



COMPLAINING TO THE POLICE: WORTH THE EFFORT?

My friend Stephen Barclay was killed on the A835 while cycling home to Inverness on April 1st 2005. The HGV driver responsible was travelling at 50% over the speed limit and searching for a ringing mobile phone when he ran Stephen down. He was convicted of careless driving, banned for a year and fined £1500.

One year after Stephen was killed and three days before the Fatal Accident Enquiry (FAI) that we had fought the Procurator Fiscal and Crown Office for a friend and I, in separate incidents, witnessed HGVs belonging to the haulage firm involved in Stephen's death with their drivers using mobile phones. In his Determination, the Sheriff saw fit to make no recommendation regarding the use of mobile phones by commercial operators.

The blatant use of mobile phones by commercial drivers, often in built-up areas, strikes me as particularly odious; that these vocational drivers are so readily identifiable indicates a contempt for road traffic law, and no fear of detection or punishment. It is also right that we should expect the highest standards of road safety from local business and especially haulage, not least because of the likely catastrophic consequences of an accident involving a 12 tonne lorry, like the one that hit Stephen. So I started to write to these companies with the intention of shaming them into either changing their company policies or disciplining their drivers. I highlighted the companies' responsibilities under both road traffic and Health and Safety law and that the managing director of one local business had already been cross-examined at an FAI following a cyclist's death that involved a mobile phone.

A corollary of prevalent mobile phone use must be ineffective deterrence and enforcement. I therefore copied letters to Northern Constabulary and the Inverness Health and Safety Executive. Having learnt something of the process of accident investigation, I also understood the corroborative potential of tachograph and phone records. The Inverness HSE stated it did not have any role to play, despite mobile phone use being specifically addressed on its website as a dangerous working practice threatening employees and public alike. Impressions of police indifference were reinforced when I reported the two incidents involving HGVs shortly before the FAI; no statement was taken and I was advised that they were too busy policing the town (it was early Friday evening) to take it further. I was sufficiently incensed to release a story to the press, which The Inverness Courier was good enough to run on its front page on the eve of the Inquiry.

The police would not give me a straightforward answer as to their policy on reported mobile phone offences and dismissed requests to charge HGV drivers, whom I knew could be successfully prosecuted if the will existed. Perversely, I believe, corroborative forensic evidence is only sought once a driver succeeds in killing an innocent road user: In the wake of the perfunctory FAI and with a growing sense of futility, I backed off.

The catalyst earlier this year for another attempt to press for action was witnessing the HGV driver of a local haulage company using a phone as he passed the exact locus of a fatal accident in February, on the A862 half a mile from our house. Around this time I began cycling to work, a six mile run on the same road and realised it was blighted with drivers happy to put my life at risk by using phones. I complained directly and more or less immediately to firms through website email and sent copies to Northern Constabulary and Inspector John Smith, as Head of Road Policing. The subsequent series of complaints included a number of car drivers, when I had been able to note vehicle registrations, as always with a time and locus. The first two complaints prompted the appearance of police officers who with all due alacrity came to take statements. All subsequent complaints were ignored however; to me this indicated the absence of any effective or consistently applied policy regarding such

complaints.

After sustained pestering and with support from, amongst others, HCC, some answers have been forthcoming. Chief Inspector John McDonald states that the Force is one of the “very few in the UK that still has a policy of recording and investigating” “all reports of criminal activity”. Whilst this does not accord with my experience, I hope this reassurance indicates our police will from now on recognise the need to demonstrate in its actions a true commitment to this aspect of road policing.

Ultimately, road policing deterrence and enforcement will only climb the police agenda if it is perceived as an issue of public concern. I would be interested to know how many other people in Highland have ever reported a driver for using a mobile phone, possibly very few, despite it remaining an endemic problem with the horrific death of one cyclist already. Unfortunately the message this gives (I hope misleadingly) is that our community believes that driving whilst using a mobile phone is acceptable or at the very worst a rather inconsequential offence. The reason we don't complain is in truth more likely to be a belief we are wasting our time and that nothing will be done. This is what I wish to change: I would like a cast iron assurance from Northern Constabulary that it encourages the notification of such incidents and that appropriate action will be taken in every case, even if this is a driver simply receiving a call or visit from an officer. Chief Inspector McDonald has told me that the HGV driver I first complained about was dismissed by his company and that an A862 car driver was also spoken to by an officer; I'd argue these are worthwhile outcomes that justify the little effort required from the vast majority of us who regard this driver criminality as unacceptable. Collectively, similar action will help change police perception, engender a zero tolerance mentality and improve deterrent and enforcement measures, all of which will help keep vulnerable road users safe.

Chief Inspector McDonald has intimated willingness to attend a forthcoming ATAG meeting in Elgin at which police handling of such complaints would appear on the agenda, which obviously I welcome.

Stuart Smith

[The above issue was discussed at the last HCC meeting on 11th November. There is was agreed that the Newsletter be used to encourage members to join Dr. Smith in reporting incidents to the police of mobile phone use while driving, and where identifiable commercial vehicles are involved, to the employer - Ed.]

THE FIRST FIVE THOUSAND

Time is a strange thing, not only do we try and parcel it up, it creeps up on you without warning. It is so easy to take for granted something you always seem to have been able to do, so the discovery in recent years that it was no longer possible to cycle as far as you would wish or needed to comes as quite a shock. The annoying thing is that the deterioration came not from fatigue or shortness of breath, but from an increasingly creaky frame. As I entered my sixth decade three consecutive days on a conventional bike left me unable to write or straighten my neck and no amount of ergonomic tweaking was alleviating the problem.

So a thought that had lain dormant in my mind surfaced again; a recumbent trike should address all these issues, including icy roads, which, as a shift worker, I quite often encounter. After a degree of research and a long chat with “Kinetics” in Glasgow, on the 20th January 2008 a box arrived from Germany with my new trike.

Freedom again! Equipped with built-in lighting and a Streamer faring the shackles dropped away once more and it was possible to travel as far as I could wish with the only constraint the time available. The comfort and weather protection are a complete revelation, stability and load carrying capability are other welcome bonuses. As a vehicle tricycles are more awkward to store and require a little more maintenance than bicycles but the rewards far outweigh the downsides.

I could recommend one to anybody who finds themselves uncomfortable on a conventional machine, and after 5,000 miles in six months it has certainly proved itself in my eyes.

Alex Gilmour

BLACK BRIDGE BIKES

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ATBs, road bikes, hybrids, step-throughs, 3 speeds, BMXs
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All come with 28 day parts warranty.

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Monthly sales 1st Saturday of month at 19 Carsegate Road
(In Carse Industrial Estate, turn left opposite Kia motors and follow signs)
or phone Neil or Ged 07833346592 to arrange a visit.

**NCN 78 - FORT WILLIAM TO INVERNESS CYCLE ROUTE
PUBLIC EXHIBITIONS OCTOBER 2008**

**Stakeholders go for major new route including
Loch Ness circular route**

Regular readers will be aware that a stakeholder group has been meeting for several years with a view to deciding an optimum route for this section of the Sustrans National Cycle Network. Three years ago HCC and CTC members formed part of the working party to decide on a preferred route. The much delayed public presentation of this route took place in October 2008 at Inverness, Fort Augustus & Fort William. You will have received exhortations from us to attend. Visitors were invited to make comments on the proposals.

HCC agreed to take part in the process as long as it was accepted that this was not to be seen solely as an “end to end” touring route but was to be a community linking project that would also act as a long distance leisure/recreational route. In this we were supported by Sustrans and the Scottish Executive (now Scottish Government - SG) as Trunk Roads Authority. Two vital links were at the heart of our concern. These were Inverness to Drumnadrochit and Fort William to Spean Bridge. In our view a project that picked only existing minor roads and forest tracks was not going to be one that served local utility cyclists’ interests. However we always backed the short term signing of such a route to get an early route up and running.

As things developed the group finally came up with a preferred route that could be described as the “string of sausages” providing for circular routes round Loch Oich, Loch Lochy and, most dramatically, Loch Ness. This exceeded our expectations and our congratulations go to Transport Scotland (who have succeeded SE/SG as Trunk Roads Authority) for having the vision and commitment to lead on this route.

Those of you who managed to get to the exhibitions will have seen the time scale. A linear route is to be provided by 2011 with the major works such as the segregated route from Inverness to Fort Augustus scheduled for completion in 2016.

We are writing to Transport Scotland and local politicians to congratulate the Government on this project. We are going to ask them to ensure that it has a high priority and that the long awaited community links between Inverness and Drumnadrochit and Fort William and Spean Bridge are brought forward in the schedule. We encourage individual members to do likewise.

Ged Church

BEAULY TO INVERNESS CYCLE ROUTE.

This project has been the subject of a long campaign by HCC and Kirkhill & Bunchrew Community Trust. During the past 18 months it has at last taken off. Highland Council TEC commissioned a feasibility study from Halcrow. This report was delivered to stakeholders by Halcrow's Cathy Kay in the early summer. The stakeholders made it clear that what local people wanted was a route that linked settlements between Beaulay and Inverness. The proposals are now in the process of being presented at public meetings by the local councillors and Community Councils.

The first of these took place in November and was hosted by Kirkhill Community Council. Many local cyclists attended. Cllr. Hamish Wood made sure that all got opportunities to make their views known and TEC were represented by Neil MacRae. The outcome was full community support for the proposals and the Community Trust offered to take forward funding applications.

Short term aims being taken forward by THC TEC are:

- * Improving Muirtown Junction
- * Looking at the possibility of cycle exemptions at Clachnaharry traffic lights
- * Providing an upgrade and re-determination of 1km path between Inchmore and Kirkhill
- * Making A862 Lovat Bridge safer by some form of signalisation
- * Improving safety and parking in Beaulay

Kirkhill & Bunchrew Community Trust are:

- * Applying for funding to provide a segregated route between Lovat Bridge and Brockie's corner
- * Planning a cycle map project with route signing.

HCC is funding cycle parking in Beaulay and at strategic points along

the route. (This money has been provided from a fund set up specifically to provide cycle facilities in the Beaully Firth area)

A lot of hard work over the years has gone into getting recognition for this project. In the last 18 months we have been very encouraged by the support of Cllrs Hamish Wood, Helen Carmichael and Margaret Davidson and the pro-active approach of TEC Neil MacRae & Les Houlker.

Ged Church

Abbreviations Used in Newsletter

AT	Active Travel	NCN	National Cycle Network
ATAG	Active Travel Advisory Group	RTS	Regional Transport Strategy
CO	Cycling Officer	SG	Scottish Government
CTC	Cyclists' Touring Club	TEC	Transport, Environment and
HIE	Highlands and Islands Enterprise		Community Services
LA	Local Authority	THC	The Highland Council

HCC MEETING OF NOVEMBER 2008

Following the mixed feeling about where the Campaign is going in two articles in the August Newsletter, it is good to report that the last HCC meeting was the best attended for many a long month with a longer agenda than usual. It led to very good discussions. As described in the last Newsletter several items covered were being proposed by an individual or small group working on a local scheme rather than by the Campaign as a whole. Experiences which had been learned could be exchanged to encourage others working in their own fields. Ways of seeking funding to support their schemes e.g. the Inverness-Beaully route described on p.6 and the Strathpeffer to Dingwall cycle route could well prove profitable. Ideas were also bounced about for keeping our supporters up-to-date and to that end brains have been picked at the Edinburgh campaign group "Spokes". Why not come along to the next meeting most probably to be held in February?

Mary Langridge

A9/A835 TORE - MARYBURGH CYCLEWAY

Following a letter from Moira Broadhead concerning broken glass and very icy conditions on the above cycle path between Maryburgh and Tore and vegetation encroaching on the path just before the tunnel to North Kessock turnoff at the Drumsmittal roundabout the following points were made by the North Area Manager of Transport Scotland.

“I can confirm that the cycleway is not included in our winter service as additions to our network require to be considered and prioritised in terms of level of service to be provided. As this has all to be done prior to the Winter Service Plan being prepared by our Operating Company before the end of July, this cycleway has not been included.

There have been other recent additions to our cycleway network and we will be assessing the amended network of cycleways and footpaths to determine if changes can be justified.

Highland Council have been contacted regarding the broken glass as they are the Litter Authority for these trunk roads. Scotland Transerv have been made aware of the overgrowing vegetation and are arranging to have it cut back at the earliest opportunity.”

FOR SALE

1. Claude Butler Majestic Classic Tandem - 531 frame, 22.5” & 21.5”, set up with Kiddy cranks, rear disc brake £200
2. Dawes Horizon Road bike 501 21.5” frame £30
3. Muddy Fox - Courier Comp Frame & wheels £25
4. Pendle Bike Rack with lights & No. plate fitting- Fits tow bar - adapter required, available from Pendle. £25

Phone Ged Church 01463 831306

LETTERS - OPINIONS - ACTION - PARTICIPATION

Chairman: **Dick Langridge** 6, Rowan Park, Carrbridge, PH23 3BE 01479 841633
langridge@cali.co.uk

Secretary: **Peter Reynolds** 15, Mackay Square, Dingwall, IV15 9PN
peter@peterreynoldsbooks.co.uk

Membership: **Ron Stewart**, The Anchorage, Barbaraville, Invergordon, IV18 0NA
01862 842753 ra.stewart01@btinternet.com

Newsletter: **Mary Langridge** 6, Rowan Park, Carrbridge PH23 3BE
01479 841633 langridge@cali.co.uk

Website organiser: **Jon Shepherd** jon@barneybus.org.uk

ROSYTH-ZEEBRUGGE FERRY

Life just gets better, doesn't it?

Looking at travel options for this year, having a daughter and son-in-Law in Amsterdam and also wanting to visit the site of the Battle of the Somme, where my father served in the RAMC, we were looking forward to using the new Rosyth Ferry.

I laughed when I saw the correspondence in the Scotsman implying that to get on the ferry you had to be with a motor vehicle. This had to be a joke. Almost, but not quite. We are apparently awkward customers, since sometimes we travel by bike + public transport and sometimes on foot + public transport.

Anxiously I Googled the ferry and came up with the helpful Direct Ferries site first. They offered to book the passage. No problem, except that they required you to indicate which motor vehicle you were bringing. This ranged from Commercial Vehicle to Motor cycle. No mention of HPVs such as bicycles, tandems, tricycles. Certainly no mention of pedestrians. I fired off an indignant email to Norfolk Line, copying it to Ron, Ged and Mary.

Ron, tired of terrestrial turmoil and tribulation, and on his way to the Boat Show, told me that he had been able to book his bike on the ferry, but it cost a fortune. (Obviously he had to book a 4 berth cabin for sole occupancy, the only option other than travelling with up to three companions as a group).

I then phoned Norfolk Line helpline and a pleasant Colleen informed me that I could indeed book a bike on for around £10. I thanked her and suggested that Norfolk Line might inform Direct Ferries of this. She said they had, but Direct Ferries got it wrong. It took two paracetamol tablets and ten minutes to get her to agree to ask her line manager to sort it out.

In optimistic mood, I turned to the Norfolkline website, and learned that bikes could be booked on, but strictly one passenger per bike (and one bike per passenger), i.e. no tandems? That seemed to have sorted the bike option, but what of the pedestrian option?

On perusal of the Ferry terms and conditions, note 2 reads 'No foot

passenger is allowed'. The email reply to my communication of dissatisfaction with this reads 'You can book foot passengers through Sphere Travel or Osprey Holidays and the company is reviewing its position on the carriage of foot passengers'.

I have tried to get information on both websites and failed to find any reference to the Rosyth-Zeebrugge Ferry. I have communicated my displeasure at a wasted opportunity to encourage active travel to Jane Rougvie of Transport Scotland and await a reply. I would have thought, with all that is going on economically and globally, that allowing foot passengers to access Scotland's only truly international ferry would have been a basic requirement.

Our best option is simply to travel with our folding bikes, which are acceptable on most buses, trains, taxis and ferries throughout Europe (you can also ride them). Wait till I get my folding recumbent trike run in. Then there could be some fun!

Stewart Campbell

ADVERT



Longstaff Kiddyback Tandem

20" x 15" frame 26" wheels with 1¹/₄" tyres. 21 gears (Sachs Grip-shift), 531 tandem tubing, optional hub mounted drag brake. Good fast touring bike suitable for small adult and child. Little used Offers over £300. Contact grantandrews@btinternet.com

SCOTTISH GOVERNMENT BUDGET 2009/10

HCC member Ron Stewart was contacted by Dave du Feu of Spokes (Edinburgh Cycle Campaign) asking for support for their campaign for a Cycle Projects Fund of £20m to be transferred from the *increase* of £134m proposed for Trunk Road spending (with a projected *further increase* of £117m for 2010/11!)

As Highland MSP Rob Gibson is on the Transport Committee of the Scottish Parliament, several of us wrote to him in advance of the committee meeting on 18th November and received a reply which was non-committal but did point out that he is a cyclist himself and therefore sympathetic.

As negotiations on the budget looked set to continue into the New Year, Mary and I also wrote to all Highland MSPs. We received replies from Dave Thompson and from Fergus Ewing who were also supportive and promised to write to the Transport Minister Stewart Stevenson. Fergus Ewing forwarded the reply from the Minister. One of the main points in this letter is that spending on cycling is often hidden as part of Trunk Roads and Rail improvements.

Dick Langridge

NESS WALK IMPROVEMENTS

Highland Council has shown HCC their plans for environmental improvements to Ness Walk. Currently Ness Walk is one way towards the Cathedral but with cycling permitted in the opposite direction. The section between Ness Bridge and the Palace hotel will be laid out like Union Street in the city centre with the pavement and road all being on the same level. This, it is hoped, will slow traffic down as it enters Ness Walk. The second half of the scheme, between the Palace Hotel and Ardross Street will have a narrower carriageway with, it is hoped, a designated cycle lane. The pavement along the riverside for the whole length of Ness Walk will be widened to allow for cycling here as well as on the carriageway. The design aims to continue the riverside boulevard that runs in front of the Cathedral and Eden Court for the whole length of Ness Walk.

Bob Hemingway

CONTACTS FOR HCC AREAS

Two e-mail addresses below have been amended since the last Newsletter

Area/project	Names	E-mail/phone
Fort William and Spean Bridge NCN 78 (Great Glen)	Neil Parrish	Nevis Cycles, Spean Bridge PH34 4EP
Inverness (Town and Surrounds)	Bob Hemingway Ged Church	bob.hemingway@ gmail.com gerard.church@ btinternet.com
Maps	Michael Leslie	01463 225447
ATAG	Ged Church	01463 831306
Badenoch and Strathspey	Mary and Dick Langridge	langridge@cali.co.uk 01479 841633
Skye Local Access Forum Broadford - Portree	Jim Towers	jimtowers@ btinternet.com
Ross and Cromarty	Stewart Campbell Ron Stewart Peter Reynolds	jdscampbell.alness@ btinternet.com ra.steward01@ btinternet.com peter@ peterreynoldsbooks. co.uk
CTC and Recreational Cycling	Steve Carroll	biker_carroll@ hotmail.com
Moray	Rebecca Kail	01343 542245
Sutherland	vacant	
Caithness	vacant	
Nairn	vacant	