

**PE1503/N**

Petitioner Emails of 27 February 2014 and 15 April 2014

**Response to Institute of Advanced Motorists Letter of 27 February 2014**

Chris

Many thanks for forwarding the response from IAM in relation to PE1503

The response is well reasoned and highlights some of the concerns as raised by the petition that the overall impact of any A9 Average Speed Camera proposal has not been fully investigated prior to any proposal being put forward and this shows the proposal lacks an overarching strategy in bringing improvements to the Highlands.

I also welcome their addition in the A9 Safety Group, though will stress that any changes to the participants of the A9 Safety Group have not been disclosed or publicised by Transport Scotland on the <http://a9road.info/publications> website as of 10:05am on 27th February 2014, so any changes are new announcements that have not been made publically.

I note their initial concern on the scheme as announced and the subsequent design changes. However, I do have some concerns that the IAM have a variable position on overtaking policy which seems at odds with their practice in Advanced Driver Training. Also, I am concerned that the respondent has mis-understood the point raised in the petition on the numbers of drivers overtaking who live outside the region. The point made at the petition committee was that a large number of speeding offences as recorded by Transport Scotland were from cars registered in the English Midlands. This in turn had been deemed to be hire cars registered in the area and as such, any speed awareness campaign would have to be also aimed at people using these hire cars as their contribution to the overall speed data analysis had to be deemed significant, yet any proposed speed awareness campaign would miss this vitally important group in terms of the numbers they are perceived to have contributed to the overall data analysis.

I welcome the response and support some of the comments and input from the respondent in regards to the petition, though I do fundamentally disagree with the position in relation to the current 7 Zone proposal for the A9 as not accurately addressing the know root cause of the majority of accidents which from FOI shows Overtaking outnumbered excessive speed by nearly 20 times since 2004. I would expect IAM to also have insisted that proposals on no overtaking zones, reduced speeds at non graded junctions as per the Laureneckirk junction on the A90 in order to help deal directly the fundamental problems on the A9 which can be addressed in a scientific manner as opposed to reliance on an unquantifiable measurement of a

desire to overtake, especially on the A9 where Average Speed is already deemed to be well under national speed limits, therefore it can be clearly deduced that poor overtaking happens at lower speeds and will continue to do so in a slower moving traffic environment,

Sincerely, Mike Burns

## **Response to Transport Scotland Letter of 27 February 2014**

Chris

Many thanks for forwarding the response from Transport Scotland in relation to PE1503

The response is concerning and demonstrates one of the fundamental flaws in the A9 Average Speed Camera proposal, as published. It is also note worthy that since the petition, there have been fundamental changes to the design and proposals which have not been publicised on the [www.a9road.info](http://www.a9road.info) website, nor has the supporting evidence for the revised proposals nor any revised modelling for the revised models, all of which would have to have been completed before a design could be signed off.

I also have to fundamentally disagree with the statement made that Stewart Leggett had invited me to meet with him several times. The Petition committee has been sent copies of all email correspondence which were recovered with FOI and set out the timeline of correspondence as below in order to ensure that the Petition Committee has accuracy over what meeting discussions were made -

- Transport Scotland Press office made contact with myself through Andrew Thompson at BBC Inverness in order to establish contact and to quote their press officer, enter into damage limitation mode, over the A9 Camera Backlash

- Stewart Leggett phoned to discuss the reasoning behind the proposal and did not phone to discuss alternatives.

- At this point a meeting was offered by him to myself and Connor Mckeena, but he refused to head north of Perth for any meeting.

This meeting was subject to certain agreements between both sides in order to help calm tensions, one of which was that Transport Scotland publish the evidence used that Excessive Speed was the main factor behind the majority of accidents on the A9.

- Stewart Leggett refused to do this on several occasions and as such negotiations on direct discussion broke down and correspondence was then directed to David Middleton

- David Middleton refused on 2 occasions to meet myself and Conor Mckeena in order to get talks back on track. David Middleton instead put forward Stewart Leggett and another official but as Transport Scotland would not provide evidence of Speed being the main cause of the majority of accidents, this was not accepted from David Middleton and we continue to insist that as David Middleton also claimed in his correspondence to represent the Transport Minister, any talks between the campaigns should be between Mr Middleton and ourselves, as this is the same position which was applied to other A9 Camera protest groups but was denied to the largest of the campaigns and their representatives.

- The A9 Safety group and Transport Minister refused to accept invitations to a cross party conference on discussing alternatives to the A9 Camera proposal.

- FOI submitted to the Petition Committee clearly shows that Stewart Leggett maintains he offered an invitation to myself and Connor Mckeena to explain to the A9 Safety group why their communication strategy needed improved. No record of this invitation has ever been provided and no formal request was ever received in writing for an attendance to address this committee on communication. Nor does an invitation to address a committee on communication strategy address any of the issues which were raised by the campaigns. This invitation appears to be very restricted and does not show a willingness to discuss and argue against the proposals.

The respondent claims that the A9 Safety Group represents motorists. This is a very misleading position. At the time of the A9 Camera announcement, the A9 Safety Group did not appear to have the same groups being represented on it as it claims to have now, but this is unverifiable as details have not been published. The respondent also incorrectly asserts that I have claimed motorists are not fully represented. The A9 Safety Group composition at the time was weighted in favour of Transport Scotland and Police Scotland, who held 50% of the group membership. The Group did not meet at any venue North of Perth. The Group did not have representations from any Motoring Bodies that clearly represent car drivers, who make up over 95% of road users. Whilst the addition of members such as IAM are welcome, the A9 Safety Group up until July 2013 was not acting in a public facing manner, was not visible on the Internet, did not have publically available forums, meetings, user groups nor any forum to engage with this 95%. A group of specialists is an entirely different set up from that which can safely claim to represent this 95% of A9 users. As such, the respondent has been disingenuous in failing to distinguish engagement with actual road users and specialists, the majority of which are not even based within the postcode areas of the route. I note recently announced A9

Public Information events have been planned, but concerns have been vocally raised by the public that they have not been advertised or communicated to the general public and have also failed to represent users from areas such as Glasgow or Edinburgh.

The group which was invited to speak to MSP's in October did not represent the newer members of the group such as SCDI and federation of Small Businesses, both of who have publically stated they do not agree with the scheme. Therefore, groups who are against the scheme have not been represented to MSP's in official presentations, as both these groups have stated they were invited to join but only in time for the November meeting of the A9 Safety Group, minutes of which have not yet been published.

The respondent claims that an Evidence based review was used to reach the decision to install A9 Average Speed Cameras on the entire route. The petition committee do have the evidence submitted in regards to this but to clarify the timeline of events which are published by Transport Scotland and evidenced by both FOI and A9 Safety Group Minutes published on [www.a9road.info](http://www.a9road.info) -

- As far back as 2011, Transport Scotland were engaged with 4 different companies who manufacture Average Speed Camera systems in relation to a proposed A9 system. The involvement also included an industry presentation by the 4 companies to Transport Scotland and was in advance of the creation of the A9 Safety Group in it's current form.

- Transport Scotland presented a 'Business Case' to the A9 Safety group on an Average Speed Camera. This proves that the proposal was being presented to the A9 Safety group by Transport Scotland as opposed to the A9 Safety Group requesting such a system be investigated. A Business case also suggests a financial model was used as opposed to a safety model.

- Transport Scotland appear to be confused between Fixed Speed Data Analysis and Average Speed Data Analysis. Fixed speed data points do not reflect the actual average journey times and speeds of the route. Therefore they cannot be used to justify an average speed system as the data collection points are for fixed points and do not take into account nor can they ever record vehicle types, queue lengths which have led to earlier frustration, weather, traffic conditions to name but a few factors. The data collection points are dubious in their locations as they represent points where drivers have been held up or had to endure considerable frustration in the run up to them.

- The proposal introduced in July 2013 was for a system which spanned the 136 miles of route between Dunblane and Inverness. The model which had been used by

TRL and presented to the A9 Safety Group was only based on Dalwhinnie and Moy, not the entire route.

- The model used was based on 1 x 24 hour period, but Transport Scotland statistics conclusively demonstrate that traffic volumes on the A9 are variable especially due to Tourist Season factors, time of year and weather. The respondent states that modelling does take this into account, in which case it is a change from what was published in July 2013 and as such any claims on statistics need to be reviewed and published to take into account the revised modelling, and again this has not been publicised.

- Any modelling used by TRL and Transport Scotland to produce a reliable evidence based would have to be based on a physical proposal for an A9 Average Speed Camera System. FOI as submitted to the petition committee show that a physical design of an A9 Average Speed Camera proposal did not even exist after the announcement had been made. A model cannot be produced without a physical; design proposal and this raised without any doubt the scientific validity of the model produced.

- Any changes to the A9 Speed Camera model as recently suggested would need to go through an individual assessment for each zone, based on season, traffic volumes, weather and represent a full years modelling and not 1 x 24 hour model. None of this has been demonstrated nor made publically available by Transport Scotland

Therefore, published modelling which was used is flawed and did not reflect the proposal in July 2013 nor have any revised models ever been published on [www.a9road.info](http://www.a9road.info) to demonstrate the effects based on the recently revised proposal and statistics as such.

I welcome the addition of extra groups into the A9 Safety Group, though will stress that any changes to the participants of the A9 Safety Group have not been disclosed or publicised by Transport Scotland on the <http://a9road.info/publications> website as of 10:05am on 27th February 2014, so any changes are new announcements that have not been made publically. I have never been invited to join the group in any formal manner in regards to the campaign and will never claim to represent the 95% of drivers not currently represented but would happily consider any invitation to join the group to represent the 9000+ subscribers to the campaign. I also note the despite assurances from the response, the minutes and evidence notes in relation to the A9 Safety Group from the meetings we are aware did happen have not been published since Q3 of 2013. I find it rather concerning that the respondent is providing misleading information to the petition committee in relation to what information has been made publically available as minutes from all meetings are not currently publically available.

I would urge the Petition Committee to investigate this response further due to the high level of inaccuracies, misleading statements and lack of evidence to support claims made in terms of modelling and driver behaviour on the A9, whilst recent unpublicised changes to the A9 Safety Group which has led to public condemnations of the proposal show the decision is unreliable, unreflective and cannot be viewed as an accurate representation based on actual A9 experience.

Sincerely, Mike Burns

**Response to Scottish Council for Development and Industry Letter of 27 February 2014**

Chris

Many thanks for forwarding the response from SCDI in relation to PE1503

The response is well reasoned and highlights some of the concerns as raised by the petition that the overall impact of any A9 Average Speed Camera proposal has not been fully investigated prior to any proposal being put forward and this shows the proposal lacks an overarching strategy in bringing improvements to the Highlands.

I also welcome their addition in the A9 Safety Group, though will stress that any changes to the participants of the A9 Safety Group have not been disclosed or publicised by Transport Scotland on the <http://a9road.info/publications> website as of 10:05am on 27th February 2014, so any changes are new announcements that have not been made publically.

I welcome and fully support the comments and input from the respondent in regards to the petition. I note that as they are opposed to the proposal and are now members of the A9 Safety Group, they will have had full access to the figures available and as such have made a reasoned judgment in their position based on the evidence provided.

Sincerely, Mike Burns

**Response to Federation of Small Businesses Letter of 27 February 2014**

Chris

Many thanks for forwarding the response from Federation of Small Businesses in relation to PE1503

The response is well reasoned and highlights some of the concerns as raised by the petition that the overall impact of any A9 Average Speed Camera proposal has not been fully investigated prior to any proposal being put forward and this shows the proposal lacks an overarching strategy in bringing improvements to the Highlands.

I also welcome their addition in the A9 Safety Group, though will stress that any changes to the participants of the A9 Safety Group have not been disclosed or publicised by Transport Scotland on the <http://a9road.info/publications> website as of 10:05am on 27th February 2014, so any changes are new announcements that have not been made publically.

I welcome and fully support the comments and input from the respondent in regards to the petition.

Sincerely, Mike Burns

### **Response of 16 April 2014**

Hi Andrew

The further responses do not really add anything extra to the previous submissions I made to Chris, though I would note the following points that the committee should consider

- A new report was published on [www.a9road.info](http://www.a9road.info) which shows a 2nd report was commissioned into an A9 Average Speed Camera Proposal by TRL. This can be viewed at the address below:

[http://a9road.info/uploads/publications/140217\\_A9\\_Average\\_Speed\\_Camera\\_Modelling\\_Rev\\_4\\_Final.pdf](http://a9road.info/uploads/publications/140217_A9_Average_Speed_Camera_Modelling_Rev_4_Final.pdf)

- This 2nd report shows that the current Average Speeds as calculated on the A9 all fall below the current national speed limits.

- This then proves that the claims of speeding on the A9 which are based on fixed data collection points do not prove that the Average Speed on the A9 is excessive. You cannot mix fixed and average data to prove a need for the cameras.

- What this shows is that the policy is to slow the road down even further but essentially, the current driver behaviour is such that almost all drivers would not get caught by the Average Speed Cameras if they continued as they currently do, therefore poor driver behaviour can legitimately continue as opposed to direct measures to stop poor driver behaviour such as no overtaking zones, double chevron

systems etc. The role of the A9 Safety Group is to improve safety to reduce accidents and deaths.

- The only way Average Speed Cameras on the A9 can therefore work on this premise is that they are enforceable at the exact speed limit, however, speed cameras have a tolerance of about 10%. If the A9 system was built without this tolerance, then there is a discriminatory application of the law between A9 road users and road users elsewhere in Scotland

- This tolerance would allow current driving to continue and rely on a 'scare mongering' factor to stop poor driving which is a non quantifiable or scientifically measurable value.

This new 2nd report also now clearly states that the traffic volumes and vehicle categories between the A77 and A9 are different to the point they are not comparable so a massive caveat has been applied to the modelling which renders it almost unreliable and the A77 comparison flawed.

- The report also stated they cannot verify the claims behind death reduction which have been made by the Transport Minister and Stewart Legget, so these claims were made on the initial report which is now essentially defunct since the application of a 2nd report.

- The 2nd report also claims that the software used to the Speed Camera modelling has never been used in this application before, as this was the first time it was used and therefore it was working 'At the limit of it's capability'

- Stewart Legget from Transport Scotland has also claimed that the recent A9 roadshows were well received but has been unable to verify this with independent questionnaires or results and the statement contradicts the press reports and interviews with roadshow guests. He must be able to verify this claim.

- The IAM also now appear confused with their position and I would have to question their recent change of opinion which has only appeared since they joined the A9 Safety Group, despite all evidence being in the public domain before they joined.

- I note that both positions of the Cameras Safety partnerships whilst good intentions, their remits are exclusively to deal with Excessive speed and Red Light issues. Their published remit does not deal with poor driving outwith these areas so it must be questioned as to how unbiased they can be in this situation as the solution meets their published remit and not that of improving A9 Safety to reduce accidents, when official statistics show A9 Accidents are in the main caused by poor overtaking and not excessive speed.

- The A9 Safety Group was also denied the option to vote on removing the A9 Speed Camera proposal based on the 2nd report as Stewart Legget only presented the group with 3 revised options on the new 2nd Report, none of which excluded Average Speed Cameras

- I also note no response has been received regarding the involvement of Transport Scotland with Average Speed Camera Companies before the reformation of the current A9 Safety Group, which leads to questions as to if the A9 Safety group independently arrived at a decision to investigate Average Speed Cameras on the A9 as opposed to have it brought to the table by Transport Scotland based on their previous engagement on the issue.

- I trust the committee will note the above points based on the 2nd TRL report and also that Transport Scotland have proceeded with installation without allowing the Committee to perform it's work in full. There is no legal requirement for any system to be installed by October and it is a massive disrespect to the Parliamentary Process from Transport Scotland and the Scottish Government to not allow the committee to investigate in full prior to the start of installation work.

- I note that the newer members of the A9 Safety Group have voiced objections to the scheme but were denied a vote to cancel the scheme even after reviewing the evidence as Transport Scotland did not present this option at any A9 Safety Group Meeting

Sincerely, Mike Burns