

The Thinking Woman's Railway
Centre of the Campaign for Real Railways
Home of the Camping Vans, TOAD & TADPOLE

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Alison Hernandez,
Police and Crime Commissioner for Devon, Cornwall and Isles of Scilly,
Alderson Drive,
Exeter
EX2 7RP

RAILWAY RECONSTRUCTION

Dear Ms. Hernandez,

Drink-Driving: Still a Laughing Matter

It is said that road transport lags seventy years behind rail. This is sometimes taken as referring to the technological gap, which is understandable since railways had already been vigorously developing for this many years at the time the motor car made its rude appearance.

In fact, the railway system is nowhere near as advanced as it should be in this country. Passenger trains travel faster than cars and coaches, and freight trains have much heavier axle-loads than lorries, but progress has been heavily impeded. If it had not been, trains would be running at 140 m.p.h. on at least three major routes and there would, for instance, be a rail-based universal service for goods and parcels. Certainly from the early 1970s, trains and trams using electricity straight from the power station have been acknowledged as the culmination of the transport system, yet because of the failings of its own bastard creation, the track authority, government has recently decided to electrify the road system instead. Anyone looking at the result and not knowing how it had been achieved would naturally deduce that there had been a century of state sabotage.

But it is not technology that I wish you to consider, rather it is the way in which the theoretically competing systems operate. In an age of meddlesome government, the legislative gap should have been closed. But it has not been, and today a highly disciplined, heavily regulated railway looks over the fence at what seems at times an almost anarchic road system.

Railways were regulated from the very beginning; each started with a bill put before Parliament. Though there was a juvenile stage, during which safe practices were established by sometimes painful experience, by the turn of the nineteenth century, when the little upstart was born, the system was already hemmed in and crushed by laws and obligations, much of the burden resulting from the near monopoly the railways held.

Motorized road transport quickly got ahead of the lawmakers and for all practical purposes remains there today, protected it seems by an institutional resistance to reining in an essential freedom – even if that freedom is but a myth – and by a peculiar, nonsensical human fixation.

If the law had broken-in road transport as it did rail, then we

might today have ungainly cars with great lumps of soft rubber attached to them, marked with large identifying numbers; they might be speed-limited and tracked by roadside devices. Manufacturers might have been forced to make cars which were safe for everyone – perhaps with the driver sitting in a perspex bubble at the front.

Had there been proper scrutiny, and in particular an examination of what effect unleashing a vast number of vehicles onto a road network for the most part not built for motor traffic would have, I do not believe that the system would have grown to be where it is today. Whereas in fact expansion has been largely unfettered and the lackey legislature has scurried along behind, afraid to upset an awestruck electorate and economy.

Control is stronger than it was but the lag is still there. Caravans, trailers and old crates are not subject to testing; elderly drivers carry on with diminishing eyesight; immature lads and lasses race around in dodgems that would never gain type approval. Much of what happens on the road would affront a modern industry safety case. Although the net is closing, the extreme of an unlicensed driver taking an unregistered, untaxed, uninsured, unroadworthy car from one end of the country to the other is still possible, and lesser crimes are daily commonplace. Motorists and road hauliers may bleat about their persecution, but none of them understands the reality of his charmed historical position.

And there can be no thorough enforcement of the laws that exist; I see it every time I set foot or wheel on the road or take up a vantage point. Speed limits are meaningless. Watching from the window of a train doing 100 m.p.h. I might see company car man keeping pace on the M5, while eating a sandwich and making a phone call. Every roadside spot check that is mounted reveals non-compliance or offending by private and professional drivers of all types of vehicle. There is simply no equivalent with rail transport and even the operation of a second rate bus service is likely to be more rigorous.

An instance of what is seen as casual lawbreaking occurred not far from here on the B3193 Teign Valley road. My diary notes the calls I made after reading a report in the *Mid-Devon Advertiser* on 16th November, 2012, about a Land Rover being found overturned and its driver vanishing into the night.

To be sure of the facts, I called at the *Mid-Devon* office in Newton to obtain a copy of the report, which by this time had been archived as A4 photostats in ring binders. Even though I knew the issue to ask for, I could not find the piece, my memory telling me that it would be quite obvious as I turned the pages. Seeing my frustration, the helpful receptionist took some notes and went into the back offices, returning with Paul James, the Senior Reporter, who remembered the incident and had recovered the story from his own files. He then found what I had missed in the reduced back issue on the counter: nine paragraphs in a single column, which I reproduce here.

Mr. James was naturally curious about my interest and I told him that I intended to illuminate the attitude to drink driving in rural areas, a matter we then discussed, along with several others. I told him that when I could find no mention of the incident in

Man flees accident scene

A NIGHT-TIME helicopter search was launched after a man vanished from his crashed car near Christow.

All three emergency services attended the scene on the Teign Valley Road after a Land Rover was found on its roof in the middle of the road.

A witness told police a man left the scene of the accident at about 8.30pm on Thursday last week.

The police helicopter crew, using night vision cameras, failed to spot the runaway. He remains missing.

Fire crews from Bovey Tracey and Exeter were sent to the crash location near the Teign Valley Golf Club.

They helped recover the vehicle after confirming that initial reports about a man being trapped inside were not correct.

Two ambulance teams from Newton Abbot were also sent to the scene.

A police spokesman confirmed that just one vehicle was involved, and that a man in his 20s from the Newton Abbot area was still being sought.

The Teign Valley Road was re-opened at 11.15pm.

the following week's issue, I telephoned to enquire why a missing driver and a great deal of trouble for the emergency services had not warranted further mention. I was given the excuse: "Because police have not given us anything." They're regular Woodward's and Bernstein's on that paper, I remember thinking at the time.

To be fair, Mr. James pointed out that because the *Mid-Devon* is a weekly, a story handed in on a Friday will already be a week old when it is published. Of course it could be said that the intervening week actually allowed the *full* story to be written.

Being somewhat perplexed after my call to the newspaper office in 2012, I left a message with police on 29th November, asking how the case was discharged. A reply was received on 1st December which my diary abbreviates: "accident dealt with by us; nothing untoward; nothing to report." Astonished that there was no more than this, no explanation of the outcome, I left another message "asking if this was the mishap at golf club on 8th."

The next day, a brief message still did little more than brush off my enquiry: "driver left upturned Land Rover and was found next morning in outhouse at home; breathalized but not in drink."

Now, I recite this tale not because I want the case looked at or the officers put to trouble. I do so simply because it is quite useful to my purpose. Almost every week, the local paper reports vehicles "flipping," as if some makes had a tendency to do so without it being in any way connected to the driver, like a rider can never always anticipate the behaviour of a horse. This incident was just another not needing further investigation.

As it happened, the full turnout by the emergency services was unnecessary. But despite the scrambling of the police helicopter at £1,650 per hour (I remember having seen the figure around this time), police were dismissive of my enquiries.

Some time later, I learnt that the culprit had tumbled down the steps of a local boozer — one that was temporarily to close soon afterwards — and set off down the road intoxicated, crashing before he had gone three miles.

Would I be rash in suspecting that, even inebriated as he was, he quickly decided that the consequences of police finding his upside-down, abandoned motor would be not so severe as finding him drunk in charge of it? Would it be far from the truth to guess that he summoned a pal who spirited the drunkard home, where he chose to forsake his bed for the comfortable appointment of the outhouse?

And, after the event, was he contrite and overcome with a newfound sense of responsibility? I doubt it very much and think it likely that he was back on the road in no time, driving in just as unsafe a manner and regaling his circle with the story, perhaps one of many such scrapes.

None of this would have much relevance were the Land Rover cult not still at large, whether in the shape of those with big knobbly tyres and flamboyant accessories driven by young crazies, or more high-end models by the sort of grown men who delight in mowing cyclists off the road.

At least the incident in 2016, when a local parish councillor drove three cyclists into the ditch on the Teign Valley road, was reported, nationally, and was prosecuted, if only for careless driving because a case could not be made for "dangerous." Of course, everyone knows that a man holding his middle finger up to the camera had not just been driving carelessly.


But these are the ones that draw attention to themselves because of their sheer stupidity. In the rural areas, it seems it is almost forgotten that the law exists, for when there is only an infinitesimal chance of being caught drink-driving, people will do it routinely and come to believe that it is normal and acceptable and harmless. The

assertion I have heard that using a phone behind the wheel will soon become as socially unacceptable as drink-driving has no merit in those quiet areas where men still treat it as a laughing matter.

When I have guests with me from the big cities they are quite shocked at sight of the blatant disregard for the law, as drinkers pile into their cars at closing time and slip away down dark lanes which they think of as their own lawless domain. Responsible, if not sober, pub-goers who are making their way home on foot, not entirely wary themselves, are at risk of being run over by a drunk driver.

Government I believe dithers over the alcohol limit for drivers because it is fearful of the effect reducing the tolerance any further would have on pubs, especially those in rural areas; the move could be seen as the killer blow to a perhaps already dying trade. But this overlooks two broad considerations: rural pubs need not be dependent upon motor cars; and nothing should stand in the way of improving road safety.

The remotest rural pubs would find it difficult to prosper if drinking and driving were outlawed, but those near or within settlements could encourage their customers to walk or cycle or use public transport, where it exists. And of course motor car drivers do not have to drink. Perhaps the busier pubs could organize "get you home" transport of their own or in association with local providers. Let us be honest and admit that a lot of people will drive a mile to a pub because they are too bone idle to walk, and that is part of a wider transport and health problem. Maybe if everyone walked it would become part of the fun. Not every pub is as fortunate as *The Beer Engine* at Newton St. Cyres, which appears to have an evening train timetable written for it.

 National Rail Enquiries Your personal journey from Exeter Central to Newton St Cyres Valid from Thursday 29 November 2018 to Monday 3 December 2018									
Monday to Friday always runs					Monday to Friday always runs				
Outward					Return				
		XC	XC	XC			XC	XC	XC
		X	X	X			X	X	X
Exeter Central	dep.	17:52	18:56	20:53	Newton St Cyres	dep.	18:18	19:23	21:24
Newton St Cyres	arr.	18:05	19:07	21:07	Exeter Central	arr.	18:36	19:36	21:40
Duration		0:13	0:11	0:14	Duration		0:18	0:13	0:16
Changes		0	0	0	Changes		0	0	0
Seating Class									
Catering									

Apart from an early morning train to Exeter, this is the service at St. Cyres Station, perfect for Exonians wishing to spend the evening at *The Beer Engine*.

Safety legislation has prohibited, slowed or made more expensive activity in every field, sometimes annoyingly or seeming to be unnecessary. The principle holds that no consideration should override the advance of safe practice, even if this denies us other benefits. Drinking and driving is a safety issue. I will readily admit that drinking one pint of beer affects my concentration, if only by a small degree. It is enough to stop me, by choice, doing things other than driving, like using woodworking machinery. I do not believe any man, even an habitual drinker, who claims that he is entirely unaffected by low levels of alcohol.

In today's traffic, with often heavy and powerful vehicles, *nothing* should impair handling or judgement or drivers' reactions. Network Rail is one firm that prohibits its staff from using even a hands-free telephone while driving; in a works van, with banter and chatter, any phone is an added distraction; and it has to be said that most men could not be trusted to watch two pans on a hob. The state cannot stop people getting behind the wheel when they are angry or tired or depressed, or have any of those maladies that are bound to affect driving standards, but it can prohibit drivers from drinking and taking drugs.

"Don't drink and drive" is the police summary advice, dispensed especially at Christmas, but it has no weight in law. As it stands, a driver can have had quite a large amount of alcohol, quite enough to affect his behaviour, his mood and his senses, yet can still legally get behind the wheel of a motor vehicle. It is an absurdity. To close that seventy-year gap, drivers of motor vehicles should only be permitted to

have a residual level of alcohol in their blood, and the only way to be sure of that, for those whose lives and livelihoods depend on their driving licences, would be abstinence.

Police strength is so stretched in rural areas that routine patrols are impossible. I know that manning is at skeletal levels throughout much of Devon and Cornwall. The days when the local copper would stand outside a pub, not to catch drink-drivers, because there were few cars and the law was anyway slack, but to see that the licensing hours were adhered to, have long gone.

But surely it does not take much policing to catch the worst or regular offenders in an area, and making examples of a few drink-drivers I think would have a great impact on general behaviour. One tradesman losing his driving licence would wake up others who had thought they were safe, and beyond, if not above, the law. Two examples – so that it were not akin to a lightning strike – would change attitudes for a year or more and be a healthy reminder to everyone that there is a law and that there is a chance a driver will be caught breaking it. Taken overall, this would amount to inexpensive and effective policing. And if this sounds harsh, I make no apology; I would not shrink from saying to any man what I have written here.

All you will have heard of late is about cuts to bus services and stalled railway schemes – the few that there are planned in Devon and Cornwall. This is the lot of the public transport campaigner, pregnant with knowledge of what is possible on a massive scale. Pained as I am by this, I have also to listen to people, who have never given it a moment's thought, forever telling me how wonderfully private road transport operates.

The tragedy is that all the while there is such inequality between modes, one will naturally develop faster and more readily, militating against a return to trains, trams and buses, and the overhaul of transport policies so necessary in dealing with home and global fixes.

Measures such as revealing hidden subsidies to coaches and lorries, shifting car costs from ownership to usage, and pricing damage to our health and environment must be taken by government. But the gap will only start closing when current laws are enforced and I have given you one example where I think some light policing would have a great effect.

Yours sincerely,

Colin Burges

P.S. You may gather that this letter is part of a campaign. It will be published along with your reply, if you are kind enough to write one, on the railway's web pages. A copy will be sent to *Roadpeace*, the national charity for road crash victims.

Such pride as there was in transport in the bad old days of the last century involved the individual fawning over his wretched motor car like it was some kind of tin god. The space within it, the space it occupied and even, with the introduction of alarms, the space around it, were jealously guarded. Journeys were made in isolation and the roads were cold, arid, brutal places where the delicate human virtues of courtesy and compassion were swamped in a mad scramble to be first, to be fastest, or to be best; where, in a fit of pique, men normally of kind, moderate disposition could fall into the devil's hands and could snuff out another's life for the sake of a few seconds saved from a journey time, or for some momentary advantage.

From *A Journey in Time*, E. & T.V.R., 1996

Mr Colin Burgess
Exeter & Teign Valley Railway
Christow Station
Doddiscombsleigh
EX6 7YT

Our Ref: PCC_4209_BURGESS

Date: 04 December 2018

By E-mail: christow@teignrail.co.uk

Dear Mr Burgess

RE: OPCC Enquiries And Concerns - Drink Driving

Thank you for contacting me and for bringing this matter to my attention.

I acknowledge receipt of your correspondence and want to provide you with as full a response as possible. To help me do this I have appointed a member of my team, Richard Martin, opcc@devonandcornwall.pnn.police.uk to respond to you.

Richard will endeavour to be in contact with you again as soon as possible, and certainly within 20 working days.

For details about the processing of your personal data, and your data protection rights, please refer to our Privacy Policy – community contact and correspondence, which can be accessed on our website: <http://www.devonandcornwall-pcc.gov.uk/information-hub/freedom-of-information/data-protection/>. A printed copy can be provided on request.

Yours sincerely



Alison Hernandez
Police and Crime Commissioner