



Transport Select Committee

Oral evidence: Road traffic law enforcement, HC 518

2 November 2015

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Members present: Mrs Louise Ellman (Chair), Robert Flello, Mary Glendon, Karl McCartney, Mark Menzies, Huw Merriman, Will Quince, Iain Stewart, Graham Stringer, Martin Vickers

Questions 1-99

Examination of Witnesses

Witnesses: **Superintendent Paul Keasey**, West Midlands Police, and **Inspector Steven Cox**, Wiltshire Police, gave evidence.

Q1 Chair: Welcome to the Transport Select Committee. Mr Flello wants to declare an interest.

Robert Flello: I make my usual declaration of interest. The RHA funds a member of staff in my office.

Chair: Welcome to the Committee. Could you give us your name and position, please?

Superintendent Keasey: I am Superintendent Paul Keasey. I am here in a number of positions. I am the chair of the National Road Policing Intelligence Forum. I am representing the National Police Chiefs Council. In my day job, I am head of the Central Motorway Policing Group, as well as head of West Midlands Police road policing.

Inspector Cox: I am Inspector Steve Cox from Wiltshire Police. I am currently seconded to the Tri Force Specialist Operations Unit, which is a merger between Avon and Somerset, Wiltshire and Gloucestershire roads policing, firearms and dogs. I am the roads policing professional lead. I am also the south-west chair for the National Roads Policing Intelligence Forum.

Q2 Chair: Thank you very much. There has been a 63% fall in reported traffic offences over the past decade. Does that mean that fewer offences are being committed or that fewer are being caught?

Superintendent Keasey: There has been a reduction over the last five years, you are absolutely right; but in that time we have also changed our style of road policing to a much

more educational basis. Although we might not issue tickets all the time, we will divert people for educational courses such as the NDORS course, which assists drivers to amend their behaviour and so on. It is also fair to say that there has been a significant reduction in road policing numbers over the last three to five years, so it would be foolish to say there is no correlation between the two. However, there is a difference in style. The style in which we now police has changed significantly over the last five years.

Q3 Chair: Inspector Cox, what is your view?

Inspector Cox: I would say the same. Obviously I am representing more rural forces, and we have probably suffered a bigger impact from the reduction in numbers. Certainly when you look at the more strategic road network, especially the motorways, fewer police officers are visible on those roads than 10 years ago. There is no doubt that with fewer officers on the roads there will be less enforcement on those particular roads. However, as Superintendent Keasey said, I agree that we are now referring a lot of people to driver improvement schemes. That is a much better way of stopping the behaviour in the future, as opposed to just fining somebody and potentially criminalising them. Education has to be a good way forward, and more and more officers are using that as a disposal method now.

Q4 Robert Ffello: I should mention that I have been out on patrol with CMPG a couple of times, and very insightful both occasions were. Superintendent Keasey and Inspector Cox, you mentioned diversionary schemes, but there is no pattern across the country. In some areas there will be a diversionary scheme at a certain level, but in others there will not. Quite often the motorist has no idea what is ultimately going to happen. In terms of any deterrent effect, I would be interested in your view as to whether or not it is a deterrent. Perhaps more importantly, have you done work within the forces about whether education works; or do offenders just get lucky the next time so they don't get caught and carry on offending? I would be interested to know about both those points.

Superintendent Keasey: On the first point about whether it works, my personal and professional view is yes, it does. It obviously affects the people who were there, but it also affects their family, because they share that experience. There have been studies done and there is probably a need for more independent rigour in relation to some of those courses. The figures I have seen, from some of the snapshots we have done regarding whether they repeat offend, have been extremely low, so from that point of view it works. The other side of it is that when you look at the number of people who have speeding offences, to take an example, they receive three points, then they get six and then nine, so there is repeat offending that is easily calculable. With driver diversion courses, they often do not reoffend for a sustained period of time. That is only based on a small snapshot with regard to figures, so maybe independent rigour would be useful.

Q5 Robert Ffello: In terms of the cost of the courses, there were reports quite recently that the AA, or a subset of the AA, was making a very large amount of money from those courses. Is there any correlation at all between what the police forces get and how many people they divert to the courses?

Superintendent Keasey: No. There is no, shall we say, incentive—

Robert Flello: That was the word I was looking for.

Superintendent Keasey: There is no incentive for the police force. It is down to local policy. There will be certain criteria and parameters set so that there is independence and fairness of approach. The difficulty is that it is often left to 43 different forces. I am lucky. I am head of the Central Motorway Police Group. I cover three force areas so we have consistency of approach in the midlands area on the motorway. Whether you are stopped in Staffordshire, West Mercia or West Midlands you will have the same opportunity, depending on the level—

Q6 Robert Flello: But that is only on the motorways. If you are stopped on the rural streets of Staffordshire or West Mercia, you may well find that you are in completely different regimes as to whether you get sent for a diversionary course or get points on your licence and fined.

Superintendent Keasey: Potentially, yes.

Q7 Robert Flello: Do you think that is right? Do you think it is reasonable or acceptable?

Superintendent Keasey: We still have operational independence. The chief constables set the parameters in relation to that. The reality is that consistency is now being driven much more by a lead from the NPCC. When we talk of things like NDORS, you will see much more similarity now across the country. That is one of the aims we are seeking to achieve.

Chair: At the moment I want to keep to the issue of different reactions to similar offences in different parts of the country. Do any other members want to ask questions on that?

Q8 Will Quince: Superintendent, we have all been on the motorway and seen someone bomb past us at 100-plus mph. We hear lots of stories where people say, “Yes, I was doing over 100 but the police dealt with it by way of a fixed penalty notice,” as opposed to being over 30 mph, which could trigger an automatic ban. That is one thing I hear across the country about different police forces taking different approaches. Can we have your thoughts on that?

Superintendent Keasey: My understanding is that there is more consistency with regard to high-level speed and that you will not be offered the diversionary tactic, especially if it is over 100. Even if it is lower you will be taken to court in relation to the offence of excess speed, where it is over 30 mph and over the legal limit. There may be an element of discretion between 80 and 90 mph, but generally over 90 you would see much more court action taken. We hear that people allegedly get away with 100 mph, but I often find they are urban myths. The reality in the Central Motorway Police Group is that anyone caught doing that speed would automatically be processed to court.

Q9 Chair: Inspector Cox, do you want to comment on that?

Inspector Cox: Yes. In the south-west, Wiltshire does not do diversionary courses at the moment, but it is being looked at. They currently do not operate there, but the rest of the south-west does them. Unlike CMPG, the roads policing officers there cover rural roads as

well as the motorway. It is the same standard wherever you go. If you cannot be offered a diversionary course on the motorway, you can on a quiet country lane—down at Stonehenge, for example.

To come back to the point you raised, in relation to the deterrent factor, I think personally the deterrent is just being captured committing that offence, be that by mobile enforcement or police officer enforcement. The actual disposal method does not necessarily stop reoffending. It is the fear of being caught committing an offence that gains habitual compliance and the discretion used by police officers at the time as to how we dispose of that. The two methods are enforcement and education. I truly believe that by educating somebody you are more likely to stop them reoffending, as opposed to giving somebody a fine when they may choose to do that offence again the following day.

Q10 Will Quince: I am interested in the point about the urban myth because I have heard it from a lot of people. What evidence does an officer collect? If a person has committed the offence of driving over 100, and the police officer says, “For argument’s sake I’ll say that was 96 and we’ll put you down as an FPN,” what evidence is actually collected to show that it was 96 and not 105 or 110?

Superintendent Keasey: Calibrated electronic machines capture your speed. We often get, “No, I wasn’t doing over 100; I was doing 88 mph.” Most police cars—all of mine—have video in front so that we can play it back and actually show the speed they were doing at the same time. It is a powerful message when you physically see what driving standards you were displaying at the time.

Q11 Iain Stewart: I have a question on the use of technology. There are more and more average speed cameras, particularly where there are roadworks. Are motorists caught offending through those subject to the discretion of the local force, or are they under a more national standard?

Superintendent Keasey: The vast majority of those are Highways England cameras; for example, on the strategic road network they would be put in under a traffic order, normally to do with roadworks, to slow the speed down. They would normally drop it by 20 mph—from 70 to 50—and then they put the cameras in. It is more to do with workforce safety—to slow the speed down while people are working on the network.

Q12 Iain Stewart: But in some counties they have stretches of road that are permanently on average speed. Is that at the discretion of the local force? What is the trigger point?

Superintendent Keasey: It is normally road safety partnerships that generate those cameras, and there would normally be an evidence base behind it. Local concerns would be one, but it would have to be verified that speed was an issue and that it wasn’t just somebody who wished to have cameras. There has to be an evidence base behind it. When you look at traditional road traffic collisions or blackspots in relation to that, it might assist as to where those cameras are, if speed was a factor.

Q13 Iain Stewart: Is the offence triggered at a fixed point above 55 mph or whatever? Does it kick in then, and is that excess speed a universal standard?

Superintendent Keasey: It is still at the discretion of road safety partnerships. What you tend to find is that they will utilise everyone else's experience in relation to it. There is consistency, but I would be unable to say whether it is strict.

Inspector Cox: Speaking for the rural forces, the Highways England cameras on the M5 and M4 end up going in line with the local camera unit that operates those cameras. Although they are Highways England cameras, in the south-west they are monitored by the local camera road safety unit. For example, in Gloucestershire the tolerance is slightly different than in Avon and Somerset because the county of Gloucestershire has a slightly different threshold for speed. The guidelines have always been 10% plus two. That is where you would start looking at actually giving people tickets or diversionary courses. Clearly discretion comes into it, and it would obviously be higher on a lot of occasions. Cameras can be set above 10% plus two if they wish to, and if you look across the country one of the reasons for setting it higher is just the sheer workload that 10% plus two creates. On a 50 mph limit you are talking about everything above 57 having to be processed. Not all back office systems can cope with that volume, which is why you often find that some are set at 10% plus four, for example, or 10% plus five. It varies around the country.

Q14 Karl McCartney: Inspector Cox, you were talking about the number of drivers having gone down from 7,000 and a bit to just below 4,500 in 10 years. What is the make-up of those drivers and police officers? Are they primarily there as a deterrent and in marked police cars, or are they in unmarked police cars and catching people who are doing wrong?

Inspector Cox: We use a number of methods for our patrol work. There is great strength in high visibility patrols. Clearly if you see marked patrol vehicles—roads policing vehicles tend to be far bigger in size and therefore stand out a lot more on the road network—it breeds habitual compliance; it creates a fear of being caught. Likewise, if you see an unmarked police vehicle that has pulled somebody over, you don't know if that car is back behind you when you are travelling on the road. Both have their strengths, depending on the area; for example, within the tri force area I am responsible for, I always want marked vehicles on the motorway, so that if we have to deal with any collisions we can afford the greatest protection to the scene. I would always put marked vehicles out first, but there will always be unmarked cars as well, which, as I say, have their strengths. It is not about catching people but changing driver behaviour, and it achieves that by being visible.

Q15 Karl McCartney: I think it probably is about catching people. Would you say that over the last 10 years, when the numbers have not quite halved, you didn't catch as many people as perhaps you did previously, because you are looking more at using a deterrent carrot than a catching stick?

Inspector Cox: Absolutely. The diversionary courses have increased over the years. If you go back 10 years there were fewer courses around. Lots of forces did not adopt them. Most forces in the country—in fact, every force apart from Wiltshire—now operates a driver diversionary course. Within the tri force I am responsible for we have two forces that operate a course and one that does not. A huge volume of our work goes towards the educational packages. The simple reason for that is that most people pass their driving licence and do not do any other training in their entire driving career. If we have dealings with somebody committing any offence on the road, be that speeding or mobile phone use,

and you give them a ticket, they still have that same level of driver training and they may continue, but if we put them on the diversionary course they learn why they should not have done that. Although it is quite obvious to everyone in this room, for a lot of people it is quite startling to realise what could have happened by doing what they did. That has certainly seen a drop in the numbers, but I go back to my original point that there are fewer roads police numbers out on the roads than there used to be, so on the strategic road network the chance of being caught is probably less than it used to be.

Q16 Karl McCartney: Are you catching 50% fewer people than you used to catch 10 years ago for things like being on their mobile phone or changing lanes on motorways without using their indicators?

Inspector Cox: We are doing a lot more diversionary courses, and the figures are obviously lower because of that. I do not think we are dedicating less work to catching people. All the officers on patrol are out there trying to make the roads safer, but there will be some drop because of our numbers and there will be some drop because of the diversionary courses. With things like mobile phones, it is becoming more socially unacceptable; fewer and fewer people are doing it. It is like drink driving. When I joined the police 20 years ago, we caught lots of drink drivers, but they are harder to catch now because it is socially unacceptable to be doing it. We get a lot more phone calls saying, “This person is doing it.” That is probably why we have seen a bit of a drop as well.

Q17 Huw Merriman: I want to touch on the diversionary course and then I have a question on the rural aspect. Am I right in saying that many drivers would take that course because it means that they would not necessarily receive an increase in their insurance premiums?

Inspector Cox: They will not get points on their licence, so there is certainly that effect. Not many people’s insurance goes up with three points, if I am honest, speaking from the experience I have. The fear of getting three points on a licence is why a lot of people take the diversionary course. As I said, if that is the reason people take it, it is a very good result because it educates people as to why they should not have done what they did.

Q18 Huw Merriman: If you have taken the course, hopefully, you have learned the error of your ways and therefore you will be a better driver. Would you agree that it seems a bit harsh that certain insurance companies—I seem to recall there is just one—put the premium up notwithstanding the driver having undertaken that course?

Inspector Cox: Absolutely, but clearly there is a choice as to who you are insured by. When you renew your insurance, if it has gone up, you have the opportunity to go to other providers. That is not really for me to answer.

Q19 Huw Merriman: I dare say that people will only know it is an issue once they find out from having gone through it, rather than reading the small print. I serve a rural constituency in East Sussex, and I am very aware of the issues around rural roads, but I would be very keen for you to articulate some of the pressures that you face with respect to traffic enforcement in a large area of rural roads.

Inspector Cox: As I said, our numbers have been reduced; in the south-west we have seen a 45% reduction in our numbers over the last five years, which is quite a sizeable difference in what we have on the roads. As a result of that, we work a lot smarter now. We now send people where they need to go rather than where we think they should have gone. Historically, you paraded your officers and they went out on patrol covering a whole range of roads, although actually there was not necessarily a threat on those roads. It was just that we had enough people to do that. Now we have fewer so we are much smarter about where we deploy them. If we know there is a risk in a particular part of the county, be it a fast road or a slower speed road, that is where we make sure those officers get deployed. There is much more use of intelligence than there used to be in roads policing. Although there is a challenge, I think we deal quite well with it. In addition, we are only one part of the speed strategy. If you look at most rural areas—clearly, it does not apply to the motorway—you have community speed watch. That is local volunteers in the community doing the lower speed roads, nothing above 40 mph. You have local policing out there, be that neighbourhood policing teams or local district response officers. They all have their part to play in speed reduction and road policing offences, leaving the higher risk areas for dedicated roads policing officers. When you start looking at hazardous materials, heavy goods vehicles and so on, that is more the domain of the roads policing officers. Speeding issues or road safety issues in built-up areas can be targeted just as well by local police officers. I think we manage with that option open to us.

Q20 Huw Merriman: Given that road users are twice as likely to be killed on a country lane as on any other form of road, and given what you mentioned about resources, do you think we should look again at the speed limit on all country lanes?

Inspector Cox: When you look at the areas that we cover, yes, you are right. Most serious collisions tend to be on open roads. I would not say they are country lanes; they are still predominantly main A roads where you have the national speed limit. I am happy that in those areas the speed limit is appropriate. It is one poor choice that causes a collision. That could be driver error, maintenance of the vehicle or the road itself. I do not think that speed on its own is the collision factor. It is something that somebody does with the speed of the vehicle, but clearly as the speed increases the severity increases. It is not surprising when you look at rural parts of the country that the majority of collisions at night tend to be more serious. The traffic is lighter, so people can get more speed up and they perhaps take greater risks. Again, if we get the most serious collisions we have the units to deal with that. We would never go below the level to be able to safely deal with those sorts of collisions. Certainly for the south-west we do not have any major problem roads. There is no causation between them to say, “This collision has been caused by that road.” As I said, it is a poor choice by somebody that causes a collision.

Q21 Huw Merriman: You would not advocate lowering the speed limit on all country lanes as an absolute. You would rather use discretion.

Inspector Cox: Absolutely. As long as the speed is right. If we think a speed limit is wrong, we will raise that with the local authority, and we have done that in the past. We work in partnership to try and address that. In most cases, and certainly for all the fatalities that we have dealt with in the tri force, the road has not been the reason for the collision. It has been driver error.

Q22 Mary Glindon: I would like to move from speeding to the danger of pavement parking. Do you think that pavement parking should solely be the responsibility of local authorities? It seems to be such a massive issue now, with dangers to pedestrians, especially if they are disabled or if they have prams and have to go into the road. Sometimes disabled people are not able to go out at all. In a recent survey, Guide Dogs found that 54% of drivers admitted to pavement parking. Where do you think it should sit, as it is such a big issue within communities?

Superintendent Keasey: From an urban point of view in the West Midlands, it is very much a community issue, as you say. I would say that it sits within the community safety partnership. Local communities have the best opportunity to tackle it through their enforcement officers doing regular patrols. There is a greater bit about education, and about people understanding the dangers it causes and the issues for people who may be visually impaired or in a wheelchair and are trying to access roads. We often find that informing the driver and making them aware of the negative side of their actions is enough. There is also an issue regarding a lot of urban streets, which are still quite narrow, and cars that are getting bigger and bigger. There is an issue if you are blocking a road. That is almost an environmental issue. It fits into the road safety partnership element. It would be very hard for the police to take on additional responsibility at the moment when you look at the volume of work that we do. We have already talked quite a bit about road safety, but that is only one aspect of what we do. When you look at how we disrupt criminality and tackle the criminal element, and you add that workload on, it would be hard to see how we could divert officers to doing that, even though it is a very worthy activity to undertake.

Q23 Mark Menzies: I want to touch on Mrs Glindon's point. When it comes to the enforcement of blue badges, I have seen examples of blue badge holders parking in an inconsiderate and dangerous way: for example, on double yellow lines, and on corners and bends in a way that puts pedestrians and other road users at risk. What does your force do in order to try to educate blue badge holders about their responsibilities and how do you go about enforcing that?

Superintendent Keasey: We do limited enforcement in relation to it. However, I would say it stems more from the application process. That is the point where we need to be educating. I hold a blue badge. My son is visually impaired—he is blind—so I understand fully everything you say with regard to being half on the pavement. However, it is not for the police to enforce that. It is the responsibility of the driver to act in a caring, sharing and thoughtful manner. We can prosecute on one occasion, but actually they need to be educated right at the beginning, when they receive the blue badge, about their responsibilities to society. It is there as a privilege and a way to assist that disabled person to make their life easier; but there is also a responsibility to other road users and pedestrians in relation to it.

Inspector Cox: I completely concur with all of that. We have done education before now, using local media, around blue badge holders in particular. In my experience, when officers have challenged people with blue badges it is not a deliberate thing. They thought they could park, but they did not necessarily realise the danger they were causing. In my experience, it is not about giving them tickets to punish them; it is to point out why they

should not park there, and you do not tend to get reoffending. It is very much dealt with by local policing teams and also local authorities.

Q24 Martin Vickers: I want to go back to what priority is given to traffic enforcement within individual forces. There has been a lot of publicity in recent weeks about the pressure on police budgets and so on, with chief constables saying, “We will not attend every burglary,” or whatever. That seems somewhat self-defeating, in that it is an invitation to the criminal rather than anything else. Do you find in respect of traffic enforcement that that message is going out and having a negative effect in terms of driver behaviour—that they are prepared to take more chances, shall we say?

Superintendent Keasey: From a West Midlands point of view we are really fortunate. We have a police and crime commissioner who is very proactive regarding road policing in general, whether it is tackling criminality and utilising our skills as an enabler to tackle those criminal acts, or from the road safety point of view in relation to dedicated patrols on a focused element, normally tackling the four main factors—the fatal four—in the causation of accidents.

One element is that people will always see a reduction in numbers as an opportunity where they are unlikely to be caught. That is human nature. As Inspector Cox mentioned, I think we are now much smarter in our approach. We use technology better. We have predictability about where offences can occur. When I allocate resources, the probability of being able to make a difference is now a lot higher. Another element is the volume of resources available, and whether sometimes they are double-hatting or triple-hatting in relation to their responsibilities. That is one of the things we are looking at nationally. We may have X number of police officers for road policing, but if they are also a firearms officer, when that firearms job comes in can they still do road policing activity? I would suggest no. This is one of the things that reduces our numbers.

Q25 Chair: Are you suggesting that the reduction in road traffic officers does not make any difference? A lot of concerns have been expressed about that.

Superintendent Keasey: No. Apologies if that is the impression I gave. What has happened in the last five years is that we have obviously had a reduction in budget. We have had to look at our systems processes and how we operate. We have looked to make efficiency and productivity gains, but there will be occasions now—we are probably at that tipping point—where the volume of resources will become an issue. You can have all the smart systems and all the points regarding where you should be, but if you do not have the officers to do the work the reality is that it won’t be done. Visibility of patrols has already been mentioned, and the difference. We have a mixed fleet. We have both marked and unmarked cars. They are used for specific roles within our whole 24 hours of patrol. That is something we do differently now from before, when we may have had a plenitude of officers. We now have to work smarter.

Q26 Chair: Things have changed, but wouldn’t it be better if there were more road traffic officers?

Superintendent Keasey: I would love more road traffic officers.

Q27 Chair: You would like that, so you are reflecting the situation and not your view.

Superintendent Keasey: The situation now is that we have X number of officers. I would always ask for more. We have learned though through this exercise of reduction; we are smarter in our approach. Technology now plays an enhanced role in road policing. We are much more evidence-based. If we had more officers, I think we could do more in a much more productive, efficient and effective manner.

Q28 Martin Vickers: I have an additional question. The message I often get from parish councils, neighbourhood watch groups and so on in my area, where the responsibility for traffic enforcement has been passed to the local authority, is that the police will ignore blatantly dangerous situations on the basis of, "It's not our responsibility anymore." In the great scheme of things it can be something fairly trivial like an HGV delivering and parked in an obviously very dangerous position. The police ignore that because, as I say, it is pushed to the local authority. Surely there is a duty on the police in those circumstances to take action.

Superintendent Keasey: There is a balance. I do not think we should ever ignore it; if a heavy goods vehicle is parked in a dangerous position, I would never like to think that an officer ignored that and did not deal with the driver. It could be by asking, "Please move on." It could be a ticket or diversionary. In relation to how we work, I am very much in the partnership role. If we have a local neighbourhood watch or a local council, we should be working together to tackle those issues. The essence is that we cannot be everywhere, but we can be a lot smarter in our approach to what we do.

Inspector Cox: Again I concur with that. No officer goes out and ignores offences. I have certainly taken complaints from members of the public myself, where they have seen one of my cars going past a parked vehicle perhaps, but they are actually going to deliver a death message or something and they just did not realise. Sometimes the perception is that we have ignored something, but actually we may be going somewhere to deal with something else. I do not think officers do that.

From a rural point of view, our numbers are reduced more than perhaps in urban areas. I do not think it is common knowledge to the public, so I am not sure if it actually makes a difference, that if we have a fatal collision in Wiltshire or Gloucestershire all the available roads policing units will be tasked to that incident to deal with it. Therefore I have immediately lost my roads policing assets from that part of the motorway until I can dispatch them from other parts of the tri force. That would be a Bristol unit going into Wiltshire to plug the gap for a short while. It does not cause an issue because we still have local policing out there, but if you go back five years I had the numbers to deal with a fatality in Wiltshire and still have a reactive presence within Wiltshire. We now have to go slightly further afield to get that during the more serious incidents.

Chair: Mr Quince and then Mr Ffello. I would like to move on to some other topics if we can.

Q29 Will Quince: This is further to what Mrs Glindon and Mr Vickers said. I am interested in your thoughts on this. I am conscious of your capacity at the moment, but I am also conscious of the potential capacity of the fire service. What collaboration could there be between yourselves and the fire service on something that is low level but has a high impact

on the public, such as pavement parking and obstructions? That makes the public irate, but if there is capacity there could you work together and resolve that between you?

Superintendent Keasey: There is tremendous capacity to work in partnership. The road safety message can be delivered well by our colleagues from the fire service. There is more of a challenge in approaching drivers on the street. They may turn aggressive, so you open up a whole new raft of dilemmas for fire service personnel who may not be trained to deal with them. The principle is really sound. You could work with a multi-partnership approach and with the community to tackle issues that consistently happen, such as parking around schools especially. When there is breach, it does not always have to be a police officer who delivers the message. There is an issue, I would suggest, regarding confrontation if you are likely to be approaching a person who may not agree exactly with your point of view.

Chair: Mr Ffello, is this on the same thing? I would like to get on to some of the other topics.

Q30 Robert Ffello: This is on the same thing. I want to push on, if I may. By reducing the numbers of police officers and with policing by consent, if you like, there is obviously a need to rely more and more on the good will of the motorist. Do you think that good will is challenged though? For example, I go up and down the M6 quite regularly and you see a stretch where an advisory sign says “Slow down to 50” because there is an incident up ahead and then five miles further on there is another sign that says “End”, but there was no incident in between; or you can be going down the variable speed limit sections and it will slow you down to 50 but there is clearly no reason for 50 because cars are hurtling past you. Indeed, there are stretches where there are motorway speed cameras and it is common knowledge that the motorway roadworks speed cameras are not working, or are certainly not enforced, and again you see vehicles hurtling past you. Finally, I travelled down the M1 the other day and there was mile upon mile of coned motorway but not a person in sight working on that road, but all the traffic was crawling along, desperate to get further faster. Do you not think all those incidents sap the good will of the motorist and sometimes cause them to think, “You know what, there’s nobody about. It’s good conditions, the roads are dry, so I’m going to accelerate a bit, put my foot down and go faster than the signed speed limit”? Do you not think there is a problem there with all those issues?

Superintendent Keasey: They are valid issues. You have clearly been speaking to my wife because she raises them with me all the time. We just travelled down to the south-west and we had the same issue when we hit Cornwall.

Robert Ffello: It is Inspector Cox’s fault then.

Superintendent Keasey: Yes, it is. I blame Steven for that. My experience on the 50 variable is that the technology behind it is incredible. I know that Highways England sets it, so it would probably be fairer to ask them. The reality is that I am staggered at how quickly a tailback forms when an incident has happened. You might not see it five miles down, because it has been cleared and you wonder why, but normally there was an incident there. If you have an incident, within five minutes you are talking about a 3 km tailback. Then you have the other side of the road looking—colloquially called rubber-necking—and they create a tailback. That is the driver experience.

Regarding the coning out, it would be great if we had collapsible cones so that you could open up the carriageway at night, but these are major roadworks and the cones are there for the protection of the workforce when they are operating. It is about getting drivers used to the length of the motorway. At the moment we have a major stretch on the M5 and M6—I am sure you have been through it—around junction 10, and we have had it for a period of time, and we consistently have issues raised regarding it. We struggle, even as road policing operatives, to see why the slowing down of speed creates that issue, because if everyone travelled at 50 mph there should be a constant speed and everyone would move through. It is that variable bit—drivers saying, “Maybe I’ll go 60 or 70.”

Chair: Could you try to condense your answer please? We have a lot of other questions.

Superintendent Keasey: Yes, of course. The reality is that Highways England have the technological evidence to show why it should be 50. Regarding the coning, it is there for the protection of the workforce.

Q31 Robert Ffello: In a word, do you accept that this saps the morale of the motorist, who feels that it is just making life difficult for the motorist rather than trying to enforce safety?

Superintendent Keasey: There may be an educational bit; Highways England may need to get their message across better.

Q32 Karl McCartney: This carries on from some of my colleagues’ questions. I tried to elicit some stats or figures from you, and I am going to try again. It is not really about deterrence, but it is part of the role that you do. I understand that there is a process, but in the last 10 or 15 years I think the process has changed. How long now does a major incident last, where your officers will either close a road or cause a diversion, compared with 10 or 15 years ago.

Inspector Cox: I do not think it has changed, if I am honest, because we still deploy the collision investigator. We are talking about collisions that close roads for a long time, unless you have a chemical spill. The road is never closed because of just the police investigation. The delay is normally due to the recovery of vehicles and the repairs to the road or the barriers, whatever it might be. I was a traffic PC back in the 1990s when it was traffic for roads policing. I think we kept the roads closed longer than we do now.

Q33 Chair: How long?

Inspector Cox: It depends on the severity of the incident. I have been at fatalities on the A303, for example, and I remember one where four people were killed. We kept that road closed for a long time to do the work. We waited for daylight to come to do most of our scene work. There is now much more emphasis on getting the road reopened.

Q34 Karl McCartney: Is there an average now, or was there an average then?

Inspector Cox: No.

Q35 Karl McCartney: There is no data kept on how long roads or motorways are closed for.

Inspector Cox: No.

Q36 Chair: There is no data on it.

Inspector Cox: No. They all vary. We get the roads open as quickly as we can, but again, especially with heavy goods vehicles, it is the recovery of vehicles that often delays it. It is not us getting to the scene or doing our work. The forensic collision investigation is quite a long piece of work, but we have laser devices and better GPS devices for doing it. Most scenes with one or two vehicles can be surveyed in two hours. If you want an average—this is a figure out of the air—for most fatalities we are looking at the road being closed for four hours in the tri force area.

Q37 Chair: Superintendent Keasey, would you agree with that?

Superintendent Keasey: I agree fully. It is variable. I recently dealt with a tragic incident—the bus crash at Coventry. We had that back open within eight hours. That was a major incident. We used laser scanning to assist, but the most important bit is to get the evidence. We know the CLEAR principles. We are much more aware of the social and economic impact of closing the strategic road network. We are always seeking to keep it open, but it must be safe and we must have been able to do our job.

Q38 Karl McCartney: Are there more incidents of you closing a road because of a major incident now than 10 years ago? Is it more of a catch-all?

Superintendent Keasey: No; I think it is the opposite. We are much more aware and technology has assisted us. On the strategic road network, the motorway and so on, we actively look to minimise the impact upon drivers now.

Q39 Chair: I want to ask you about cyclists on the road. Cyclists feel that their safety is not considered sufficiently. What do you do if you think that a motorist is acting in a way that endangers a cyclist? What actions are taken?

Superintendent Keasey: They are subject to the law.

Q40 Chair: They are subject to the law, but is the law used?

Superintendent Keasey: Yes, where we have the evidence and where it is corroborated. The difficulty is often that it is one person's word against another's, just like it would be for one person driving a car against someone driving another car. There is no different standard in the way we approach it and whether we prosecute or not.

Q41 Chair: Cyclists feel that there is not enough concern about their safety. Are you disputing that?

Superintendent Keasey: No; there is concern. If you look at cyclists and pedestrians, they are probably more likely at the moment due to their numbers to be subject to serious injury. They are quite rightly allowed to use the road, and they should be, but it is the education of drivers. If you look abroad to Holland they are very used to it. They are often

cyclists and motorists so they are much more aware of the gap you need to give space between a cyclist and a car on a left-hand turn.

Q42 Chair: Inspector Cox, are you concerned about that?

Inspector Cox: From a rural point of view we do not have huge cycle issues. There is a corroboration issue when we get complaints from cyclists, even with cameras potentially. If there is not a corroboration factor it becomes one word against another, so the chance of prosecution is very slim. Certainly if it is detected or witnessed by a police officer, action is always taken, but it is a challenge. Although I represent a rural area, we have Bristol and Swindon in there, some fairly big urban areas, and we do not have an issue with our cyclists getting killed. Perhaps our drivers are more aware because they drive in a rural area a lot of the time, where they have to be a little bit more aware. In places like London, clearly there is a lot more pedestrian and cycle traffic meeting vehicular traffic. We do not get that quite so much in rural areas.

Q43 Chair: What instructions have you been given about the new EU cross-border directive? Is that something you are aware of?

Superintendent Keasey: Yes, we are very much aware of that. The big issue for us in relation to it is that at the moment in the UK we look at the keeper details of the vehicle. For cross-border we need to have the driver details. The problem at the moment is that we cannot compel a registered keeper from outside the UK to give us the driver details; we can in the UK. Most of our offences would be against the driver rather than the owner of the vehicle.

Q44 Graham Stringer: Would you know if the foreign vehicle or the driver was insured? If you stop a driver who has come over from Croatia, can you tell whether he and the vehicle are insured?

Superintendent Keasey: Yes. We have recently done Operation Jessica, which tackles those issues. There is certain legislation that they have to abide by. For example, the minute they become a resident they have to abide by UK law.

Q45 Graham Stringer: But for a driver coming over from Croatia, can you explain to the Committee how you check whether that driver and vehicle are insured?

Superintendent Keasey: We obviously ask them to produce their documents in relation to it. It is very difficult at the side of the road to check at the moment.

Q46 Graham Stringer: What you mean is that you can't.

Superintendent Keasey: No, generally. There are operations we do where we can, because we have bilateral agreements for those. That is useful.

Q47 Graham Stringer: Let me stick with this. If a Croatian driver comes over and has no papers and, for the sake of argument, is not insured and they go back to Croatia the next day, they have driven on our roads, even though they have been stopped by police officers, with no consequences whatsoever.

Superintendent Keasey: There is a process in relation to it, but that would take time. As you say, they are already driving on our roads.

Q48 Graham Stringer: On the question of insurance, since we have not had to display a road tax disc, is the number of uninsured drivers less or has it got bigger?

Superintendent Keasey: I am aware that the figures for uninsured have risen this year for the first time in the last 10 years. Whether that is down to the vehicle excise duty not being displayed, I am not sure. It was a great opportunity for police officers because if you did not have the correct excise duty—the tax disc—invariably you would not be insured.

Q49 Graham Stringer: As an experienced officer, what would be your judgment? Are there now more uninsured drivers because they don't have to show the tax disc?

Superintendent Keasey: From an experience point of view, I would say it may be a factor, but if the reality was that you were never going to get insurance in the first place and not get a tax disc, it was easier for us to identify people when we could see there was no tax.

Q50 Graham Stringer: When the tax disc was abolished and not made compulsory, the argument was that automatic number plate recognition would more than compensate for the sharp-eyed copper on the beat. Are you saying to the Committee that you don't believe that is the case?

Inspector Cox: From my point of view, for officers doing foot patrol the tax disc was a brilliant indicator. As you walked past the vehicle, you could see if there was a tax disc in the window and so on. With a vehicular patrol, yes, you could possibly see the colour of the disc as you drove past but you certainly could not at night time. I was very worried when the law came in because I thought it would encourage more people to drive without insurance. The truth is that we have so many ANPR cameras now that we did not have—nearly all our patrol cars in roads policing throughout the UK operate ANPR cameras—that we have the ability to monitor in the vehicle the back office of ANPR. I could park a police vehicle in Salisbury and see all the cameras throughout the whole of Wiltshire and where they are going off tax markers. What we now see are PCs directly calling other PCs on the radio to say, "You have a vehicle near you with no insurance." Certainly in tri force we are seizing as many vehicles now as we did before that came in. I was concerned initially, but I am not concerned now because we have so many ANPR cameras out there.

Chair: Thank you. We have lots of questions but we are going to have to close this part because we have more questions to ask someone else. Thank you both very much.

Examination of Witness

Witness: **Peter Hearn**, Driver and Vehicle Standards Agency, gave evidence.

Q51 Chair: Good afternoon and welcome to the Transport Select Committee. Please give us your name and position.

Peter Hearn: My name is Peter Hearn. I am from DVSA. I am the group service manager for vehicle and testing services, including enforcement.

Q52 Chair: How does the DVSA currently decide when to make spot roadside checks?

Peter Hearn: We have a number of means of targeting people; everything we do is driven by targets. We have an operator compliance risk score in the system that we use to target people. We have intelligence that comes into the agency that is formalised. As my colleagues from the police have just said, we use ANPR cameras. We have different methods for different targets and different deployment of those targets.

Q53 Chair: How do you know that that is working effectively? What kinds of checks do you have?

Peter Hearn: As you would expect, we monitor extensively the outcomes of what we are doing in terms of prohibitions and the sanctions that we take. That is then fed into our performance regime to make sure that our staff are deploying them and making sure that we are consistent and fair. We obviously monitor our stats in the background. We also get feeds from the Highways Agency and other Government bodies around accident blackspots, so that we deploy our resources in a way that is proportionate to the risk in front of us.

Q54 Chair: According to the DVSA fleet compliance checks, 5% of vehicles stopped are issued with an immediate prohibition. What are you doing to reduce the number of prohibitions?

Peter Hearn: We have done the fleet compliance service since 1997, so this is an extensive piece of work that happens on a regular basis. We have seen a downward trend in the baseline rate, so we have seen things improving. I have been around this job a long time. I started in the organisation as a vehicle examiner, and 25 years ago you would expect to inspect a vehicle and probably find bits of it missing because the engineering could not keep up with the use it was being put to. I can reassure everybody that over that period of time the engineering has got measurably better. Vehicle components are now manufactured to last a lifetime, so it is an improving system. That is backed up by our baseline survey. We still target, and we still find situations where vehicles are abused and suffer failures, but it is an improving trend line.

Q55 Chair: Do we have any targets for achieving defect and traffic offence rates?

Peter Hearn: We are looking to all our staff to be as effective as possible.

Q56 Chair: But do you have any specific target?

Peter Hearn: The Department for Transport, our parent department, sets us a target to achieve a figure above a baseline figure, so we are looking to improve over that baseline. We are monitored as to what we achieve in terms of volume to make sure that we are checking enough vehicles on the network, and that equally what we are checking is effective.

Q57 Chair: Are you meeting those targets?

Peter Hearn: We are meeting them and in most cases exceeding them, yes.

Q58 Chair: We have heard a lot of concerns expressed about the remote enforcement office and the methods you use, where if a vehicle operator is regarded as trustworthy they are not given the same kind of scrutiny as others. What do you say about that? We have had a lot of concerns expressed to us about that.

Peter Hearn: The remote enforcement office is one of three initiatives. We are in an environment where we will not get any more resources and we are as pressurised as everybody else in terms of spending reviews and being more effective. We looked at how we could segment our customer base when it came to enforcement and how we could deal with people in a different way. We came up with three initiatives. The one that has grabbed the headlines is earned recognition, which is about using the technology that is out there in the industry. A lot of operators have some very detailed technology that monitors vehicles in real time. As part of that initiative—it is very early; we only started the trial in the last week or so—we are looking for operators to share that information with us on a 24/7 basis, so we can look at that information and see whether compliance is being maintained, and in a lot of cases, what that operator, that company or business are doing about some of the issues that happen on a day-to-day basis when you run a fleet of vehicles. We can corroborate that with our network as well. We see a vehicle every year for an annual test. We also have ANPR that clocks those vehicles through the network, so we know where they operate and when they are operating. We have a number of cross-references that allow us to do that.

Q59 Chair: Are you saying that you are absolutely sure that the companies that you trust are trustworthy?

Peter Hearn: We are working through a process at the moment to validate that. We are working with the industry—

Q60 Chair: What do you mean by “working through a process”?

Peter Hearn: We are in a trial phase, so we are—

Q61 Chair: What are you doing?

Peter Hearn: At the moment we are inducting a number of volunteers into the process. We are looking at their systems for compliance. We are trying to work it through with them to work out how we can use the very accurate and detailed information that they can provide to reassure ourselves that those vehicles are maintained without the need for them to be stopped.

Q62 Chair: What is the timescale for all this?

Peter Hearn: We have not set a timescale in terms of the trial. It will take as long as it takes. We have left it open-ended. As I say, we have had a number of industry events to shape this, and we continue to shape it with the industry. I would expect at least another six months- worth of trials as a minimum to understand whether this is a—

Q63 Chair: Do you recognise this as an area of concern?

Peter Hearn: We do.

Q64 Chair: We have received strong representations on it.

Peter Hearn: We have addressed quite a number of those concerns in recent times with some of the trade associations. We have the full support of all the main trade associations and a lot of the operators in that category. What we have said all along is that this regime and this way of working does not stop that requirement. If we felt there was a need to stop a vehicle and to carry out a roadside check, we would do it. This is not about ignoring some immediately dangerous vehicle. It is about how we segment that part of what we do. I did not explain that the REO is a way of being able to deal with things in a back-office function, using ANPR but also using systems where we can be a lot more efficient in how we might transact with some operators. It will free up our resources so that we can put them into the serially and seriously non-compliant end of what we do. It takes a lot of time, effort and energy to try to put those people straight. All three of these things are trying to generate extra resource for the guys at the end, but it is not about compromising people in earned recognition—far from it.

Q65 Robert Flello: A point raised with me a while ago was the concern that, with next generation testing and the move away from testing stations, staff were being pulled off doing spot checks—to be able to shore up the next generation testing side of things, and actually getting in there to do tests. Is that still an issue and a concern?

Peter Hearn: We have had to support that transition. We knew that it was a really important move for us into ATFs, and it meant transitioning our staff into that environment, which has taken quite a lot of training. We had to support that, but it has taken away four man years of effort in terms of support for training—nothing more. At the same time we have maintained the resource level to roadside in terms of the volumes we have done and also the effectiveness.

Q66 Robert Flello: Are you saying that the concerns that were raised with me were completely unfounded and that people were not being taken off doing spot checks to go into testing stations?

Peter Hearn: No; people were out supporting colleagues on the testing side, but that was not at the expense of roadside encounters. We have reworked what we have done and we have managed to support both sides of it. That is not to say that we have not had to support testing.

Q67 Robert Flello: I am curious as to how you have managed that. If you are still managing to do the same work with fewer people on the testing side—

Peter Hearn: We have done additional hours. We have pulled other bits of the business that we use, because this is obviously a business that does all sorts of initiatives. We have used resources in other areas of the business and we have been able to supplement that regime. It has not always been about taking people out of enforcement per se. We have been able to work round the business to try to reduce that number and that burden.

Q68 Robert Flello: But something somewhere along the line has had to lose staffing.

Peter Hearn: That is where the four man years of effort to support that has come in.

Q69 Robert Flello: You don't think there has been any loss of quality.

Peter Hearn: We don't think so. Our quality regimes have been maintained. We have seen an improvement in the test results at ATFs. The ATF environment has done what we hoped it would do by taking testing closer to the point of repair.

Q70 Robert Flello: But you would expect that, because if you now have people who are experts in test centres on the roadside you would expect the test centres to be improving. I am concerned about the roadside—

Peter Hearn: In terms of outcomes at roadside, no; we are still seeing that the outcomes are the same. We have seen a significant reduction in the gap between GB and non-GB. That gap is continuing to close. In a lot of cases that has been because of the work we have done with member states and with other similar agencies to ours, and also with operators. We have had some real successes by bringing in non-GB operators and talking to them about the issues and the risks they pose to us.

Q71 Robert Flello: In relation to non-GB operators, a concern has been raised with me very recently that drivers from eastern European countries get a provisional licence in the UK and then go over to their home country and swap it for a home country full licence. They then come back to the UK, now holding a full licence, and swap that for a UK full HGV licence. Is this something that has been raised with you and that you are looking into?

Peter Hearn: I am not the policy expert in that area, so I probably would not be able to answer that question. I could come back with an answer, but probably other colleagues within the DVLA could answer that better than me.

Q72 Robert Flello: But that is not the sort of thing that you are hearing.

Peter Hearn: I am not hearing lots of that, no.

Q73 Chair: But don't the figures show that there is a much greater problem with defects and travel offences in non-GB vehicles?

Peter Hearn: It is slightly higher, but, as I say, it is closing. We have seen a reduction. We have done an extensive amount of work with other member states, some fairly close work, where we spent a lot of time with other enforcement regimes, building their strategies to reflect some of the things that we have seen. Equally, we have spent a lot of time with operators. We have got to the point where, when we are targeting a non-GB operator that is causing us a significant problem, we invite them over to have a conversation about the issues they are causing. At the same time we bring along their own enforcement body from their own country to be part of that conversation. Once that conversation is had we make no apologies for disruptively targeting that operator. We had one recently in Operation Aries, which is well documented. We stopped a 160-vehicle fleet. We stopped 32 vehicles in a two-hour period and put extensive numbers of prohibitions on them. In the end the operator called up at 2 o'clock in the morning and said, "We need to work out how to comply because I can't operate like this anymore."

Q74 Chair: This sounds a good story, but you used the word “invite”. You said, “We invite the operators over.” Does that mean they can decline the invitation?

Peter Hearn: They could.

Q75 Chair: Do they?

Peter Hearn: No. They always turn up because the consequences are made very clear. As a consequence of the situation, we will target them disruptively and we make no apologies for the fact that we may stop their vehicles several times in a short period of time. We will continue to do that until they get things right. We have had a number of cases where we have had to do that, and we have done it with great success, particularly where—

Q76 Chair: Could you give us some examples where you have had success?

Peter Hearn: I could probably write to you separately on that. I would not necessarily want to share that openly at the moment, but I could write to you with some details.

Q77 Chair: Are you telling us that there are no problems about the enforcement of standards with non-GB operators?

Peter Hearn: Not at all. There always are, but we are dealing with—

Q78 Chair: When you say “not at all”, what do you mean? Tell us what the problems are.

Peter Hearn: The problems are mixed. We see a closing of the gap on mechanical and vehicle issues, and we see a closing of the gap on drivers’ hours. The drivers’ hours issue would be our primary focus—people working excessive hours or working beyond the tachograph rules. We deal with that by the use of fixed penalties or immobilisation of that vehicle and stopping them using it until the period of rest has been taken. Those issues are out there, but it is an improving situation. We are educating as well as enforcing. The key thing is to educate, not just the operator but also some of our colleagues in other member states, because that is as important as the operator.

Q79 Chair: Are you satisfied that the steps you are taking are effective—for example, in relation to tachograph offences?

Peter Hearn: We believe so. We are getting better. It is always a moving feat. Every time you do this kind of work you learn something new. We learned in recent times about a fix. Again I am happy to write to the Committee because I would not want to share it publicly. There was a particular way of manipulating the tachograph which was unknown to us. It was a fairly innocent thing. You could stare at it for 10 minutes and not realise what you were looking at until suddenly the penny dropped and you realised how they were doing it. There is a lot of use of magnets. This was a case in point; it had a magnet, but not a magnet that was immediately obvious. It was by bringing in the operator and having a conversation with the operator that we suddenly realised what the situation was and how some of those tachograph infringements were being carried out.

Q80 Chair: Are you saying that this is totally under control and there is not a problem?

Peter Hearn: I would never be as bold as to say that it is completely under control, but we have a good understanding of where our risks are and we have a good understanding of what our priorities are with the operators. We have a lot of targeted information and a lot of information around who is causing the problems. That is intelligence that comes into the organisation Europe-wide. Yes, we know who we are looking for.

Q81 Graham Stringer: What are the consequences for the driver or operator who fiddles a tachograph?

Peter Hearn: To start with, removing the risk. If the driver needed to take some rest, we would immobilise the vehicle and in effect make him take that rest. On top of that we would issue him with a deposit notice, which is in lieu of a court fine in a non-GB case. We would fine him as well. We want to remove the immediate risk, so the immobilisation would be until such time as the period of rest that he should have taken has actually been taken.

Q82 Graham Stringer: But the driver would carry on driving an HGV—I don't mean immediately.

Peter Hearn: Once he had satisfied his rest requirements he would legally be able to do that, yes, but we would detain him until that point. You have probably seen that we have a massive bicycle cable that we put round a truck and it physically cannot go anywhere.

Q83 Mary Glendon: The DVSA is reducing the number of test stations that it holds. What risks have been identified in reducing the number of test stations and how are you mitigating against them? And why are they being reduced in the first place?

Peter Hearn: We had an ageing estate that needed modernisation. In a lot of cases it was in the wrong location because it had been built in the 1960s. Industry had moved on and people had moved, but we had a static site. That obviously drew people into our testing stations. The ATF strategy, and the way we have developed the authorised test facility, was to start testing at third-party sites. You, as an operator, probably had the facilities to test anyway, so why couldn't we authorise you on that facility and actually come to you?

The difference between our sites, which were somewhere in the region of 90, and where we are now, which is nearly 550 ATFs, means that geographically we have massive coverage, which brings us to you at a time that works and is convenient for you because we can work in different work patterns. That is better for you because you are maintaining and repairing the vehicle in the same facility. Geographically we have a better open access network of sites, and people have more choice and do not have to travel as far. We consistently say that we won't close any of our existing testing stations until there is adequate provision locally. We would not stop a testing station in our location until we had adequate other facilities that would take away the need for our site to be there.

Q84 Mary Glendon: It is one of the things that concerns the trade union side. Do you think that what you are doing will address their concerns?

Peter Hearn: It should, because we are not closing sites just for the sake of closing them. We are only closing them when we have adequate other provision in that area or region so that customers who come to us have adequate places to go to have their vehicles tested. The availability of the test locations has massively increased, which gives customers choice. It gives them choice around the times they can have those vehicles tested. That has to be good. The safeguard around that is that our staff are obviously deployed in a time period that they choose, in terms of flexible working and the time patterns they want to work.

Q85 Chair: How are you assessing whether the alternative provisions are working? You say you are not going to close the test facility stations until you are sure the alternatives are working. What kind of assessment are you making about whether the alternatives are right?

Peter Hearn: We run a captive market, so we know that there are 750,000 tests a year. Inevitably there are only a certain amount of tests in the pool of vehicles to be tested. We have to be satisfied, first, that we can be efficient by going into other locations and that we can test the vehicles and get a full day's work, and it is not inefficient for us. It is about understanding what your customer requirements are. That is dictated in some cases—

Q86 Chair: How do you assess that?

Peter Hearn: By engaging with the customers. We have a constant ongoing dialogue with our customers. We engage with our customers on a continuous basis. We are constantly talking to our customers. We are constantly meeting our customers, understanding the feedback and obviously adjusting the service that we give them.

Q87 Chair: Are you quite certain that what you have done up to now is meeting the needs of your customers?

Peter Hearn: The feedback we have had has been extremely positive. The industry and the trade associations tell us that this is a massive leap forward and that this is what they wanted to see.

Q88 Robert Ffello: Mr Hearn, I am absolutely amazed to hear what you have just said. I have had extensive discussions with the ATF Operators Association, which has been far from happy for several years now about the way this has worked. I have had conversations with staff from DVSA who go into those independent ATFs and quite often they are far from happy. Indeed, I have had numerous representations over a year or two from large and small fleets alike that have said that trying to get slots has proved really difficult. You have suggested to the Committee that this is wonderful, yet everything I have heard over the last few years has been the exact opposite.

Peter Hearn: Of course there have been criticisms as we have developed this. We have adjusted and amended; we have listened to that feedback. In the case of some slots we have reduced the time availability and slot sizes so that customers can now book a smaller slot. We have also extended some of the time periods they can work so that we are not rigid. We don't say it has to be a four-hour slot and that we can't work either side. What we have done is listened and developed the service as it has gone on. There is still work to

do, as there always will be, but we are continually listening and trying to adapt the service to meet those needs.

Q89 Robert Flello: But certainly until a couple of months back I had not spoken to anybody who was impressed with the way things had gone.

Peter Hearn: We have a regular engagement event with the ATF operators. The last one was two months ago. I went to a number of those and the feedback that I was getting from those—and that my colleagues are feeding back to me—was positive. People are always happy to come and tell us how we can improve it, and we are always happy to listen. That is what we do: we adjust, we tweak and we change. We try to make it as flexible a service as we can, and that continues. It has been real positive feedback in terms of what we have done. The journey is not complete. There are lots of little areas where we could improve, and we recognise that.

Robert Flello: It just sounds completely different from the journey I have heard about in the last couple of years, which was far from smooth.

Q90 Martin Vickers: I want to return to the issue of non-GB vehicles, Mr Hearn. You spoke about co-operation with authorities in other countries and so on. Are you satisfied that those authorities are as determined to maintain as high a standard as the UK is?

Peter Hearn: I am satisfied, but there is a long journey to go on in some cases. Some other member states started the journey a lot later than we did, so it is going to take them some time to catch up. The encouraging thing is that they want to catch up. They are listening and learning from people like us in terms of what we have developed, and they are adapting that to suit their own circumstances. It has been positive. I have to praise, in particular, southern Ireland. We had significant problems with them, but the authorities over there have looked, listened and spent time with us, as have other member states. They have now started to develop systems that are on a par with what we would expect to see. There is a journey to be completed, but it is a journey that they are on and they are clear and positive about where they are going.

Q91 Martin Vickers: It is encouraging that they are on that journey, but therefore by definition it means they are behind us at the moment in the standards that they have achieved.

Peter Hearn: Yes.

Q92 Martin Vickers: You mentioned education. I would acknowledge that that has to play a part in increasing standards and so on, but certainly the haulage operators in my constituency—there are many—would appreciate a more robust approach in terms of enforcement. Education has its place, but would you not agree that you need to be more robust if we are to crack down on rogue operators?

Peter Hearn: Absolutely. The disruptive targeting method that we talked about, where we outline what the issues are, and give advice in terms of what needs to be done to put them right, will not stop us targeting and resolving that problem. There is no room to operate at that level anymore and we cannot tolerate it; we have to deal with it. We are increasingly doing that. We are bringing the home authorities in as well so that they can listen to what we are saying and doing. That has been a real positive.

Q93 Chair: How much would it cost you fully to set up the earned recognition scheme?

Peter Hearn: Earned recognition is part of the three initiatives. It is about reutilising what we already have. In terms of cost there is no cost to anybody.

Q94 Chair: There is no more cost. There is no more to do.

Peter Hearn: We do not anticipate it, because we are using the information of other third parties. We want to tap into an operator's system; we want access to their system. This is not about us hosting data. Then we want to reprioritise what our staff do. The remote enforcement office would be about reprioritisation of what our staff do. From trialling that, we already know that we can get four times as much out of somebody who works in a remote enforcement office concept as opposed to having to do a follow-up with all the travelling, the journey and the arranging. It is a more efficient way of doing this, and it is all about putting extra resource into the enforcement end of it.

Q95 Chair: You talk about it being more efficient, but could it be that it is going to look for some cost savings that in practice make things more risky on the road?

Peter Hearn: Not at all. We are confident with the systems we have in place and the cross-referencing we can do with the information we already gather. If we write to an operator asking for some information about where he was at a particular time or for some drivers' hours records, we then have the ability to cross-reference that with what we know about that vehicle on the road network. It will have gone through a camera somewhere and that will have been evidenced. If his tachograph chart says he was in Birmingham but our evidence says he was in London, we have some corroboration that we can use. We must build into that the safeguards to make sure that we can verify and quantify what somebody is telling us.

Q96 Chair: Are you completely confident that you can do that?

Peter Hearn: We are, yes. We think that is within the realms. We are trialling it. We want to make sure that there is nothing in it that is a surprise before we launch it as a full initiative. We are confident that we have enough information, and there is enough technology out there to be able to do it in a way that is worthwhile.

Q97 Chair: Do you have enough staff to deal with implementing the HGV road user levy without taking people away from other important issues?

Peter Hearn: We do. We are directly funded from the Department to do that, so we have additional resource and a funding regime. They also pay for some of the maintenance to the camera network as a consequence of that. We have dedicated resource, which is embedded around the country. We have an additional eight staff embedded into our resource budget, which allows us to enforce the road user levy directly.

Q98 Chair: What is your staffing situation at the moment? Have you been losing staff? Do you have many vacancies?

Peter Hearn: We have about 600 staff all told.

Q99 Chair: Is that full-time equivalent?

Peter Hearn: Yes. That is a consistent figure that we have had for quite a number of years. Our turnover of staff is generally very low. We do not have many people leaving. Even in a difficult environment where wage rises are very low, we retain staff. Most people join this job and it is a vocation—a bit like the police. They stick with it for a long time, and that is the pattern we have seen and continue to see. You tend to get people like me, who have been in this environment for many years.

Chair: Thank you very much, Mr Hearn.