



**MINUTES OF A MEETING OF THE SCRUTINY COMMISSION FOR RURAL  
COMMUNITIES HELD AT THE BOURGES / VIERSEN ROOM, TOWN HALL  
ON 9 JANUARY 2012**

**Present:** Councillors D Over (Chair), D Sanders, R Dobbs, J Stokes E  
Murphy, D Harrington, A Shaheed,

**Also Present:** Peter Godly, Peterborough Youth Council

**Officers Present:** Sergeant Roy McMichael, British Transport Police  
Inspector John Purcell, British Transport Police  
Paulina Ford, Senior Governance Officer

**1. Apologies for Absence**

Apologies for absence were received from Councillor Nawaz. Councillor Stokes was in attendance as substitute.

**2. Declaration of Interest**

No declarations of interest were made.

**3. Minutes of the Meeting held on 21 November 2011**

The minutes of the meeting held on 21 November 2011, were approved as a true and accurate record.

**4. Presentation from Transport Police – Railway Crossings**

Sergeant Roy McMichael and Inspector John Purcell of the British Transport Police were in attendance at the meeting and gave a presentation to the Commission which covered:

- Level Crossings and Criminal Offences
- Patrol and Enforcement Methods
- Current work along Spalding – Werrington – Stamford Route

Members were informed that the British Transport Police (BTP) were one of the oldest police forces in the country operating in England, Scotland and Wales. There were 3000 officers, PCSO's and support staff based throughout the country with a mixture of 24hours and non 24hour police stations. Peterborough station was a 24hour station providing night cover for the rail network. The jurisdiction of the BTP covered railway tracks, stations, trains, sidings and anywhere owned by Network Rail. The British Transport Police received the same training as Home Office forces which had been funded by the railway.

Members were given an overview of the following road traffic acts and examples of offences that had taken place in relation to level crossings.

- Section 2 Road Traffic Act 1988 – Dangerous Driving
- Section 3 Road Traffic Act 1988 – Careless & Inconsiderate Driving
- S36 Road Traffic Act 1988 – Failure to Comply with a Road Sign

- Section 35 Malicious Damage Act 1861 - Obstruction of a train with intent to cause obstruction e.g. deliberately stopping on a crossing to cause an obstruction.
- Section 36 Malicious Damage Act 1861 – Obstruction of a train without intent to cause the obstruction.
- Section 32 Offences Against the Persons Act 1861 – Endanger Safety - with intent to endanger the safety of any person travelling or on a railway.
- Section 34 Offences Against the Persons Act 1861– Endanger Safety – not with intent.
- Railway Byelaw 11(1) – General Safety e.g. where people had interfered with equipment at a crossing.
- Act 1845 – Fail/Omit to fasten gate

Members were informed of the various patrol and enforcement methods used to ensure level crossing safety. These included:

- Covert and Overt Deployment
- Static Crossing Cameras
- Mobile Crossing Camera
- Media Campaign
- Residents Information Packs
- Mobile Crossing Van

The Mobile Crossing Van (MCV) had been funded by Network Rail and was available on request. It had been equipped with nine cameras, video and automatic number plate recognition equipment. In three months there had been 1131 prosecutions through the use of the MCV. A day of action using the MCV had been planned for February and Members were invited to go along and see the MCV in action.

Members were advised of a new National Pilot Project called the Lincolnshire Level Crossing Working Group. This was a multi agency approach which looked at addressing level crossing risk through industry engagement and collaborative working. The group met monthly and covered 87 Crossings over 54 Miles. The working group had brought about some improvements which had included forward facing CCTV on rail services.

Observations and questions were raised and discussed including:

- When did the name Railway Police change to the British Transport Police? *The name British Transport Police came about in 1967 prior to that it had been British Transport Commission Police from 1946 and prior to that each railway company had their own transport police.*
- As you are such an old force do you have any unusual powers? *Members were advised that old railway byelaws were still used.*
- Why don't all crossings have CCTV? *Members were informed that Network Rail funded CCTV equipment at crossings where a lot of problems had been reported. CCTV was costly to install and could only be used as secondary evidence to support primary evidence in a prosecution.*
- Members were concerned about the level of safety at Foxcovert Crossing at Werrington and wanted to know if anything had been done to improve safety at the crossing. The Crossing was a busy crossing for school children. The main schools affected were William Law Primary School, Werrington and Welbourne Primary Schools. *Members were informed that Foxcovert had featured at the Lincolnshire Level Crossing Working Group meetings and had been acknowledged as a problem crossing. The Sergeant was unaware of any work being done there. It was often about education on crossing safety and the British Transport Police Education Officer could arrange to visit the relevant schools in the area of the crossing. The Sergeant advised that he would forward the concerns of the*

*Committee onto Network Rail and invited Members to write to the British Transport Police if they had further concerns and they would ensure that they were passed on.*

- Members also raised concerns regarding commuters from South Lincolnshire who drive dangerously down the country roads and cause problems at smaller crossings, such as Helpston and Bainton Green. *The Sergeant was aware of this and advised that everything was being done to catch those responsible.*

#### **ACTION AGREED**

The Commission agreed that the British Transport Police would:

1. Invite Members of the Commission to see a Mobile Crossing Van in action.
2. Contact Network Rail and advise them of the Commissions concerns with regard to safety at the Foxcovert Road Rail Crossing and the future safety in view of the proposed increase of trains.
3. Contact the Primary and Secondary Schools within the area of the Foxcovert Crossing to discuss safety awareness at the crossing.

#### **5. Forward Plan of Key Decisions**

The latest version of the Forward Plan, showing details of the key decisions that the Leader of the Council believed the Cabinet or individual Cabinet Members would be making over the next four months, was received.

#### **ACTION AGREED**

The Commission noted the Forward Plan and requested further information on Children's Centres Commissioning – KEY04/NOV/11.

#### **6. Work Programme**

Members considered the Committee's Work Programme for 2011/12 and discussed possible items for inclusion.

#### **ACTION AGREED**

To confirm the work programme for 2011/12 and the Scrutiny Officer to include any additional items as requested during the meeting.

The Chair advised that following a discussion at the Group Representatives meeting held prior to the formal meeting it was agreed that the following items would be removed from the work programme for March:

- Leisure Provision in Rural Areas
- Parking Enforcement in Villages
- Registration Plate Viewer Car

It was agreed that the following items would be added to the work programme for March:

- Affordable Housing in Rural Areas
- Community Action Plans

#### **Joint Meeting of the Scrutiny Committees and Commissions - 30 January 2012**

The Commission requested that it be noted in the minutes their requirement for a separate Rural Budget Briefing session for next years budget consultation.

Councillor Sanders requested that it be noted in the minutes that he was disappointed in the lack of items on the agenda.

**7. Date of next meeting**

Monday, 19 March 2012

CHAIRMAN  
7.00pm - 8.10pm