is), and I certainly suggest this is ethically dubious. In essence, in return for payments that at least part-fund the operations of speed camera partnerships, alleged offenders are diverted from the justice system.

Speed enforcement will again have the potential to become a major cash generator with the result that speed camera partnerships may once more be paying more attention to financing their own operations than to road safety.

Under the "Separation of Powers" principle, the concept of a "partnership" between magistrates' courts and the police is contrary to every individual's legal right to be tried by an independent judiciary.

This latest development further undermines natural justice, and should be opposed by all right-thinking persons.

More Explanation

It is normally the case that if a police officer agrees to drop an offence upon payment of some money to a third party (particularly one connected to them), then it is a criminal offence. A definition of "perversion of the course of justice" from the Police National Legal Database is:

"This common law offence is committed where a person or persons:-
(a) acts or embarks upon a course of conduct
(b) which has a tendency to, and is intended to pervert,
(c) the course of public justice."

Listed below are a couple of the ways where conduct is capable of amounting to an offence (there are several others):

- (a) Concealing offences;
- (b) Failing to prosecute;

In the cases I am complaining about, some police officers are surely potentially conspiring with the organisations that run the training courses to divert drivers from the judicial system in return for payments that fund the employment of themselves, other police officers or other support staff. Hence they appear to have a direct financial interest in this matter.

The video posted by Thames Valley Police on YouTube can be seen here:

http://www.youtube.com/watch?v=bBs_Zw_0uzc

Note: of course anyone who accepts such an invitation and pays the requested fee is probably guilty of being a party to this conspiracy of corruption.

Electronic Petitions

Another subject on which your editor recently wrote to his MP was the question of electronic petitions (E-petitions). It seems that the obligation to support them on local councils is being removed in the "Localism Bill".

Don't know what an E-Petition is? Go to this web page of the Croydon Council site for an explanation:

www.croydon.gov.uk/democracy/dande/petition .

You can also see the list of petitions they have hosted, including one on the issue of parking charges that collected over 600 signatures created by ABD member Peter Morgan.

This is what was sent to the editor's MP (Bob Neill who has some responsibility for this Bill as a Government Minister in the Department for Communities and Local Government):

"Dear Bob,

One additional matter which I forgot to mention in my last letter. I understand that one item included in the draft Localism Bill is the removal of the right to petition a council via an electronic petition.

There was an obligation on local councils introduced only recently to provide an electronic petition facility, which has not been widely publicised and hence known about. Indeed I have not used it myself as yet, but it was certainly something that I think could potentially be useful and I am aware of some usage of it.

It would seem rather early to scrap this obligation, which potentially can enhance public participation in local democracy, particularly without proper consultation and before some experience of how such petitions operate has been gained. Indeed many local councils have seemingly chosen not to publicise this capability or have discouraged usage.

Why is it being scrapped? Please note my objections irrespective of the answer.”

Camera Enforcement of Parking



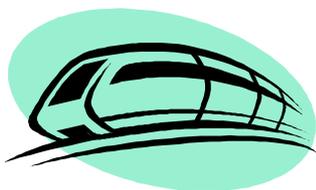
Local authorities, particularly in London, are rapidly expanding the use of cameras to enforce parking restrictions (such as the one left in Bromley). Are they legal is the question?

In essence it seems that most are probably not. The Secretary of State for Transport has issued guidance on the use of CCTV cameras which says that such devices are only recommended “where enforcement is difficult or sensitive and CEO enforcement is not practical”. Under the Traffic Management Act 2004, the local authority must have regard to such guidance yet most councils ignore it. For example, the camera shown is on a 30 mph road where enforcement officers would have no difficulty whatsoever in issuing Penalty Charge Notices (PCNs).

There are of course good reasons for this rule. It avoids the automated issuing of tickets with no sensible discretion, when the recipient might not receive the ticket for some time and hence not be able to collect evidence for any grounds to appeal.

If you get issued with a PCN in such circumstances, you should probably appeal.

High Speed Rail (HS2)



Your editor has been busy of late in writing letters to his MP. Here’s another one on the subject of HS2, or go to this

web site to support the campaign against it: <http://stophs2.org> or www.hs2actionalliance.org. Write to your own MP if you also think it is a ludicrous waste of money, or go to this web page to submit your comments directly to the DfT: <http://highspeedrail.dft.gov.uk>

“Dear Bob,

I am writing to you on the subject of HS2. It does seem to me that the cost of this project is totally unjustified. The return on the capital invested is simply not good enough and there are much better applications for the expenditure that would be incurred. Apart from the extra capacity, which could be provided in other ways, it will provide little in the way of benefits except for a slightly shorter journey time on what is already a relatively short duration trip. And that only to the few people who could afford the projected fares. In practice I suspect it will be grossly underutilised because people will not be willing to pay the fares with the result that the government will end up subsidising it in due course.

The Eddington report, commissioned by the Government some years ago, had at least one good recommendation in it. Namely that rather than spend money on grandiose transport schemes, it was much more effective in the overall scheme of improving the transport infrastructure of the UK to spend money on small to medium scale projects to tackle specific bottlenecks. That applied just as much to rail schemes as it did to road schemes. It was a very wise conclusion, which is now being totally ignored.

In addition I note that Philip Hammond was quoted in the Financial Times recently as saying that “If the Government was only prepared to invest in schemes with the highest cost-benefit ratios we would almost exclusively just build roads in the south-east of England”. Well what is wrong with doing just that? It is the rational, economic thing to do surely?

The environmental impact of HS2 is also going to be poor, certainly worse than upgrading existing road and rail links to the midlands, where there are several alternative existing routes in each case.

I would therefore urge the Government to drop support for this scheme and look at the alternatives.

I would also be grateful if you would pass my comments on to Mr Hammond as the Minister responsible for this matter.”

Blackfriars Bridge



Because of the reconstruction of Blackfriars station, the road network at the north of the bridge (picture left) is being redesigned.

The initial design provoked a lot of comment from cyclists, although not all of it seemed very justifiable. One problem for motorists is the proposed banning of a left turn from traffic heading south on New Bridge Street. The ABD submitted a response to this badly designed scheme which you can see on this web page: www.freedomfordrivers.org/Consultations.htm

TSUG News

There was some very interesting information in the latest Transport Statistics User Group News. Snippets are:

- In 2009/10 concessionary bus passenger journeys made up 34% of all bus journeys (could this be why Boris Johnson has had to hike bus fares so much to avoid a massive deficit?).

-The Docklands Light Railway is the only tram or light rail system that increased passengers in 2009/10 over the previous year. Indeed it is way ahead of any other such system in terms of passengers. The Croydon Tramlink passenger numbers fell (and of course continues to lose money, but that has not stopped proposals for more tramcars to be purchased.

TFL Business Plan



Transport for London have published their Business Plan covering the years up to 2015. One cannot but quote from the Mayor's introduction in Boris' inimitable style:

"Happily, this is not a document punctuated by phrases like 'de-scoping' or 'down-sizing' or any other weasely euphemisms for swingeing

cutbacks. Instead, it is a bold and confident plan for investing in London's future. In my negotiations with Government I drew three lines in the sand:

- London must have the transport investment it needs - in particular Crossrail and the Tube upgrades.
- Our comprehensive bus network had to be protected.
- Fare and taxpayers must get even more value for money from transport services.

Many people told me that I would have to sacrifice either Crossrail or the Tube upgrades, that fare concessions would have to go and that bus services would need to be cut. In short, I was told that London would need to endure significant pain. But, through tough negotiations and the support of Londoners, business and a wide range of other stakeholders, our case for the Capital prevailed.

He goes on at some length in that vein. But here are some of the points worth noting from the report:

-There are nearly as many journeys on the Tube as there are across the entire UK rail network, and with 2.2 billion passengers, London's buses account for nearly half of all bus journeys in the entire country. But nearly 80% of journeys are made on the capital's road network (presumably car, taxi and bus journeys combined which rather shows how the transport budgets are distorted if you compare the money invested in improving the road network in comparison with the billions of pounds spent on tube line expansion, Crossrail, and other grandiose projects). Crossrail for example will generate income of £444m million in the next 5 years but incur expenditure of £12.7bn and net expenditure on the underground is £5.7bn!

- The subsidy to London buses, which was getting totally out of hand under Livingstone, is forecast to fall to about £440m per annum in 2015 (from £700m in Ken's last budget). That's still a very large number though.

Anyway it's worth a quick read if you want to find out where your taxes go, and what the detail development plans are for London – see www.tfl.gov.uk/corporate/media/newscentre/archive/19668.aspx

News Snapshots

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

+ Since 2000, CO2 emissions from new cars registered in the UK have fallen by 20%. Emissions from the entire UK car base have fallen by 7.8% despite the number of cars rising by 10% (Source: SMMT). *(Editor: incidentally the allegation that cars are the cause of the recent smog in central London is a myth – most of the pollution blows in from outside and is generated by other sources (including other transport modes)).*

+ Motorists who leave their engines on when parked will be hit by fines of £120 under plans put forward by Boris Johnson. *(Editors Comment: this is “gesture politics” at its worst. There is no evidence that “idling” has any impact on emissions whatsoever so it’s in essence yet another pointless regulation that some bureaucrat will choose to enforce so as to harass motorists. It’s not going to be easy to enforce; the existing regulation is generally not; and simple exhortation might be more effective).*

+ The row in Barnet covered in our last newsletter over higher permit parking charges has escalated. Residents have filed an action for a judicial review in the High Court. The residents have formed the Barnet CPZ Action Group (their web site is www.barnetcpz.co.uk for more information if you wish to support them).

+ A poll of residents in Ealing (Mount Avenue area) voted against a CPZ by an overwhelming majority so they won’t be getting one after all. *(Editor: democracy in action at last. In my experience it does not take much to persuade residents to vote against these schemes – you just have to explain the facts and get the vote out).*

+ A recent briefing paper for the GLA Transport Committee noted that London is now the most congested city in the UK in terms of traffic. It is also the most congested city in Europe, and congestion has increased in the last 30 years.

+ A new “Road Response Police Team” is to be based at Blackwall Tunnel to help prevent unplanned closures caused by cars running out of fuel or drivers ignoring the height restrictions. *(Editor: this seems to be a problem of increasing*

frequency, and you only need to get a short interruption in the morning rush hour for large queues to form that last a very long time).

+ Leon Daniels is to be the new Managing Director of Surface Transport for TfL. He succeeds David Brown who also had a long career in the bus industry. *(Editor: this part of TfL is responsible for the road network, so is it surprising that we get lots of policies that favour public transport rather than private motorists? It looks like this won’t change soon. One of Mr Brown’s last acts was to reply to a letter from me on the subject of 20mph average speed cameras. He claimed there had been public consultation when there has been none and his response was a mixture of bluster, ignorance and downright lies. A typical response from a civil servant who had closed his mind to the quite reasonable objections I put forward. At least it transpired that Waltham Forest councillors have backed off from the idea of installing them and nothing much seems to be happening in other boroughs either due to lack of funding).*

+ Only 100,000 people have apparently signed up to pay the London congestion tax via “CC Autopay”. *(Editor: perhaps people don’t like automated billing generally, or don’t like the fact that you have to waive your normal Data Protection rights to sign up for it. Or perhaps they are simply worried by the ever increasing invasion of privacy that these systems imply).*

+ Regarding High Speed Rail (see article on page 3) there were some interesting comments on this subject in a recent article in Newsweek under the headline “High Speed to Insolvency – Why Liberals Love Trains” – see www.newsweek.com/2011/02/27/high-speed-to-insolvency.html

It does of course cover the situation in the USA where there are similar plans to the UK to spend a large amount of money on schemes with little economic justification. To quote: “To progressives, the best thing about railroads is that people riding them are not in automobiles, which are subversive of the deference on which progressivism depends. Automobiles go hither and yon, wherever and whenever the driver desires, without timetables. Automobiles encourage people to think they—unsupervised, untutored, and unscripted—are masters of their fates. The automobile encourages people in delusions of adequacy, which make them resistant to government by experts who know what choices people should make.”

About The Association of British Drivers (ABD)

The ABD is the leading independent organisation which represents the interests of private motorists in the United Kingdom. We campaign to protect the rights of individual road users and believe that road transport is a beneficial and essential element in the UK transport infrastructure. We oppose excessive taxation of motorists and are against tolls and road usage charging. We also campaign for more enlightened road safety policies. The Association is a "not for profit" voluntary organisation which is financially supported primarily by its individual members. More information on the ABD is available from our web site at www.abd.org.uk

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Note that the ABD maintains a list of members who are familiar with individual London boroughs and may be able to help with information on local issues in those boroughs. The current list is below. If any other members would like to keep an eye on local news and advise on local transport issues then please let me know. Roger Lawson

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