

NORTH LINCOLNSHIRE COUNCIL

**HIGHWAYS AND PLANNING
CABINET MEMBER**

**NORTH LINCOLNSHIRE ROAD SAFETY PARTNERSHIP
MOBILE TELEPHONE ENFORCEMENT**

1. OBJECT AND KEY POINTS IN THIS REPORT

- 1.1 Following a motion approved at Full Council, to advise the Cabinet Member of activity undertaken by the Road Safety Partnership, aimed at reducing the use of mobile telephones whilst driving.
- 1.2 To seek approval for this report to be presented to Full Council.

2. BACKGROUND INFORMATION

- 2.1 At its meeting on 16 January 2008, North Lincolnshire Council unanimously approved a motion requesting, amongst other things, a clampdown on drivers who use their mobile telephones whilst driving in North Lincolnshire.
- 2.2 The use of hand-held mobile telephones was made illegal in December 2003 and the penalty at that time was a £30 fine. In February 2007 those penalties were increased to a £60 fine and three penalty points on the driver's licence. In very serious cases, penalties can be substantially more than this, including custodial sentences.
- 2.3 National research has shown that the level of impairment experienced by a driver when using a mobile telephone is equivalent to being twice over the legal drink-drive limit.

3. OPTIONS FOR CONSIDERATION

- 3.1 There are two options available to the Road Safety Partnership:
 - To continue with the current level of resource commitment addressing the illegal use of mobile telephones when driving, or
 - To increase resources, in response to the Full Council motion

4. ANALYSIS OF OPTIONS

- 4.1 In order to help assess the options, below is a resume of current Partnership activity, targeting the illegal use of mobile telephones whilst driving and also a comparison with enforcement activity against other traffic offences.
- 4.2 Illegal use of a mobile telephone whilst driving is a 'core' traffic offence, affording the same level of enforcement priority as drink-driving, seat-belt offences and speeding.
- 4.3 As a 'core' traffic offence, it is enforced whenever possible. 449 fixed penalty notices (FPNs) were issued by the police in North Lincolnshire for mobile telephone offences during 2007. This included 87 FPNs in October, when there was a dedicated campaign.
- 4.4 In addition to the above, publicity about mobile telephone offences is featured from time to time in the Scunthorpe Telegraph, who themselves are formal members of the Road Safety Partnership, and has also been featured recently in the Road Safety Partnership's Newsletter, in the council's Direct magazine, on bus-back adverts, in a Viking FM radio campaign and in various other media.
- 4.5 This local activity is supplemented by national campaigns from time to time, including television advertising and Highways Agency advertisements on motorway variable message signs.
- 4.6 The number of FPNs issued for the following traffic offences in North Lincolnshire during 2007 was:
- | | |
|---|-----|
| • Drink driving (convictions, not FPNs)
(from 1011 tests administered) | 127 |
| • Traffic sign violations | 181 |
| • Vehicle defect rectification notices | 392 |
| • Mobile telephones | 449 |
| • Speeding (excluding safety cameras) | 678 |
| • Seat belts | 754 |
- 4.7 To the end of March this year there have been 99 FPNs issued for illegal use of mobile telephones. It should be noted, however, that enforcement of mobile telephone offences is problematical for officers driving highly visible, marked patrol cars.
- 4.8 Options available to address this include the use of unmarked police vehicles and, under the recently introduced Safer Roads Humber Partnership (formerly Humber Side Safety Cameras), the use of safety camera technology to help identify mobile telephone offences.

- 4.9 Unmarked police vehicles are already used in North Lincolnshire and the use of safety camera resources for assisting with enforcement is currently being considered.
- 4.10 Another significant area, which will receive increasing attention over the coming months, is occupational road risk (i.e. work-related road safety).
- 4.11 It is known that drivers going about their employment business commit many mobile telephone offences. Members will be aware that recently revised corporate manslaughter legislation has reinforced the responsibility of employers to ensure their business practices do not endanger the public by causing employees to commit offences or work in an unsafe manner. Over the coming months, therefore, it is anticipated that many businesses will be reviewing their working practices and that this should have some positive impact on illegal mobile telephone use.
- 4.12 The Road Safety Partnership / Safer Roads Humber have identified occupational road risk as one of their three highest priorities (the other two being young drivers and motorcyclists). The Partnership will be offering advice to businesses about the road safety aspects of the new legislation, including the use of mobile telephones.
- 4.13 As in 2007, there will be a dedicated road safety campaign targeted at the illegal use of mobile telephones when driving. This will be over two months (May and June), which is an increase from the one-month campaign last year.
- 4.14 In summary, Partnership members share Full Council's frustration with the continued high level of driver mobile telephone offending. It is important, however, that an appropriate balance is struck between tackling this problem and dealing with other traffic offences and road safety issues.
- 4.15 It is felt that the level of resources targeted at this problem is appropriate, bearing in mind the proposed enhancement of enforcement activity through the use of safety camera resources, the proposed additional occupational road risk work referred to above and the doubling in length of the mobile telephone campaign period this year.
- 4.16 In order to reassure members of the continued commitment to tackling this problem, it is proposed that the Road Safety Partnership provides a report relating to mobile telephone enforcement, and other related activity, at each of its quarterly meetings for the next twelve months.

5. RESOURCE IMPLICATIONS (FINANCIAL, STAFFING, PROPERTY, IT)

5.1 Finance

5.1.1 There are no immediate financial implications to this report. Funding is in place through Safer Roads Humber for safety camera resources targeted at mobile telephone offence detection and also to fund some limited additional Divisional Traffic police enforcement, should that be deemed necessary.

5.1.2 The cost of road safety publicity, printed advice material and the like, is included for in the 2008/09 road safety budget.

5.2 Staffing

5.2.1 There are no immediate staffing implications associated with this report. The proposed increase in activity, relating to tackling illegal use of mobile telephones whilst driving, has been accounted for in the Partnership members' workforce planning for this year.

6. OTHER IMPLICATIONS (STATUTORY, ENVIRONMENTAL, DIVERSITY, SECTION 17 - CRIME AND DISORDER, RISK AND OTHER)

6.1 Use of hand-held mobile telephones whilst driving is a criminal offence, punishable by a £60 fine and three penalty points on the driver's licence. More serious road traffic offences, where illegal use of a mobile telephone is found to be a significant contributory causation factor, can result in much more severe penalties. An extreme example is causing death by dangerous driving, which carries a maximum penalty of 14 years imprisonment.

6.2 Using a mobile telephone whilst driving has been shown to impair a driver's ability to the same extent as if they were twice over the legal alcohol limit for driving. The potential risk to the driver, their passengers and other road users is therefore clear.

6.3 Any distraction, which affects a driver's concentration also affects their ability to drive smoothly and this has an adverse environmental impact, using more fuel, negotiating junctions less efficiently and potentially causing unnecessary congestion as a result.

6.4 From a diversity perspective, many other road users express annoyance and frustration when they see drivers using mobile telephones. They see it as an intrusion on their rights to safety on the road and, as such, there is strong support at many public meetings and in letters to the media, for any measures to tackle the problem.

7. OUTCOMES OF CONSULTATION

- 7.1 For Humberside Police, Chief Superintendent Donald has approved the content of this report and fully supports the recommendations.
- 7.2 This is a road safety issue that is raised frequently at public meetings by community representatives frustrated at the continued flouting of the law and the risks this poses to other road users. Feedback from these meetings indicates widespread support for action to be taken against the illegal use of mobile telephones when driving.

8. RECOMMENDATIONS

- 8.1 That the Road Safety Partnership utilises safety camera resources, as other priorities allow, to increase the effectiveness of targeting mobile telephone offending.
- 8.2 That the Partnership ensures an appropriately high priority is given to raising awareness of this issue amongst local businesses, when addressing occupational road risk.
- 8.3 That the Road Safety Partnership provides a report relating to mobile telephone enforcement, and other related activity, at each of its quarterly meetings for the next twelve months.
- 8.4 That this report is presented to the next available Full Council meeting.

SERVICE DIRECTOR HIGHWAYS AND PLANNING

Church Square House
P O Box 42
Scunthorpe
DN156XQ
Author: Pete Scott
Date: 02 April 2008

Background Papers used in the preparation of this report: Enforcement records, held by Humberside Police.