



**OFFICIAL REPORT**  
AITHISG OIFIGEIL

# Rural Economy and Connectivity Committee

**Wednesday 20 March 2019**

**Session 5**



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**RURAL ECONOMY AND CONNECTIVITY COMMITTEE**

**10<sup>th</sup> Meeting 2019, Session 5**

**CONVENER**

\*Edward Mountain (Highlands and Islands) (Con)

**DEPUTY CONVENER**

Gail Ross (Caithness, Sutherland and Ross) (SNP)

**COMMITTEE MEMBERS**

\*Peter Chapman (North East Scotland) (Con)

\*John Finnie (Highlands and Islands) (Green)

\*Jamie Greene (West Scotland) (Con)

\*Richard Lyle (Uddingston and Bellshill) (SNP)

\*John Mason (Glasgow Shettleston) (SNP)

\*Mike Rumbles (North East Scotland) (LD)

\*Colin Smyth (South Scotland) (Lab)

\*Stewart Stevenson (Banffshire and Buchan Coast) (SNP)

\*Maureen Watt (Aberdeen South and North Kincardine) (SNP)

\*attended

**THE FOLLOWING ALSO PARTICIPATED:**

Claudia Beamish (South Scotland) (Lab)

Claudia Bennett (Scottish Parliament)

Malachy Clarke

Andrew Mylne (Scottish Parliament)

Mark Ruskell (Mid Scotland and Fife) (Green)

**CLERK TO THE COMMITTEE**

Steve Farrell

**LOCATION**

The Mary Fairfax Somerville Room (CR2)



# Scottish Parliament

## Rural Economy and Connectivity Committee

Wednesday 20 March 2019

*[The Convener opened the meeting at 10:01]*

### Restricted Roads (20 mph Speed Limit) (Scotland) Bill: Stage 1

**The Convener (Edward Mountain):** Good morning, everyone, and welcome to the committee's 10th meeting in 2019. I ask you all to ensure that your mobile phones are on silent. We have received apologies from Gail Ross, who is unable to attend the meeting. I welcome Claudia Beamish, who is attending the meeting for the only public agenda item: agenda item 1, which is on the Restricted Roads (20 mph Speed Limit) (Scotland) Bill. This is our fifth and final evidence session on the bill, and we will take evidence from the member in charge of the bill, Mark Ruskell, from his colleagues and from officials.

I welcome Mark Ruskell; Malachy Clarke, Mr Ruskell's researcher; Andrew Mylne, head of the Scottish Parliament's non-Government bills unit; and Claudia Bennett, from the office of the solicitor to the Scottish Parliament.

Mark, I will shortly ask you to give an opening statement of up to three minutes, and we will then move to questions. I know that some of you have given evidence before, but you do not need to touch the microphones. If you just catch my eye, Mark, I will get you to bring in the right people. I now invite you to make an opening statement.

**Mark Ruskell (Mid Scotland and Fife) (Green):** When I was at school, a classmate of mine was struck down and killed while out playing on his bike. He was not killed outside the school gates; he was killed in the residential street where he lived, like four fifths of child casualties on our roads.

Speed limits of 20mph make a big contribution to the safety of everyone on the streets where we live, especially children. They reduce speed, prevent deaths and injuries and encourage choices to walk and cycle. Public support for them continues to grow year on year.

A small reduction in speed has a big effect in reducing casualties, especially when scaled up nationally. As you have heard in evidence already, every 1mph reduction in speed means at least a 5 per cent reduction in the number of accidents. We estimate that nearly 600 casualties will be

prevented every single year, based on an average speed reduction of just a couple of miles per hour.

Government policy in Scotland and at Westminster recognises that 20mph limits should be the norm on the streets where we live. That has been backed up by the World Health Organization, the European Union and the Organisation for Economic Co-operation and Development.

However, 20mph streets are often isolated exceptions to a blanket 30mph rule, which was set back in the 1930s. I am asking the committee to consider the fundamental question: what should the default limit be on restricted roads? If the answer to that question is 20mph, the Restricted Roads (20 mph Speed Limit) (Scotland) Bill is the only way to deliver that in a way that is nationally consistent, timely and cost effective.

In my previous role as a councillor, I witnessed huge frustration from communities who wanted a 20mph limit but were denied that. They were often told that it was not a priority for the council, that it might get scheduled in several years' time, that councillors were sceptical, that there was no budget for repeater signs or that an area with an active community council had made a better case than theirs.

When I was elected as an MSP, I looked at the national picture and saw that it was very similar. Although Clackmannanshire and Fife councils had managed, painfully, to roll out 20mph limits in almost every residential area by seeking exemption after exemption from the 30mph limit, other councils had struggled or had scrapped the 20mph roll-out completely.

After two and a half years of working on the proposal for this bill with academics, councils, road safety organisations, Police Scotland, Transport Scotland and many others, I believe that it is time to end the illogical 30mph blanket speed limit and for councils to use the current mechanism for roads where they wish to retain a 30mph limit. There is a clear opportunity for Scotland to take the lead, as we did on the smoking ban, and to make a lasting public health intervention that will make our streets safer for generations to come.

**The Convener:** Thank you. We will move straight to questions, of which there are a lot.

**Richard Lyle (Uddingston and Bellshill) (SNP):** Good morning. Some of us may agree with the comments that Mark Ruskell has just made, but others do not. What is his response to the view of witnesses who have told the committee that a national 20mph speed limit is too broad a brush and that the current arrangements, which allow local authorities to set 20mph limits on roads where they consider that to be appropriate, should remain in place?

**Mark Ruskell:** As I said in my opening statement, the current system is not working. It is not delivering protection for children and vulnerable road users throughout Scotland. Children in the Borders, for example, do not have 20mph limits in their residential streets, whereas children in Edinburgh do.

The current system is cumbersome and leads to inconsistency. I have already outlined some of the reasons why that is so. Approaching the situation from the perspective of creating a national default will ensure that we have consistency across Scotland. It is important to emphasise that councils will still have the ability to exempt arterial and through roads from a default 20mph limit where that makes sense. That will enable councils to use the existing mechanism to fine tune the layout of 20mph and 30mph zones in communities to reflect the local road conditions.

**Richard Lyle:** What evidence do you have to support claims that setting a 20mph speed limit on all restricted roads will lead to a culture change in driver attitudes to speeding in urban areas?

**Mark Ruskell:** We have seen examples of area-wide 20mph roll-outs across the country, and the committee has heard evidence from Edinburgh and from more rural local authorities. The Atkins report showed that the current roll-out of 20mph makes it very difficult to deliver that cultural change, because there are isolated 20mph zones outside schools, which do not reinforce the message that the national speed limit for restricted roads should be 20mph. The situation is very piecemeal and confusing for drivers.

It is important that we move towards a national default to ensure that there is consistency. We have done a lot of work with academics on the advantages of a national default in terms of education and reinforcing messages about a 20mph limit. Through a campaign of national education, and police enforcement combined with work with communities to point out to drivers the implications if they speed in terms of causing an accident or being caught, we can create a very strong message about the importance of the 20mph limit.

I will be honest and say that it has not been done before. All the 20mph roll-outs that we have seen so far have been incredibly piecemeal outside of schools. However, there is evidence from places where a 20mph limit has been rolled out in a wider area and has been more effective at reducing speed. That has enabled local authorities such as Bristol to do more work in communities to reinforce the importance of 20mph, and there are signs that that has had a good effect. For example, the figures from Bristol on speed reduction and casualty reduction are very strong. It does not make sense to simply reduce the speed

limit within 100m of a school gate. If it is an important speed limit for restricted roads near schools where people live, it is an important speed limit for all restricted roads where people live.

When Chief Superintendent Carle gave evidence to this committee, he said:

“to borrow a phrase from the violence reduction unit ... road violence is preventable, not inevitable. We need to make inappropriate speeding and exceeding speed limits as socially unacceptable as drink driving.”—[*Official Report, Rural Economy and Connectivity Committee*, 6 March 2019; c 21.]

That is an important point, and I would argue that you can only do that if a safe limit is established nationally.

My other point is on wider cultural change. If the bill becomes law, the “Highway Code” will be updated and new drivers who are learning to drive on the streets of Edinburgh and around the country will be driving on roads with 20mph speed limits. There will be national consistency. The new drivers who will be the drivers of tomorrow will be trained on 20mph roads. That cultural change can be brought about over time, but the starting point is a sensible speed limit.

**Stewart Stevenson (Banffshire and Buchan Coast) (SNP):** I want to pick up on the remark that the current system is not working. I do so in the context of the helpful report that you have provided from the transport research institute, which, in table 1 on page 5, replicates the Scottish Government’s road casualty figures and gives 10 years of numbers. Looking at the headline figures, it is very clear that there were 255 fatal accidents in 2007 and 141 in 2017, which is almost half the 2007 figure. Overall, the figure has gone from 12,500 to 7,000. When I look down the table at the figures for built-up roads, there is a similar pattern, although progress on fatal accidents is slightly erratic. Is it fair to say not that the current system is not working, but that the changes in the bill would augment the many other safety initiatives that are already bringing benefits? Is that not the proper way to look at the matter? The 20mph limit is not the magic bullet that will take those numbers down to zero.

**Mark Ruskell:** The evidence shows that 20mph limits can make a significant contribution to tackling these issues. I would point out that the transport research institute report contains significant statistics on people who are killed and seriously injured on our rural A and B roads, which are not covered by the bill, and it is clear that the police focus a lot of their resource on those roads. However, table 2 shows that the numbers of seriously injured people are significantly higher on roads in built-up areas than on roads in non-built-up areas.

There is an important point to make here about the level of injuries outside our homes and on our streets in our residential communities. That raises questions about whether councils or the police are prioritising those particular types of injuries. Of course, those statistics do not capture the near misses. Some people are injured, but others have their confidence severely dented by a near miss. They suffer a psychological impact that can put them off walking and cycling. We need more care and attention on the streets where we live, work and play. Serious accidents happen on those streets and there is a need to drive up the levels of walking and cycling there.

**Jamie Greene (West Scotland) (Con):** Thank you for introducing the bill. It has been a fascinating subject for the committee.

I want to return to Mr Lyle's original question. What evidence do you have to support claims that a 20mph speed limit on restricted roads will lead to a culture change? I understand from your response to Mr Lyle that there is no evidence, because it has not been done before. The only evidence is from localised blanket changes in areas such as Edinburgh and Bristol. The committee heard evidence that in those areas the reduction in speed was nominal. A 30 per cent cut in the speed limit equated to a small reduction of 1 or 2mph in average speed, which does not seem to me to be evidence to support your proposition. Do you have more concrete evidence that there will genuinely be a shift in driver behaviour?

10:15

**Mark Ruskell:** As I said in my opening remarks, an average speed reduction of a couple of miles per hour is significant. I would not discount the benefits that can come from that. You will see from the financial and policy memoranda that accompany the bill that even a speed reduction of 1 to 2mph can prevent 600 casualties in Scotland every single year. The average life of a speed sign is 30 years; you can do the maths and work out how many lives would be saved and severe injuries prevented as a result of the change.

The bill is predicated on a modest reduction in average speed. I think that you heard in evidence that people who drive at higher speeds reduce their speed at a more significant rate than people who go at a lower speed do, so the statistics on average speed do not fully show what is happening on our roads.

However, even if we accept the average speed reductions that we are seeing as a result of roll-out in Edinburgh, Portsmouth, Calderdale and other areas, we can see that they are very significant. If, on the back of that, we drive further culture change by building in the approach that I

discussed with Mr Lyle—national education, enforcement and reinforcing the approach throughout Scotland—we can get greater speed reductions.

However, the bill is not predicated on our doing that; it is based on what we know already, which is that roll-out of 20mph will lead to a significant reduction in casualties and deaths in Scotland and improvements in relation to walking and cycling. If we are looking for a cost-effective public health measure that can be applied across the whole of Scotland, this is it.

We are seeing cultural change in Scotland. Survation produced a poll two years ago that showed that—if we discount the people who did not have an opinion—around 66 per cent of people supported a default 20mph limit in their communities. We repeated that work last week and showed that the proportion has gone up to 72 per cent.

That reflects some of the evidence from Edinburgh, which is that, post-implementation, public support for 20mph goes up. You heard that from Ruth Jepson. Opposition to 20mph in Edinburgh has gone down. We are seeing a cultural shift here, anyway, where drivers and communities are becoming more aware of 20 and are waking up to the benefits.

That is a good basis on which to build and drive the benefits further. The bill is predicated on modest benefits. Can we go further? Yes, the evidence suggests that we can. Can I pinpoint exactly what the speed reduction will be in 10 years' time? No.

**Jamie Greene:** You said that the bill's approach is modest, but why do we have to cut the speed limit by a third to achieve a 1mph reduction in average speed? Is that really the only way to achieve that? Are there better ways to reduce average speeds than by making such a huge reduction in the statutory speed limit?

**Mark Ruskell:** The evidence shows that this is the most cost-effective way to achieve that. You asked about other ways to reduce speed. Putting speed humps on every restricted road would be incredibly costly. The speed limit is traffic law, for which there is a well-established framework. We have restricted roads, with a 30mph speed limit. A low-cost intervention is to reduce that speed limit to 20mph.

To carry out interventions to physically design every single road to reduce speed would be a vast public expense. That is not what we do at the moment: the roads around Edinburgh were not designed to be driven at 30mph; someone could drive up Holyrood Road at 40 or 50mph if they wanted to, but there is an element of self-enforcement of speed limits. That is what we

currently have with the designation of speed limits in this country. What I am proposing is not to rip up the system but to go with the grain of the system and to reduce speed from 30mph to 20mph. That will result in a modest but substantial reduction in the number of speeding casualties.

**Mike Rumbles (North East Scotland) (LD):** I would like to follow up on your response to Richard Lyle's question. You seem to be somewhat critical of the local authorities that have not gone the way that Edinburgh has gone. Surely, however, our authorities have examined their local areas and they know where they want to have 20mph streets. Are they not best placed to decide where to have those streets, rather than our taking a national approach? You seem to be critical of local decision making.

**Mark Ruskell:** Not at all. I have engaged with many local authorities throughout this process, and with the Society of Chief Officers of Transportation in Scotland, which represents the heads of transportation in all the local authorities. As a former councillor, I recognise the challenges that councils face. However, we have to bear in mind that the majority of local authorities that have responded to multiple consultations on the bill have supported the measure as being the most cost-effective way to deliver 20mph limits across the areas. I believe that local authorities support the measure and will continue to support it as a way to deliver on the aim.

I agree that councils need to have local discretion on how they implement the 20mph limit and which streets to retain a 30mph limit on. There has been interesting discussion in the committee, including on points that you have raised, Mr Rumbles, about Alford and similar rural communities. I understand where you are coming from in that regard—I live in a rural community myself. If you look at the roll-out that Fife Council has done, you will see that it has decided to create a wider network of 20mph roads in some areas including the through roads in certain villages but that, because of the volume of traffic involved, it has decided not to have that limit in other villages.

It is right that local authorities should decide on the precise nature of the roll-out of the 20mph limit and the retention of a 30mph limit in various villages and areas, but that should be within the context of a national default limit of 20mph. The current context is that there is a national default of 30mph. Local authorities already work with a national speed limit and seek to make adjustments within that to reflect the conditions and requirements of each area, and what is proposed will make it easier for them to do so.

In Fife, the council has had to put in exemption after exemption from the national default because, unfortunately, that is the only tool that councils can

use to bring in a default limit of 20mph in their areas. That approach has been costly and time consuming. That is why a substantial number of local authorities are waiting for the bill to be enacted before they do any more with regard to 20mph limits. The legislation will make it simpler and more cost effective to do such things, while retaining councils' ability to make local decisions about where to retain a 30mph limit and what kind of signs to put up, in consultation with communities.

**Maureen Watt (Aberdeen South and North Kincardine) (SNP):** You said that the highway code would need to be updated. It is a United Kingdom-wide code. How would it be updated? What has happened in the places in England that you said have introduced the measure?

**Mark Ruskell:** The highway code is the highway code, and I am not sure whether there would need to be a supplementary page for Scotland. My point is that all the training documents and programmes that are put in place and the work that is done by driving instructors and organisations such as the Institute of Advanced Motorists are predicated on a 30mph speed limit on our restricted roads. I did my driving test in Edinburgh around 30 years ago—I failed it twice—on 30mph roads. The experience now, on 20mph roads, would be very different.

I do not think that changing those training documents to reflect what we would have in Scotland—a default speed limit of 20mph, which is a safer speed limit, on our roads—would be an insurmountable challenge. My colleague has just informed me that there is already a separate highway code for Northern Ireland.

**The Convener:** Stewart Stevenson has a related legal question.

**Stewart Stevenson:** My question is directed to the solicitor on the panel, although she may not be able to answer it. I am aware that the Scottish Parliament has powers over signage. As transport minister, I had the power to redesign the lollipop ladies' lollipop, although we did not do that in a way that was particularly different visually. The manufacturer had stopped making the black piece of plastic round the edge at the required width, so we had to change the spec. The point is that the Scottish Parliament has powers over signage, which could lead to differentiation across the UK. Can you say how widespread that could be, or would you need to research it more fully in order to answer that?

**Claudia Bennett (Scottish Parliament):** I am aware that, following the Scotland Act 2016, that area now falls into the devolved remit. I can research that further and come back to you on how far it goes, how it would work and whether



there would have to be agreement with the secretary of state.

**Claudia Beamish (South Scotland) (Lab):** I want to go back to what Mark Ruskell said about the cultural shift. Earlier this week, I received information from 20's Plenty for Us, which is a UK organisation, on the poll that he mentioned. I understand that it was done specifically in Scotland. It says:

"A new poll ... by Survation shows that 72% of those who expressed an opinion support the introduction of 20mph default speed limits. This has risen from 65% in 2017."

What are the reasons for the cultural shift? I do not know whether there is any breakdown of the reasons in the poll—probably not, as that may be too sophisticated an analysis. Will you point to some of the things that you think are important in relation to the cultural shift, which might build confidence for the future?

**Mark Ruskell:** That poll had a single question. The evidence that comes from areas that have implemented 20mph limits is more detailed. In particular, the Edinburgh pilot points to a range of reasons why 20mph is popular. Even with a modest reduction in average speed, people feel safer and they are more likely to ride a bike and let their child go out of the front door and cross the road. That is part of a growing shift. As more 20mph limits are rolled out, albeit in a piecemeal way across Scotland, there is a growing awareness of the importance of road safety. The balance is starting to tip.

Some of the evidence that has come out of Edinburgh—particularly the study that Ruth Jepson has been leading, which is now the biggest 20mph study in the UK—shows that opposition to 20mph limits is declining. The myths that they make roads slower, increase pollution and all of that are better understood, and people are focusing on the benefits to the feel and the liveability of their communities and the confidence that living in a community with a safer speed limit gives people.

As I said, we are at a tipping point. The evidence is getting stronger and stronger, but we still have a default 30mph limit from which we are continually trying to create exemptions.

**The Convener:** Peter Chapman has a question, and then we will move on to question 3, which will be asked by John Finnie.

It is important that we hear full answers, but I note that we have covered only two questions in half an hour, so we need to focus in. I am worried that, otherwise, we will not get through all the numerous questions that we have, which would—

**Mark Ruskell:** I will stay all day if you want. *[Laughter.]*

**The Convener:** I was not looking at you, Mark. I am just saying that there are a lot of questions and it is right for us to try to drill down into all of them.

**Peter Chapman (North East Scotland) (Con):** Mark, you have made some fairly bold statements that all councils want the bill to succeed and become law, but I am not sure that that is the case. We took evidence from Scottish Borders Council, for instance, and I got the feeling that it does not want that. It is quite happy with what it has. It sees that there are areas where a 20mph limit is correct, but there are also areas where it does not want to be forced to go down that route. It said that the number of accidents in some rural villages is so minuscule that there is no need to change the default speed limit from 30mph. What do you say to that?

10:30

**Mark Ruskell:** I probably need to clarify what I said, Mr Chapman. I did not say that every single council is in favour; I said that the vast majority are in favour and have been supportive. We have had a lot of contact with them over the past two and a half years.

I understand where Scottish Borders Council is coming from. Like many local authorities, it will be under financial pressures and it needs to decide where it wants to put its resources. It has a focus on KSIs on major A and B roads in rural communities, and I understand why it might wish to have that. However, the report that we have just given to the committee shows that we also need to consider the serious injuries that happen on residential roads. The vast majority of people who live in rural Scotland, including me, live on streets that are restricted roads. They are street-lit roads where children live and play, and there are issues there. We need to find the correct balance.

I appreciate Scottish Borders Council's view, which is that this is not a cost-saving exercise because it was not planning to introduce 20mph limits anyway. If we look at it that way, the proposal represents an additional cost, but we also need to consider the benefits and the savings to communities. I do not think that there is any difference between children who live in Newmachar, Alford, Alloa and the centre of Edinburgh. My kids live in rural Stirling in the same kind of environment that kids live in in the centre of Edinburgh, and it is important that they feel the benefits of a 20mph speed limit.

If it then becomes a funding issue and an issue of whether the Government should support rural councils that have identified challenges with the implementation of the 20mph speed limit, so be it. It makes no difference to the child, community or family who lives on a street whether they are in a

rural village or the centre of Edinburgh. They face the same challenges with traffic. They still want to get out on their bikes and cycle or walk to school, and I do not see why they should not have safer streets so that they can do that. However, I appreciate that rural local authorities have challenges.

**Peter Chapman:** The point that Scottish Borders Council was making was that the number of such accidents on streets in built-up areas is minuscule, and it does not believe that the bill would make any significant difference at all. The figures that we have are virtually zero anyway.

**Mark Ruskell:** I will answer that point briefly, and this is also an answer to Mr Stevenson's point. Table 5 in the report by Professor Adrian Davis gives a figure for those who are seriously injured on roads in built-up areas. It is 787 people every single year, at a cost of £167 million, which is a substantial cost. I am not for one minute saying that Scottish Borders Council does not take that into consideration. My point is that it is wrong for us not to consider the needs of people who live on streets and the dangers that they face.

**John Finnie (Highlands and Islands) (Green):** Before asking questions about reductions in the numbers of casualties and collisions, I want to refer to the letter that we got yesterday from SCOTS, which was directed to the convener and circulated to the committee. The members of SCOTS are the senior practitioners in all the local authorities. The final paragraph of the letter says:

"In summary, the Society maintains its general support of the Restricted Roads (20mph speed limit) (Scotland) Bill and its intentions."

Members will also be aware that 20's Plenty for Us issued a press release yesterday, and on the tension between central decision making and local costs, it says:

"A National policy pays for itself in the first year for eight times less money than if councils implement 20mph individually at local level".

That is a compelling piece of information.

Mark, you mentioned the World Health Organization and talked about the bill being a public health intervention, which is how I like to view it, rather than it being about administrative processes or signs. We heard from the cabinet secretary last week about the cost—I do not like it to be referred to in this way—of £2 million for a fatality.

Among the evidence on reductions in collisions and casualties, the Scottish Parliament information centre briefing paper talks about research by the Glasgow Centre for Population Health, which we have taken evidence from. Will you comment on scenarios 1 and 2, which it alludes to?

**Mark Ruskell:** I am just looking for the paper.

**John Finnie:** It relates to reductions in casualties and fatalities, and the cost that is put to that.

**The Convener:** Before we go any further, I want to clarify something. The SCOTS letter that was referred to was sent to individual members rather than to the committee clerks. Have all members seen it? Did you see it, Jamie?

**Jamie Greene:** Maybe.

**The Convener:** It was sent to individuals; it was not circulated through the committee. I received a copy. If anyone on the committee has not received the letter, I will ensure that they get a copy afterwards.

**John Finnie:** I just assumed that we had it, so I printed it off.

**The Convener:** I am double checking, because the clerks looked at me blankly. The letter should have been sent to the committee, but it was not. If anybody has not got it—I note that Richard Lyle and Jamie Greene have not—I will make sure that they get a copy.

Mark, that probably gave you a brief interlude to find the information that you need.

**Mark Ruskell:** Yes. We make an estimate in the bill of what the benefits would be, which is focused on improvements to road safety. We have not tried to estimate in pounds and pence what the public health benefits would be in increased rates of walking and cycling, but we can assume that they would be substantial.

We wanted to get an independent view of what the road safety benefits would be and the casualty reductions that we could expect from a modest reduction in average speed. Two scenarios were associated with that, which correlate broadly with what we had worked up ourselves to put into the financial memorandum for the bill. In the Glasgow Centre for Population Health figures, the first scenario estimates 755 fewer casualties, five fewer fatalities and a cost saving of nearly £40 million every year. The second scenario estimates slightly less—531 fewer casualties, three fewer fatalities and a saving of £27 million every year. Those are substantial figures, but what they do not tell us is the human cost and the cost to a community of the loss of a life. I experienced that when I was a young child. Although I did not know the child who was involved very well, the impact on the school community and the family was huge, and it stays with me to this day.

We must also look at the impacts of not only fatalities but severe injuries—such as the lifetime care costs—and near misses. If somebody is involved in a near miss and comes very close to

being seriously injured, that can affect their life chances and their choices in the future. I have met people who were nearly run over or knocked off their bike in a minor incident when they were younger, and they have never touched a bike again. The perception of how safe our communities are is also hugely important.

I will ask Mr Mylne to explain a little bit more about the estimates for the hard savings that we identified from the bill.

Mr Finnie, does that answer your question?

**John Finnie:** I have to be honest: I am uncomfortable with putting a sum beside a life. However, given that cost has featured so much in consideration of the bill, and given that we have heard about the cost benefits in that crude way, I would like to hear more about that, because it is important. I do not know what price you could put on the loss of a child's life and the loss to the community, which you mentioned, but, if Mr Mylne has further information, it would be helpful to hear it.

**Andrew Mylne (Scottish Parliament):** We have included some estimates of savings at the end of the financial memorandum. We break them down according to a number of different factors, and they use standard figures that are widely used across Government to calculate costs. For example, table 4 gives the value of accidents prevented according to likely costs to the police, and we have a separate table for the impact on the national health service.

Table 6 is, in some ways, the most significant. It shows the value of accidents prevented in terms of pain, grief and suffering, which I think is exactly what Mr Finnie has expressed some unease about. The point is that we have used standard figures that have been generated centrally within Government as a tool for policy analysis. There has to be some way of quantifying the cost of fatalities, and this is how it is done. It is a sort of actuarial calculation.

We could argue that, in a sense, it is not real money, but the approach is a way of quantifying costs in some meaningful way and we can use it for comparative analysis of the impact of fatalities and serious injuries. We have simply used standard figures. As I understand it, when the NHS assesses the value of new medicines or interventions that might save lives, it uses these figures to calculate the cost benefit.

We have come up with figures with lower and higher estimates, and they are very similar to the ones that Mr Ruskell quoted. There is a higher estimate of £36.1 million, which is very similar to the nearly £40 million that was quoted, and so on. I think that that demonstrates that there is a standard methodology that we can use to get

meaningful numbers for the potential savings that we can gain from something that saves lives.

**John Finnie:** Do you have any evidence that a national 20mph speed limit on restricted roads would produce greater benefits in those areas than the current system does?

**Mark Ruskell:** The problem with the current system is that it is not delivering 20mph limits beyond zones outside schools and, for people who are lucky and live in Edinburgh, a substantial number of residential streets. It is not delivering those benefits universally, on a population-wide basis, in rural and urban areas. That is where the intervention that is proposed in the bill will start to deliver. It makes sense that, if we apply it throughout Scotland, we will get greater reductions in casualties and more benefits over time.

The Atkins review, which has been discussed in committee several times, also found that the bigger and broader a 20mph area is, the more effective it will be in reducing speed. It did particular work that looked at Brighton, where there had been a big roll-out, and it found that there was a greater reduction in speeds in the area because of the extent of the roll-out. There were also speed reductions on accompanying A and B roads outside the area. That demonstrates the benefits of applying the measure in a nationally consistent way—not just with piecemeal zones outside schools, but on an area-wide basis throughout the country.

**John Finnie:** The SPICe briefing, under the heading “Do 20mph speed limits improve road safety?”, alludes to what is referred to as

“A systematic review of evidence on 20mph zones, where physical traffic calming measures are present, and 20mph speed limit areas”.

That review, which was published in the *Journal of Public Health*, says that

“20 mph zones and limits are effective in reducing accidents and injuries, traffic speed and volume”—

we have heard about that—

“as well as improving perceptions of safety”.

Will you expand on that and say why it might be important?

**Mark Ruskell:** We make choices in our everyday lives about how we get to work and whether we allow our children to walk to school or whether they need to be driven to school, and a lot of that is down to perception. I do not go out of my house with a speed gun every morning and decide whether I am going to let my child walk to school, but I do have a sense of what my community feels like and whether it feels safe. It is a safer community as a result of the 20mph limit. Perception is important, and some of the research

that has been done, particularly around the Edinburgh pilot and as part of the Atkins study, points to the fact that people feel safer when the limit in the streets where they live, work and play is 20mph. That has a positive impact on their choices.

10:45

**John Finnie:** For the avoidance of doubt, the impact is not exclusively on young people. What about older people's social mobility?

**Mark Ruskell:** I am not aware of a breakdown by particular types of people. The benefits are most keenly felt by those who are vulnerable. We have had support from disability organisations and those that represent people who are vulnerable, who are not just children. People who are walking and cycling are, by their very nature, vulnerable in a road environment where they mix with motorised vehicles.

There is global consensus: the WHO and the OECD say that 20mph limits should be the norm where vulnerable road users mix with vehicles. It is a safer speed limit that promotes active travel. Vulnerable road users feel more vulnerable as a result of higher-speed traffic.

**The Convener:** I am going to have to be strict on time if we are to get through all the questions.

**John Mason (Glasgow Shettleston) (SNP):** In one of your answers to John Finnie, you referred to

"people who are lucky and live in Edinburgh".

Is it a question of luck that Edinburgh has a 20mph zone, or is it something to do with local democracy? I thought that the Greens were very much in favour of local democracy, so it surprises me that there is such an emphasis here on a national policy that would be imposed on local authorities. I know that you have already been asked about that, but could you explain a bit more? The current system is driven by local authorities and, under the proposal, local authorities would still have some leeway, but it would impose something new on them, would it not?

**Mark Ruskell:** It is important to get the balance right. We have a system of national speed limits for restricted roads, A roads, B roads and motorways. We do not encourage local authorities to set their own limits for the A roads and B roads, so that the limit in South Lanarkshire is different from that in Glasgow; we have national consistency, which is important. That is in statute, and the bill needs to go with the grain on that.

However, you make an important point about local discretion around the setting of 20mph limits

and the integration of restricted roads with other roads within an urban area. That is very much about the locality, the local community and how it functions. It is about having that discussion with other road users such as the bus companies, hauliers and others. That is where the local discretion comes in. I am not proposing getting rid of nationally set speed limits; I am proposing that we use the current system in a more cost-effective way, so that it looks at exemptions, rather than that we create a new rule and consider exemption after exemption.

**John Mason:** I accept that whatever system we have will involve a mixture of national and local limits. Some members have already asked you how much interaction you have had with local authorities. There are three broad options: one is to continue with the present system; one is to follow your plan to have 20mph limits on restricted roads; and one is to make the 20mph limit more widespread. One of my concerns is that, in a village or a city like mine, there will be signs absolutely everywhere—every junction will have a sign saying 30mph or 20mph on it. Part of me would like to go further and say that the limit throughout the whole of Glasgow should be 20mph and that the council could make exceptions to that if it wanted. Can you explain why you think the 20mph limit on restricted roads is the right approach and whether, out of all those options, that is the preference of local authorities?

**Mark Ruskell:** The definition of a restricted road is a C road or an unclassified minor road that has streetlights. That accurately defines the streets on which the limit needs to be 20mph, because they are usually residential in character. On whether we want to include A or B roads, I am certainly not proposing a change in the default speed limit for B roads in Scotland to 20mph. That would not make sense at all.

**John Mason:** It would make sense in some areas.

**Mark Ruskell:** Indeed. It would make sense for a minority of roads, particularly in urban areas where the network of A and B roads is part of the community and is residential in character. During a previous session, the committee heard evidence from SCOTS that some local authorities have already reduced the speed limits on some A and B roads in urban areas. The speed limits for those roads have been reduced for good reason, and there would be a 20mph speed limit for such roads unless councils chose otherwise.

It is important that councils have discretion to make decisions. Going back to Mr Rumbles's point, I have thought about Alford and similar communities in my region. Local authorities need to have discretion to decide whether they wish a through road to be incorporated into a wider

20mph network or whether they wish the speed limit for the road to remain 30mph or higher. That would require additional signage at entry and exit points on the through road. It would be a local decision that would need to be taken by councillors who had worked with communities. Such decisions cannot be taken centrally, here, nor should they be.

**John Mason:** You seem to be indicating that it is very clear where restricted roads are. One of my colleagues will ask further questions about the issue, but we have heard evidence that local authorities are not clear about that and cannot give us a figure for the miles of restricted roads in their areas. That takes me back to my first point: how can we decide on the best system if we are not clear about which roads are restricted?

**Mark Ruskell:** The letter from SCOTS, which I hope committee members will have received in the past day, shows quite clearly that a number of local authorities have done the work and have a clear understanding of where the restricted roads are. Other local authorities are on their way to doing the same. There are challenges, but the restricted roads category is pretty clear: it includes C roads and unclassified roads that have streetlights. The category does not include A and B roads unless they have been restricted under order. If such roads have been restricted under order, copies of the orders will be available. Although there might be a challenge for some local authorities, this is not rocket science; the body that represents the heads of transportation has given substantial reassurance that it is doable.

**The Convener:** My understanding, from the SCOTS letter, is that 50 per cent of councils have worked out where the restricted roads are and that the other councils are part of the way through the process or have not completed it at all. You say that local councils know where the restricted roads are. As I was during the previous evidence session, I am slightly confused about what is classified as a restricted road. Is the SCOTS letter—which was circulated yesterday and has now been emailed to members—wrong? Do more than 50 per cent of councils know where the restricted roads are, or is it just 50 per cent, as the letter says?

**Mark Ruskell:** The SCOTS letter stands on its own. The organisation has been doing more detailed work with local authorities, and it has gone beyond where we have got to with the policy and the financial memorandum. It is looking at the circumstances that individual local authorities are in. We do not have a complete national list of restricted roads in Scotland, with area totals, partly as a consequence of the blanket 30mph limit that we have currently.

**The Convener:** The SCOTS letter says:

“For the proposals in the Bill to become effective there is a requirement for enhanced and co-ordinated resource to be deployed to ... monitor and maintain the data required.”

That, in effect, means that we do not have the data. Is that correct?

**Mark Ruskell:** Councils have a range of data.

**The Convener:** I am asking a specific question: is what SCOTS says in its letter about councils not having all the data correct?

**Mark Ruskell:** The letter is correct, but—

**The Convener:** That is fine.

**Mark Ruskell:** However, the interpretation of the letter—

**The Convener:** Other members want to ask about the issue, so I will bring them in.

**Stewart Stevenson:** I want to home in on what is going on here. My understanding is that all councils know where their restricted roads are, because they have databases of them. Certainly, you can go on to the Aberdeenshire Council website and look up its restricted roads. However, I understand that the difficulty is that it is not known which of those restricted roads fall within the definition that relates to streetlights. I think that that is consistent with what SCOTS is saying, but I am uncertain. Is that the specific difficulty that is being referred to by councils? I hasten to add that I recognise that it is a difficulty.

**Mark Ruskell:** Yes. The definition of restricted roads in Scotland, which I gather is different from the definition in England, is that they are C or unclassified roads that have streetlights. From my days as a councillor, I know that every local authority has an asset register of where its streetlights are, because it maintains them; they are on maintenance schedules. Mr Stevenson is correct in saying that local authorities know where their restricted roads are. They also know where the roads that are not restricted—the A and B roads and the motorways—are. Perhaps the key issue is looking at where the variation has occurred over time and where orders have been applied for over time to bring in A and B roads as part of a wider restricted network.

**Stewart Stevenson:** To cut to the chase, while the councils have a database of all their C and unclassified roads, they do not know which of those roads in the database are restricted, because it is a different database from the streetlight database. Even though they have an asset register of the streetlights, is it correct to say that they do not necessarily know whether the streetlights are

“more than 185 metres apart”,

which is the information that they would need in order to identify the roads as restricted? Is that the area of difficulty that we are experiencing?

**Mark Ruskell:** That is not an issue that SCOTS has raised with me in the past two and a half years, but it is an interesting point and I imagine that SCOTS would be prepared to engage with Mr Stevenson and the committee on it, if you feel that it is substantial. However, it has not been raised with me, despite my extensive engagement with SCOTS and councils over the past two years.

**John Finnie:** I will comment briefly. It is a damning indictment of our local authorities if they do not know what they are responsible for. They are custodians of public property. Highland Council used to be able to tell you every lay-by or salt-deposit area that it owned. Similarly, I have had an asset breakdown from Argyll and Bute Council. You say that there has perhaps been some confusion over the definition and, once again, I am disappointed with the focus on road signs. There is no doubt that the councils are required to maintain lighting in the areas that you are talking about, so, by default, they must know where those areas are.

**Mark Ruskell:** Yes, that was the point that I was trying to make.

**Jamie Greene:** I feel that we are not focusing just on road signs. It is an important issue, because if you read the overview of the bill, it says that the premise of the bill is

“to reduce the general speed limit on restricted roads to 20 miles per hour”.

That is the route that Mr Ruskell has chosen to take, rather than other approaches that might have been discussed. It is important that we get to the bottom of the issue. I will ask some simple questions about that to inform the committee. As the member in charge of the bill, does Mark Ruskell know how many restricted roads there are in Scotland?

**Mark Ruskell:** That information about a total length of restricted roads does not exist, because of the issues that we have just discussed. That is a question that I asked two and a half years ago, because I thought that it would be quite simple to say, “Here is the total road length of restricted roads in Scotland; multiply that by a certain number of signs and that gives you an understanding of the costs.” However, I was informed by roads officers and professionals in the area that that is not the way to work out how much it would cost. The way to do that is to look at where a 20mph limit has already been rolled out. We took a financial costing model based on Angus Council, where we looked at real settlements and what the signage requirements would be. That makes sense, because if you are in a large urban

conurbation, there will be fewer entry and exit points out of a suburban area on to a through road than there will be in a smaller, rural village. We need to look at the roads and the types of settlements in Scotland, and build an understanding of what the costs would be in the implementation phase, rather than simply taking a figure and multiplying it by 20.

11:00

**Jamie Greene:** I am sorry to interrupt you, but we will talk about costs later in the session, and I do not want to impose on other members who have questions on the subject. You have pre-empted an explanation of the reasons for my questions. I am asking for some simple data. This is the fifth evidence session on the bill, but no one has been able to answer basic questions on how many restricted roads there are in Scotland; the total mileage of those roads; the percentage of roads that are restricted; and—we heard about this in the previous evidence session—how many B roads are also designated as restricted roads. We heard specific evidence on West Lothian from one panellist, but I have no idea how that correlates with the number of B roads in other local authority areas.

Have you, in the past two and half years, been able to answer any of those fundamental questions in order to give us an idea of the scale of the bill's effect?

**Mark Ruskell:** No, in terms of creating national totals for restricted roads. However, as I pointed out, the question needs to be answered at local level. We have worked with SCOTS to think through what an implementation plan would look like. That includes the phases of work that local authorities would need to undertake to establish the exact layout of restricted roads in their areas and which roads they would wish to retain as 30mph zones, and to develop a plan to put up signs and introduce traffic orders to maintain the final network. We have been informed by councils that implementation at that level would need to happen after the bill is enacted. There would be a decent timescale between the point at which the bill achieves royal assent, if it does so, and the beginning of the implementation period, which would allow councils to do that detailed work. Unfortunately, no magic figure exists.

**Jamie Greene:** That is unfortunate, because such a figure would help to put the bill's premise in context. It is unfortunate that no one—neither the bill team nor the local authorities involved—has been able to answer those questions.

The letter that the committee received from SCOTS yesterday—I thank the clerks for forwarding it to us—is quite clear. It says:

"It may be accurate to state that 'We do not know the number of restricted roads in Scotland'".

It goes on to say that, for one third of roads, there is

"no or limited asset data to allow roads to be identified."

At this stage of the bill, not only do nearly one third of local authorities still not know the answer to that question, they feel that they do not even have the data to enable them to answer it. It seems that there is still a problem with the availability of data. I am not saying whose fault that is or whose duty it is to collate the data; we can discuss that. However, it seems that there is a fundamental problem with regard to knowing and identifying which roads the bill will affect. That is a fundamental flaw.

**Mark Ruskell:** It is a challenge that has been well recognised since the inception of the bill. It is incorporated in the thinking around the timescale for implementation and the work that local authorities would need to do. We have had detailed conversations with those who would have to implement the bill about what would be required to provide certainty and to enable councils to work with stakeholders to identify which roads they wish to retain as 30mph zones. I am confident that the matter can be addressed.

**Mike Rumbles:** One of my major concerns about the bill arises from the evidence that we have received from rural councils in particular. They feel that the bill will have a disproportionate financial impact on rural councils and authorities, which calls into question whether the financial memorandum is fit for purpose. Even the City of Edinburgh Council, which has successfully done good work with 20mph zones, has told us that it will cost it nearly £1 million to adjust for the implementation of the bill by taking down signs and so on. In addition, there are issues for rural councils such as Highland Council, which told us in evidence that it has 700km of restricted roads.

Scottish Borders Council said to us, "Hang on—the accidents in the Borders have occurred because of vehicles reversing or going at very low speed." From its perspective, the issue is not important enough for it to decide to put its financial resources into it. It will cost rural councils a hugely disproportionate amount of money to implement this. You have mentioned Alford, and I, too, have mentioned it; instead of having just one sign at the entrance to and exit from the village, it would have to put in more than 40, and the same situation would be repeated, at enormous cost, in every village in our rural authorities across the country. Do you have any response to that?

**Mark Ruskell:** Mr Rumbles has raised quite a few issues, and I thank him for giving some specific examples, because we sometimes need

to drill down into such things if we are to truly understand an issue.

On the issue of costs, the bill is largely predicated on estimates provided by Angus Council, which, as we know, is fairly similar to much of rural Scotland, with a mixture of urban towns and conurbations, smaller villages and hamlets. I believe that the costings are accurate. Having discussed the matter with the council, I know that it has factored in the possible requirement for buffer zones and what I agree will be the inevitably higher cost of introducing signage in relatively small villages. The costs for Scotland, particularly for entry signage, are based on Angus's estimates, so the costs have been weighted towards those that rural local authorities would have to shoulder.

There is a question as to whether certain local authorities will have disproportionately high costs. If the bill is passed, it will be important for the Scottish Government to find some way of equalising some of those costs. I appreciate that, if you are in Clackmannanshire, the smallest local authority in Scotland, and have already introduced a 20mph limit on every single road, the cost of integrating the signage for your current scheme with the national default scheme and taking down a few repeater signs will be less than the costs for, say, Highland Council, with its larger geographical area.

However, although it is important to recognise that, I point out that the majority of rural councils back this measure. Aberdeenshire Council was one of the few that were neutral, and Scottish Borders Council had concerns, but Highland Council, which you mentioned, Orkney Islands Council, Angus Council, Stirling Council and numerous community councils across Scotland back this approach. The equalisation of costs according to the need of rural local authorities is a valid issue, but I believe that the national estimates that we have provided are accurate. I have certainly seen no figures that show that we have underestimated costs.

What I am frustrated about at the moment is that I do not have from the Scottish Government a clearer understanding of how it might change the signage regulations. If it decided to change them to require repeater signs to remain up in 20mph zones or to reduce the requirement for 30mph repeaters, that would substantially reduce the costs of the bill even further. Unfortunately, I do not have that information for the committee at this point.

**Mike Rumbles:** I want to press you on your point about rural councils' support for the bill. I signed your motion to allow the bill to be introduced, because I am very much in favour of 20mph limits, but the question that I have to ask

myself as a committee member now that I have seen the bill, taken the evidence and interrogated witnesses is whether the bill is the best approach. I was particularly taken by Scottish Borders Council's evidence that it does not think that a blanket 20mph approach will save lives. The council's evidence to the committee was that the very few instances of accidents tend to involve reversing vehicles or vehicles at low speed, so why, at a time of financial constraints, should it spend a huge amount of money to solve a problem that does not exist, from its point of view? How recently did all those rural councils say that they support the bill? If I had been asked about support before I heard the evidence, I would have said yes. However, I am not so sure now.

**Mark Ruskell:** I point to not just my consultation at the beginning of the process to discuss the bill but the committee's consultation and the responses from councils. You have taken evidence from a council that is in favour and one that is against and had discussions with Highland Council.

The majority of councils are in favour. I have run seminars in Parliament over the past two years for councils to discuss the issues with the implementation of 20mph restrictions. Rural councils such as East Lothian Council have said, "We are not doing 20mph restrictions any more, because every time we try to introduce a 20mph zone, we get 55 objections and 50 are from the same person. We will wait for your bill to be enacted." Significant numbers of local authorities, of which a significant number are rural councils, are not rolling out 20mph restrictions now because they want a national default. The bill is what they are waiting for.

Earlier, I spoke about the views of Scottish Borders Council and I accept that this issue is not a priority for it. I point again to the report that has been furnished to the committee by Adrian Davis, which shows that the number of people who are seriously injured or killed in built-up areas in Scotland is significant. Those areas are in my rural community and your rural communities—they are not exclusively in the centre of Edinburgh and other cities. They are everywhere where children and vulnerable people live.

**The Convener:** Before we move on, I have a question that you have neatly led on to. At the weekend, I drove through Keith on the A96, which would not be covered by the 20mph speed limit. Boringly, I counted 60-plus streets off the main road, each of which would require signage each way. Then I looked to see whether the schools were on that road and I looked at the traffic, given the effect of the traffic lights. My truthful view was that the new signage and the change in the law would not make much difference, but it would be

at a vast cost. Is that situation reflected in many rural areas, or is Keith exceptional?

Keith is exceptional, by the way. *[Laughter.]*

**Mark Ruskell:** I am sure that it is. I am a bit parochial on this issue, because I spend a lot of time driving around Fife. I have seen the way in which Fife Council has implemented 20mph limits. In some communities, such as Burntisland and Aberdour, the council has decided to have 20mph limits on the through arterial roads as well, because that makes sense for those communities, given considerations such as how people cross the street, where they access services and shops, how many tourists there are and where the railway station and the police station are. Those decisions are based on the needs of that locality. It may be different for a rural community that has a less residential character and is more arterial in nature. Those decisions should be made locally.

**The Convener:** I will stop you there, because that leads on neatly to Colin Smyth's question.

**Colin Smyth (South Scotland) (Lab):** Thank you, convener. When the Cabinet Secretary gave evidence to the committee, he seemed to suggest that he supported the concept of 20mph restrictions but his view was that this was not the bill through which to deliver it—nor was it the best method to achieve it. How do you respond to that view? What alternatives to this proposal have you looked at to deliver 20mph restrictions?

**Mark Ruskell:** I am not clear what the alternatives might be. The committee has discussed streamlining the traffic regulation order process, for example, but there is nothing inherently wrong with that process, which has been designed to create exceptions to a rule. Simply streamlining a process to enable more and more exemptions from a rule does not make sense. Why not just change the rule and continue to apply the regulation order process on the streets where councils want to retain 30mph limits?

I do not see what the alternatives might be. Some local authorities are stopping the roll-out of 20mph limits because they are waiting for the bill to be enacted; they support what I am attempting to do. I am not clear that there is an alternative. The system that we have at the moment is very painful and slow for those local authorities that want to create a new default limit of 20mph in their residential areas, and for other local authorities it is not delivering the protection that would be provided by having a 20mph limit on restricted roads.



11:15

**Colin Smyth:** Is it the case that at no time during your discussions with the Government on the issue has it put forward an alternative proposal?

**Mark Ruskell:** I have not had that feedback. We had detailed discussions with the previous transport minister, Humza Yousaf, which were very constructive, and we have been working with Transport Scotland officials, who gave evidence last week, over a long period of time. The direction of travel has been to consider the proposal that is in the bill. At no point has it been put to me that there is an alternative waiting to be brought in, by streamlining the TRO process, removing the requirement for repeater signs or anything else. The view that I am getting from local authorities is that although streamlining the TRO process might have some benefit, it will not fundamentally change their present policies.

**Colin Smyth:** So no organisation that you have spoken to has said that streamlining the TRO process would deliver 20mph limits more quickly than they are being delivered at the moment.

**Mark Ruskell:** No. Almost two years ago, I asked whether there was a simple way to do what I was proposing—I asked whether I should lobby the Scottish Government for more funding or attempt to streamline the TRO process—but I was consistently told that a national default made sense. That is why I am here today, at the end of a very long journey, at no point on which have I been told about an alternative that would achieve the objective that the bill seeks to achieve, which is to ensure that there is a safer speed limit on the streets where people live, work and play.

**Colin Smyth:** I want to ask about a side issue. How would you expect a local authority to deal with the process of reimposing a 30mph speed limit on a restricted road, particularly where residents were in favour of a 20mph limit and where, as a result of your bill, it would be 20mph by default?

**Mark Ruskell:** I come back to the importance of the implementation phase. We have discussed with councils and SCOTS how that would work. We would not want to find ourselves in a situation in which a 20mph default limit was brought in for restricted roads and, six months or a year later, a debate took place about whether to keep it at 20mph or to take it back up to 30mph. The process needs to be as seamless as possible, which means that we must give local authorities a substantial amount of time to bottom out the exact nature of their restricted roads; to consult communities and stakeholders, including the bus companies, which have a legal obligation to stick to timetables, on which roads the speed limit

should continue to be 30mph; and to embark on a phased roll-out of the signage.

During the implementation phase, it will be important to have up-front discussions with communities about where it is appropriate to retain the 30mph limit. There will be cases in which we will need to retain the 30mph limit, for very good reasons—many of our roads are arterial in nature. That needs to happen ahead of the date of implementation of the bill.

**The Convener:** Peter Chapman will ask the next question.

**Peter Chapman:** Robust evidence has been presented that the 20mph limits that are in place at the moment are regularly flouted. Average speeds have dropped by only 1mph or 1.5mph because often it is so busy that the traffic is capable of travelling at only 24mph.

What we are seeing is that the 20mph limits that exist are regularly flouted. We heard from Police Scotland that it would not put in place extra resources to enforce the 20mph limit, because it does not have any. If people get used to the fact that they can flout the 20mph limit on a regular basis—and they do—will the effect on the general perception be that 60mph and 70mph speed limits can be flouted, too? Will people think that, because the limit is regularly flouted in Edinburgh, it can be flouted elsewhere?

**The Convener:** The evidence that the police gave to the committee was subsequently corrected. They made it clear that they will enforce the 20mph limit in Edinburgh; they have the capability to do so if someone goes over that limit. I do not want anyone to feel that what they heard in the committee evidence session gives them the ability to break the law. The police made it clear that they will enforce the limit. What they said was that they would choose where to enforce it, based on accident black spots. I wanted to clarify that before Mark Ruskell answers the question.

**Mark Ruskell:** Thank you for that. The current situation on 30mph roads is that more than half the people who travel on them break the speed limit—they go faster than 30mph. We have a compliance issue with 30mph roads. The number of people doing between 20mph and 24mph on a 20mph limit road is broadly similar, in terms of compliance, to the number breaking the limit on a 30mph road. I do not think that we are seeing a dramatically different issue in respect of compliance. The issue for the police is that they have limited resources: they do not have officers to stand on every single street corner on 30mph roads with speed cameras to enforce the limit. That is why we need an approach involving education and amplifying of enforcement activity, as the convener just said, so that the perception

that people might be caught speeding and that speeding is socially unacceptable becomes more the norm, and we transform social attitudes on that over time.

The important point in the report that we have just circulated to the committee is that the police recognise that they would need to put in place some up-front enforcement if the bill were to become law. Stewart Carle commented on that in the report. The police recognise that they have a role to play—partly in education and partly in targeting their enforcement activity on roads where speeding is particularly high.

**Mike Rumbles:** I want to challenge Mark Ruskell's response, because it is contrary to the information that we have in the SPICe briefing about enforcement. It is quite clear from the SPICe briefing—I do not have it in front of me, but I remember the evidence that was used—that in 30mph zones most motorists, and the average speed of motorists, are within the law. In 20mph zones—certainly in Edinburgh—most people drive at, and the average speed is, more than 20mph. I am not saying whether that is right or wrong; I just want Mark Ruskell to address the facts. The facts are that within 30mph zones, most people are law abiding, but in 20mph zones, most people are not. Do you accept that?

**Mark Ruskell:** I return to the figure that most people driving on a 30mph road are breaking the law—they drive at more than 30mph. Perhaps even more important than that is that they drive at speeds such that if they hit a pedestrian that person would be seven times less likely to survive.

**Mike Rumbles:** That is not the evidence about Edinburgh that the committee received in the SPICe briefing, which I think John Finnie might have in front of him.

**Mark Ruskell:** As for the point that we would, in effect, criminalise people by dropping the speed limit, the police apply a rule of thumb to detection and prosecution of people for speeding. The rule of thumb is that an acceptable variance from the speed limit is 10 per cent of the limit plus 2mph. The numbers of people who drive on a 20mph road at between 20mph and 24mph show that compliance is broadly the same as it is with the 30mph limit, so I do not get the sense that we would criminalise a large number of people by dropping the speed limit. Over time, as people come to understand the implications of driving at a higher speed and being caught doing so, speeds would drop further.

Page 2 of one of the committee's SPICe briefings from a previous week includes a graph, which is difficult to describe, that is based on Department for Transport statistics. It shows that the range of vehicle speeds—from those who

break the speed limit by travelling at 39mph down to those who travel at under 20mph—shifts towards 20mph on 20mph limit roads.

**Mike Rumbles:** Can we talk about the information that I referred to? I have it in front of me now, as John Finnie has kindly produced it. Page 6 of the SPICe briefing on the bill says, of Edinburgh:

“The average speed of vehicles on streets, provided with a 20mph speed limit, has dropped by an average of 1.9mph from 22.8mph to 20.9mph.”

When the speed limit was 30mph, the average speed was 22.8mph, so most people were obeying the law. Where the limit has been dropped to 20mph, the average speed is still more than 20mph. The Edinburgh statistics are clear in the SPICe briefing. Surely we should accept what the briefing has established.

**Mark Ruskell:** That is an average speed reduction, and the average is made up of a number of people driving at different speeds—some are going fast and some are going more slowly than the average. That is divided by the number of drivers to end up with an average speed reduction. That does not tell us that everybody is suddenly driving 1.9mph slower. What it shows, as some studies in Edinburgh have shown, is that the reduction in speed on higher-speed roads is greater than that on lower-speed roads. That stands to reason; implementing a 20mph limit on a road where it is difficult to drive at 20mph because it is incredibly narrow and is residential would mean a low reduction in speed, whereas putting a 20mph limit on a faster road would reduce speed more.

The reference is to an average and not to a mean; I am looking at Stewart Stevenson.

**The Convener:** I am trying to get you to look at me. I give you huge credit for having attended every evidence session on the bill; you will have heard me say that, when I waggle my pen, that means that the witness is probably getting to the end of their answer. I know that Malachy Clarke would like to come in.

**Malachy Clarke:** The second SPICe briefing that was presented to the committee said that

“52% of drivers on a road with a 30mph speed limit exceed those speeds”,

so most drivers travel at above 30mph. However, the point is that a speed of 20.9mph on a 20mph road would not break the law. The police would not stop anyone who was driving at 20.9mph to give them a ticket, and the police have said as much.

**The Convener:** The point is that it is easy to buy into reducing speed limits to 20mph in Edinburgh if people never do 30mph because of

traffic conditions, but that might be a different argument.

**Stewart Stevenson:** I have one brief question and one slightly less brief question. Is Mark Ruskell aware that the Road Vehicles (Construction and Use) Regulations 1986, which cover calibration of speedometers in vehicles, provide that speedometers have to be accurate only to plus or minus 10 per cent? That is why the 10 per cent approach applies. Legally, a person can sit in their car and read 30mph on their speedometer when their actual speed is 33mph. Therefore, if they were to be stopped when going at 33mph and taken to court, they would have a legal defence that their speedometer said 30mph. Is that your understanding? I see nodding heads, so I do not think that I need a further response.

**The Convener:** Can you move on to your next question?

11:30

**Stewart Stevenson:** Therefore, 20.1mph is actually within the 20mph limit.

I want to pick up on something in the report that the transport research institute has helpfully provided, although we have covered much of this already. Paragraph 3 on page 3 states:

“There was a general agreement that greater levels of road traffic policing results in lower numbers of collisions and injuries and traffic violations.”

We have a conflict here, given that the report points out at the bottom of page 4 that, in essence, the police are not particularly enforcing the issue in urban areas. They enforce in rural areas, where speeds are higher. However, the majority of serious casualties occur on roads in built-up urban areas. Have the police adequately addressed that in the observations that they have provided to the committee so far? I note that the police intend to have a special enforcement period of at least six months after implementation of the bill.

**Mark Ruskell:** We have had detailed engagement with Police Scotland. We recognise that it is in a difficult position, because it has resource constraints and needs to prioritise in order to deliver the most public benefit from its policing. That is partly why I commissioned the work from Professor Adrian Davis and the Scottish institute for policing research—I wanted to help the police to drill down into the data to consider how they would react to a national default, and where they might choose to prioritise their resources. It is welcome that the police have acknowledged that there would be a need for strong police involvement in the initial six months. However, we need further discussion with the police on numbers of seriously injured people in built-up

areas. We need to consider whether we have the balance right.

**Peter Chapman:** As I said, the traffic often travels at around 20mph—not because that is the limit, but because traffic conditions are such that it is physically impossible to go any faster than that at peak times. Outwith peak times, when traffic levels are a lot lower, the temptation for many drivers will be to drive above the 20mph limit, because they can do so at those times. I accept that there is a duty on the police to enforce a 20mph limit, but I also accept the point that, as we heard, there is no more resource to do that. The end result will be that many more drivers will break the law—end of story. I ask you to accept that that is the reality.

**Mark Ruskell:** I will ask Andrew Mylne to talk about where we think there might be an increase in fines. The evidence is clear, from the Atkins study and other studies, that a 20mph limit does not undermine other speed limits. In fact, the evidence shows that speeds reduce on surrounding 40mph and 60mph roads: overall speeds are reduced.

There will be variance throughout the day, but you have heard from Police Scotland that it does not say to people that it is okay to speed up at 3 o'clock in the morning and that they can rumble down the Royal Mile at 40mph if they want. At any time of day, there are implications of speeding. Part of the issue is about education. When people are driving fast through the centre of Edinburgh at 3 in the morning, there might be fewer pedestrians and less traffic on the road, but there might also be people who are particularly vulnerable and who could step out in front of a taxi or other vehicle. We need a process of engaging with drivers so that they understand the message on the impact of speeding.

People need to understand the implications not just of getting caught but of being in an accident, which could have an extremely serious impact on their career, and on the wider community and all the individuals involved—the person who is in the accident and the driver. Perhaps Andrew Mylne could explain about the fines income.

**Andrew Mylne:** Yes—

**The Convener:** You should look to your researcher, Malachy Clarke, on your left as well, because he might want to add to what you are saying.

**Andrew Mylne:** When we were doing the financial memorandum, we took into account levels of compliance with speed limits. Table 1 on page 4 of the financial memorandum gives current statistics for levels of compliance with different speed limits, which back up Mark Ruskell's earlier point. There might be greater non-compliance with

the 20mph limit, but it is not as great as you might think. We used the statistics as a basis to work out what additional costs might arise if there was a need for a greater number of prosecutions, penalties and so forth. That is all carefully costed.

What we have set out in the financial memorandum is based on a certain number of assumptions and comes up with certain numbers, but if the bill is successfully implemented, with an effective public information campaign that succeeds in changing the culture—as is the intention—levels of non-compliance might not go up at all, so it is possible that some costs will be avoided. However, we have costed quite carefully on the basis of there being some increase in speeding.

**The Convener:** That leads neatly on to Jamie Greene's question.

**Jamie Greene:** Mark Ruskell probably shares a lot of the frustration around the narrative, as we focus on numbers, percentages and costs. I would like to talk about the costs because they are important, but before I do so, I will share a short anecdote.

I promote active travel, as Mark Ruskell will be aware. However, I chose to drive to work this morning from my home in Edinburgh at 20mph or less for the entire journey—as I always do, of course.

**Mike Rumbles:** Well done! *[Laughter.]*

**Jamie Greene:** Thank you. It is important to put the bill in the context of what motorists experience in the real world, because this is about what happens out there to driver behaviour, and about pedestrians' and cyclists' perceptions of road safety. This really gets to the crux of the bill. During my journey to work, two cars overtook me because, in the eyes of the drivers, I was driving too slowly. One pulled out in front of a bus. A cyclist overtook me because they thought I was going too slowly down a hill and another driver sat so close to my rear bumper that I could see the whites of his eyes.

Do you understand people's genuine concerns that not everyone will drive at 20mph and that when drivers try to do so, it can be incredibly difficult?

**Mark Ruskell:** The Edinburgh experience is interesting. We all have our experiences of driving, cycling and walking in Edinburgh. I would point to the evidence that Ruth Jepson presented to the committee. She is doing the largest study anywhere in the UK of 20mph roll-out, and it has shown that the level of public objection to the 20mph limit in Edinburgh has gone down over the past year.

I do not deny that there are those who might feel frustrated about driving at 20mph. There is a question about the appropriate selection and retention of 30mph limits on arterial roads. It is certainly important to retain the 30mph limit on arterial roads because we need that higher speed limit for traffic flow, and there might be a case for the limit to be 30mph on roads that are largely non-residential. However, that is a local decision for councils to make and there will be discussion around whether councils have made the right decision—I know that there is a discussion in Edinburgh about whether all the roads need to be 20mph or whether some can be 30mph or whatever.

There needs to be a judgment about a road's function. Is it largely residential? Does it have an arterial function and should it therefore be retained as 30mph? Let us be clear—these are the minority of roads. I am not sure about your journey this morning but if you were driving through a residential housing estate in a suburb of Edinburgh, I presume that people were not tailgating you there. They were perhaps more concerned if you were on an arterial road. In terms of relieving driver frustration, it is about choosing the appropriate roads to retain as 30mph.

I point again to the evidence that the committee had from the Road Haulage Association, which said that it does not object to the bill. The professional HGV drivers do not object to the bill; they want to see appropriate retention of a 30mph arterial network, and I absolutely share that view. I agree with the Road Haulage Association that we need to retain roads at 30mph, but let us be clear that that applies to a minority of roads within an urban environment.

**Jamie Greene:** Thank you for that helpful response. Moving on to the cost—an issue that has come up time after time in evidence sessions, including this morning—what is your understanding of the total potential cost of implementing the bill? The relevant costs are to central Government or local authorities and probably exclude any costs associated with police enforcement.

**Mark Ruskell:** The financial memorandum, which we worked on with Andrew Mylne and Malachy Clarke in conjunction with SCOTS, which represents the people who will be implementing the bill, estimates the figure at between £21 million and £22 million over two years. As I indicated earlier, that modelling is based on figures that were provided by Angus Council and City of Edinburgh Council from their existing 20mph roll-outs. Mr Mylne can expand on how that financial modelling has been arrived at, if that would be useful.

**Jamie Greene:** We could spend a lot of time getting into the algorithms behind it, but you said that the top-line figure is £21 million to £22 million. Is that just for local authorities or does it include the costs of the Crown Office, the Scottish Government and the courts? I am looking at the table in the briefing paper, which says that the annual costs in the first two years are £10.2 million to £11.9 million, and trying to correlate those numbers. How does that match with your £21 million?

**Mark Ruskell:** That £21 million is from the financial memorandum. I cannot see the table that you have in front of you, but it is probably from the financial memorandum. There should be a table that outlines costs for the Scottish Government, the Crown Office and Procurator Fiscal Service, local authorities and Police Scotland. If that is what you are looking at, it is the same as what I am looking at.

**The Convener:** I am slightly confused, because Mark Ruskell is quoting a figure of £21 million and the table says that costs in the first two years are £10.2 million to £11.9 million. Can you clarify which it is?

**Stewart Stevenson:** The table shows annual costs.

**Mark Ruskell:** Over two years.

**The Convener:** Okay. I have got that. Thank you for explaining that to me.

**Jamie Greene:** If we look at the comments that we received from SCOTS, which participated in the costings, the author of some of the projections thought that £19 million was

“at the low end and £33 million at the upper end”—[*Official Report, Rural Economy and Connectivity Committee*, 6 March 2019; c 10.]

Taking the experience of Edinburgh as an example, we put in some freedom of information requests to City of Edinburgh Council and learned that the cost of Edinburgh’s 20mph project was nearly £3 million—£2.96 million. I am trying to put that into context. That was just for one local authority. How do you square those substantial costs for one local authority with a national roll-out costing just £22 million?

**Mark Ruskell:** It is because Edinburgh was doing it under the current system, which, as you will have heard the council say in evidence, was at least double the cost—that is in the *Official Report*. The cost of doing it under the current system is a lot higher. Mr Mylne will explain further.

**Andrew Mylne:** In the financial memorandum, we have tried to explain the methodology as carefully as we can. Some of the calculations are not straightforward. As Mr Ruskell said, we have

data from particular authorities such as Angus Council and the City of Edinburgh Council, and we have tried to extrapolate from those to a national level. That is not an easy exercise.

We cannot just multiply by 32, which is the number of local authorities, from the basis of one. The local authority that we start from will not be representative, because of either its geography or the proportion of roads in built-up areas—Edinburgh has a very high proportion of roads in built-up areas compared with other councils, for example—and because some of the figures are derived from the cost of implementing widespread 20mph zones under the current regime, which is a relatively cumbersome and costly process. Many authorities that have not yet taken significant steps towards widespread 20mph restrictions would go through a different process once the bill became law, and the costs would, therefore, be different.

11:45

The extrapolation is complex, and all I can say is that we have tried in the financial memorandum to explain as carefully, openly and transparently as we can the methodology that we have used. As with any financial memorandum, it is a matter of informed guesswork; it is not a scientific process. We cannot claim that the numbers at the end of the document are the last word. There will be different ways to arrive at numbers and different people will arrive in good faith at slightly different numbers.

Where we have made assumptions, we have explained what they are, and we have said where there are gaps because we simply could not attach numbers to a particular element. On that basis, I stand by the figures that we have produced as a good, honest estimate of the realistic costs of the bill. Others might arrive at different figures, but it is striking that the experts—those in SCOTS—have come up with broadly comparable figures.

**Mark Ruskell:** I should say that the memorandum is based on current regulations for signage. It assumes that repeaters may be needed on a road that retained 30mph, so we have costed in £8 million for repeaters. If signage guidance were to change, that sum might not be required. We have assumed that existing 20mph repeaters would need to be removed because 20mph would no longer be an exception; it would be the default. Therefore, repeater signs would not be needed.

If Government were to change the Traffic Signs Regulations and General Directions 2002, those costs could be substantially reduced. However, we have based the memorandum not on that assumption but on the worst-case scenario at this

point. Also, as I mentioned earlier, we have based it on a rural model, which assumes a greater proportion of exit and entry signs because those communities are smaller.

Our costings are accurate. Last night, I spoke to SCOTS again and it is content that what we have is robust.

**Jamie Greene:** The other thing that was said by SCOTS in its letter that was submitted yesterday was that “adequate funding” should be provided to local authorities to do this. The big question is, where will that money come from? Nothing in the financial memorandum states that central Government will give local authorities any additional funding to implement the change. Whether we agree with the financial memorandum’s final numbers is a matter for debate, but there will inevitably be a cost of at least £20 million. My understanding is that the brunt of that will be borne by local authorities. We have had representation from local authorities that are concerned about those costs. Where do you think that the money should come from? Who should pay for the implementation of what is, in effect, a central Government policy?

**Mark Ruskell:** This bill is a change in a national default limit for restricted roads, so I believe that national Government should pay for the bulk of the costs. Local authorities have tried to do this under existing budgets over many years. Clackmannanshire Council tried to ration its road safety budget to introduce exemption after exemption, and other councils have done the same. If this was a national roll-out, there would clearly be a role for the Scottish Government. For procurement of signage, for example, there could be opportunities for arm’s-length companies that local authorities run, such as Tayside Contracts, to be engaged in sign manufacture. SCOTS has said in our discussions that an element of national procurement would be the most cost-effective way to deliver this.

**The Convener:** Before we leave the issue of costs, we heard from the cabinet secretary that the marketing figure in the memorandum might be very low. He suggested that, if this change were to be rolled out, the figure would have to be substantially higher. Do you have a comment on that?

**Mark Ruskell:** The figure in the financial memorandum is based on the cost of a typical national campaign. The Scottish Government already has a budget for those campaigns and we have assumed an uplift of around £500,000 to provide a particular focus on 20mph in national education. It would be a choice for Government whether it wished to go further, particularly if it wished to introduce a multiannual campaign that could last for longer than two years. It has an

existing budget, and the question is whether there is a case to go beyond that. The decision about whether the budget needed to be substantially increased over time would be based on a reflection on the benefit over the first year of a national campaign.

The bill is predicated on a modest reduction of average speed. Measures to achieve that are currently dealt with by local authorities that have hardly any budget to do that sort of work. Clackmannanshire Council did very little educational work with the police when it introduced the 20mph limit. We can assume that anything that the Government would do beyond that would drive that culture change further, but that would be a choice for the Government.

**The Convener:** I do not want to misquote Michael Matheson, but I think that he suggested that national marketing campaigns would cost significantly more than that. He would have better experience of that than me.

**Mike Rumbles:** I want to pick up on what Mark Ruskell has just said: that he thinks that, because the bill represents a national initiative, it should be the national Government—the Scottish Government—that foots the bill, not our local authorities. That is what you have just said, Mark.

**Mark Ruskell:** That is my personal view.

**Mike Rumbles:** Well, why did you specify up to £20 million from local authorities in the financial memorandum but only £450,000 from the Scottish Government? That does not reflect what you have just said.

**Mark Ruskell:** Local authorities would have to pay in the first instance but, as we know, through Government investment in road safety and active travel, Scottish Government budget lines can appear and can support local authorities to do work that the national Government feels is important. There is a partnership there with local authorities.

**Mike Rumbles:** Did you not think it was important, when presenting a member’s bill, to be absolutely clear about that? You are the member in charge of the bill, and you have just said to us in verbal evidence that you feel that the measures should be funded on a national basis. Yet, in the evidence that you have presented to us in written form—in the financial memorandum—you have said the opposite: you have said that £20 million should come from local authorities, and only £450,000 should come from the Government. Why is that?

**Mark Ruskell:** The financial memorandum says that local authorities would need to spend that money in order to bring about a national default 20mph limit. That is correct. Where do local

authorities get their money from? From council tax, Scottish Government core grants, and so on. I will not deny that there is a question there. There are huge savings from the proposals, some of which would come back to local authorities. There is an up-front cost, and local authorities would bear that cost, but how it is funded is a question also for the Scottish Government.

**The Convener:** The last question is from Richard Lyle. Hopefully we will have a brief question and a brief answer.

**Richard Lyle:** When drink-driving legislation came in, people said that it would not work. When the smoking ban came in, people said that it would not work. Can you set out what you consider to be the likely benefit of your proposals? How does your bill compare with the other interventions that I have just mentioned?

**Mark Ruskell:** I think that it is very similar. It is a public health intervention. You heard the evidence from Professor Adrian Davis, who is an expert in public health, and you have heard evidence from Dr Ruth Jepson. The bill represents a cost-effective public health intervention, considering the ratio of cost to benefits. It could indeed cost £20 million to put the signs up and get the measures in place, but there could potentially be £35 million of savings year on year.

**Richard Lyle:** What cost is a life? It is a tremendous cost to anyone.

**Mark Ruskell:** It is funny—that was a point that my son raised the other week.

**Richard Lyle:** How would I feel if I knocked down a toddler? How would people feel if their loved one was killed? If the bill helps to save one life, it is worth all those millions of pounds as far as I am concerned.

**Mark Ruskell:** Yes. My son asked me how I was getting on with the 20mph bill, and I said that I had a big committee session this week, at which there would obviously be a lot of debate about costs. He said, “You can’t spend money to bring back somebody from the dead.”

**Richard Lyle:** Exactly. I wish you well, Mark.

**The Convener:** That is probably a very good point on which to leave the discussion.

Thank you, Mr Ruskell, for the evidence that you have given this morning. You have presented your case, and I thank you for that. I thank Malachy Clarke—I think you had the chance to come in. Andrew Mylne had a few chances, and Claudia Bennett had a chance to come in, too. Thank you very much for giving evidence this morning.

11:54

*Meeting continued in private until 12:30.*





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