

Basingstoke M.A.G. Minutes

13/01/2011



Rep Keith:

Emails:

Continuous Insurance Enforcement is upon us...

We got a heads-up yesterday and I'm expecting more detail from my contact at DfT shortly. In the meantime I've copied the DfT Press Release and some further info from the DirectGov website below.

During consultation, concern was expressed whether CIE was desirable given the cost of the scheme and potential trouble caused to law abiding riders, especially any who have been able to hold on to their rider policies - also some concerns have been expressed about whether all bikes insured on a multi-bike insurance policy are entered on the MID.

The fear of having to insure a box of bits has been allayed, MAG and others argued for bikes not in use to be exempted and the PR below makes it clear that SORN'd vehicles will not be affected. However, it is not yet clear whether this applies to vehicles that escaped SORN because they were not in use at the time those regulations were introduced - we need to find out whether having a registration document in your name for any vehicle not in use means that in future you will have to SORN it to avoid CIE.

Muchie - can you cobble together some MAG PR? eg; MAG welcomes assurances that bikes not in use will not be affected but is concerned about potential loopholes and discrepancies in the system tht may see riders unfairly penalised. MAG says that the government should say by how much they expect insurance premiums to reduce as a result of the scheme and to monitor the effectiveness of the scheme to make sure it serves its purpose and does not simply mean more red-tape and inconvenience for riders.

Nich

Uninsured drivers face new crackdown

11 January 2011 10:32

Department for Transport (National)

New powers to tackle uninsured driving will come into force within months, Road Safety Minister Mike Penning announced today.

Under the new powers it will be an offence to keep an uninsured vehicle, rather than just to drive when uninsured.

Currently every responsible motorist pays an average £30 each year within their premiums to cover crashes involving uninsured and untraced drivers. It is also estimated that uninsured and untraced drivers kill 160 people and injure 23,000 every year.

Mike Penning said:

"Uninsured drivers push up premiums for other motorists and often drive with no regard for other road users, so it is vital that we do everything we can to keep them off the roads.

"More than 400 uninsured vehicles are already being seized by the police every day but it is simply not possible to catch every uninsured driver in this way. That is why we are bringing in these new powers which will help us to take targeted action while freeing up police time to deal with the hard core of offenders."

Ashton West, Chief Executive at the Motor Insurers' Bureau, said:

"Today's news marks a significant step forward in the fight against uninsured driving. This means that as enforcement can take place for both keeping and driving a vehicle without insurance there will be no place for illegal motorists to hide.

"Continuous Insurance Enforcement (CIE) will complement and run alongside existing police roadside enforcement, which has already reduced uninsured driving by 20%."

Under the new system:

- The DVLA will work in partnership with the Motor Insurers' Bureau to identify uninsured vehicles

- Motorists will receive a letter telling them that their vehicle appears to be uninsured and warning them that they will be fined unless they take action
- If the keeper fails to insure the vehicle they will be given a £100 fine
- If the vehicle remains uninsured - regardless of whether the fine is paid - it could then be seized and destroyed.

Vehicles with a valid Statutory Off Road Notice (SORN) will not be required to be insured.

The Department for Transport today made the Commencement Order to make it an offence to be the registered keeper of a vehicle which does not have insurance, as well as regulations to support this. Further regulations will be made shortly, allowing the scheme to come into force in the Spring.

Notes to editors

1. Latest estimates are that around 4% (around 1.4 million) of GB motorists drive uninsured. The penalty for driving without insurance is a maximum fine of £5,000 and 6-8 penalty points. Around 242,000 offenders are convicted for uninsured driving every year.
2. Measures already introduced in the Serious Organised Crime and Police Act 2005 gave police improved access to the Motor Insurers' Bureau database and powers to seize vehicles. In 2009 around 180,000 vehicles were seized.
3. The Road Safety Act 2006 provided the primary powers for a new offence of being the keeper of a vehicle which does not meet insurance requirements. Further secondary legislation is now being made to bring these provisions into force.
4. The Motor Vehicles (Insurance Requirements) Regulations 2010 make provision for regulations in support of the offence of being the registered keeper of a vehicle which does not have insurance cover. This instrument makes exceptions to that offence, provides that liability to conviction for the offence may be discharged by paying a fixed penalty of £100 and provides for the disclosure of information in connection with enforcement.

Public Enquiries:

Check your vehicle is on the Motor Insurance Database: www.askMID.com

Department for Transport Website: <http://www.dft.gov.uk>

Information about the new offence can be found here: www.direct.gov.uk/stayinsured

Contacts

DfT Press Office - Roads

Out of Hours 020 7944 4292 Public Enquiries 0300 330 3000 Website www.dft.gov.uk

www.twitter.com/transportgovuk | www.youtube.com/transportgovuk | www.flickr.com/transportgovuk

Phone: DfT Press Office 020 7944 3066

nds.dft@coi.gsi.gov.uk

http://www.direct.gov.uk/en/Motoring/OwningAVehicle/Motorinsurance/DG_186696?CID=Continuous_Insurance&PLA=DM&CRE=Furl

the DirectGov website says...

From early 2011 a new scheme is being introduced to make sure that all vehicles stay insured or a Statutory Off Road Notification (SORN) is made. The Driver and Vehicle Licensing Agency (DVLA) and the Motor Insurers' Bureau (MIB) are working together to reduce the number of uninsured drivers. The fight against uninsured vehicles

Latest public estimates are that around 1.5 million of all UK motorists drive uninsured. These drivers cost the UK about £500 million annually, which adds up to an average cost of an extra £30 per car insurance policy.

The police already seize about 500 uninsured vehicles every day. To help combat uninsured driving even further, when the new law is introduced it will result in:

finer

prosecutions

clamping of uninsured vehicles that have not declared Statutory Off Road Notification (SORN)

Records held by DVLA will be compared with those on the Motor Insurance Database (MID).

From early 2011, if it appears from the database comparison that a vehicle has no insurance or no SORN, a letter will be sent to the registered keeper.

If the keeper takes no action, the keeper faces:

a fixed penalty fine of £100

court prosecution and be fined up to £1,000

having the vehicle clamped, seized and destroyed

What to do as a vehicle keeper

If you are not insured and use your vehicle on the road you are already committing an offence – get insured immediately.

If you are keeping your vehicle off the road, make sure that you have submitted a SORN declaration to DVLA. If the vehicle is taxed you need to return the disc (including nil value discs) to DVLA using a V14 form. You can make a SORN declaration at the same time as returning the disc on the V14.

Feed back please:

Don't get too wound-up by this, it's not the sort of German-style changes we've been hearing about.

VOSA (the Vehicle & Operator Services Agency) say they want to make improvements and savings to services within the MOT scheme.

Please kick this one around and let me have comments by 25th of JANUARY so Nich can compile a MAG response for NC to approve before we submit it in early February.

Red

MAG NC Briefing - VOSA consultation on: Changes to the MOT Scheme that affect the motoring public.

There are 3 proposals to consider...

Item A - Hard copy Inspection Manuals and Guides.

Currently hard copy MOT Inspection Manuals and Guide can be ordered by members of the motoring public.

Proposal: from April 2011 these will no longer be available in this format. They will be viewable over the Internet and a full PDF version of each document will also be made available for downloading.

The obvious objections to this will be 1. not everyone has effective access to the internet and 2. the cost of printing whole or part manuals may be high for some users.

Item B - Public Enquiry phone response service Currently the public can ask for the status of a specific MOT and the history of previous MOT Test for the period they have owned the vehicle This service is available over the internet (free) and also over the phone which is charged at a premium rate.

Proposal: remove the premium rate phone service only, the internet service would remain unaffected by this.

Again, the obvious objections to this will be 1. not everyone has effective access to the internet

Item C - Move from pre-printed MoT forms to plain paper documents Currently, pre-printed forms are used to print off MOT Test, Pass, Fail and Advisories following completion of an MOT.

Proposal: move away from pre-printed forms and print using plain paper only, in future all documents would be produced in black and white only.

On the face of it, forging an MoT Pass certificate would become a lot easier if the paper it is printed on has no security features such as watermarking. This means it would be more likely that innocent purchasers could buy and drive un-MoT'd vehicles believing they have a current MoT Certificate. Buyers should be able to buy a vehicle without lengthy or expensive verification services, so there must be safeguards as to cost and ease of use of any service that verifies the MoT status of the vehicle on the spot.

Fuel Protest 2011

Are you up for some demos for fuel protests?

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Kitson Warrener, North East Representative, **Motorcycle Action Group** Tel: 0844 248 0173 Mobile: 07999102548 Email: north-east-region-rep@mag-uk.org Website: <http://north-east-region.mag-uk.org>

Has anyone you know got a personal experience of ABS on motorbikes which they could tell me Mutchie about. He is looking to put together a piece on the pros and cons of ABS
Red

As the campaign moves steadily closer to "Judgement Day 2" in March, which could hopefully see the termination of this vile tax, I am delighted to say that yesterday's twice-rescheduled "Circulars" ride raised a further £1200 toward the legal fund (before deducting the cost of the buffs) from the 200+ brave enough to endure the cold on one of our most professionally organised rides since we started (many thanks to the MIB).

Firstly, upcoming events...

WMBC & WESC - the return.

Their back, starting this week on 12th January, and hopefully with the outside temperature rising, so will the attendances. One of the most frequent observation made to me from those on yesterday's run was the great feedback from members of the public who seemed to enjoy the parade aspect. Well, as many WMC/WESC members will also attest, the same pervades our Wednesday meets, but more crucially, keeps the issue fresh in the minds of the public.

If you still haven't joined us, please try and make the effort.

Ride-out 2 - Saturday 5th Feb 2011, Villiers Street to Excel

The second in our "fund-raiser" trilogy will be a ride that initially encircles a large part of the West End before heading out toward East London for the bike show at the Excel. We hope to provide amended posters & fliers on the website for download asap. As with all our rides, we rely on you guys to be our promotion, and it requires a little bit more than word-of-mouth if we are to attract others to our cause. Please ensure you "do your bit" to help your fellow campaigners.

Ride-out 3 - (TBC) Saturday 5th March 2011, "Ace to Ace, the Circulars" Mark II

Following such a successful ride yesterday, and safe in the knowledge that those attending will be

imparting the joy of their experience with others unable to attend, it would be remiss not to repeat it. Tentative arrangements have been made with Ace Cafe London, who acted as perfect hosts yesterday, for us to again leave at 10.30am from the cafe returning at 15.30 as we did yesterday. Please keep the day in the your diary reserved.

At this point, it is important to make the following observation. With over 8,000 people subscribed to our campaign, it has to be stressed that the success so far is down to a rather small percentage of that number. The easiest thing to do in any walk of life, is to do NOTHING. It is also easy to pour scorn on the intention and supposed effectiveness of the efforts of those actually doing something. But please remember this, if we all did NOTHING, we would be paying to park everywhere by now! If you genuinely believe that blatant fund-raising is the true motive behind the introduction of the scheme, and you have taken the trouble to subscribe, then it is time you take the trouble to join your fellow campaigners on the street.

M25 - The Great Lap of London

Irrespective of March's Court case outcome, it would appear that our M25 rides last Summer have so captured the imagination of many, we intend to hopefully make it an annual event, in aid of the Air Ambulance Service, and are planning to repeat it this June. More details to come

Other news....

Important clarifications following last week's mail.

It would appear that, thanks to the more legally astute amongst you, our description pertaining to the difference between "malfeasance" & "misconduct" was totally erroneous. "Malfeasance" is in fact a "tort" and thus, based in contract law, whilst "misconduct" is based in criminal law. However, the principles governing misconduct were correct, and it would appear that many of you, as members of the public, seem more than willing to state your opinion as to having lost any trust in the public offices held by the reprehensible Messrs Gilchrist & Large as a direct result of the numerous misrepresentations made by both pertaining to the Pay-By-Phone contract procurement law infringements.

Hence, it is crucial that we highlight a second clarification. With the likelihood of a private prosecution of both increasing daily, it is important to stress that financing of the same will NOT be from the current legal fund. That is purely for the Court of Appeal challenge against the motorcycle parking tax. That said, should Counsel's opinion be favourable, we will start separate fund-raising, for which we have already been promised assistance from 2 separate commercial entities. Seems that these 2 delightful characters have upset many others along the way!

As was mentioned at yesterday's ride-out, the advantage of sticking to the truth is that you don't have to keep remembering what lies you told to which people. Having "assured" the EU Commissioners & the PIP board that no other authority had called-off the PIP Pay-By-Phone contract with Verrus UK Ltd other than WCC, many of you were most interested seeing PLarge squirming in the face of the forthright admission, under of FOI, by Islington that they had been using the contract since November 2008. We are currently presenting PLarge's communications to Islington to solicit their comments.

Whilst "that" email-string between PLarge and our chairman was ongoing, the former showed his more hypocritical nature by demanding "immediate" removal of disingenuous remarks about his character from our website following his asking of pressing questions that had been outstanding for several

months. Having assured, in July 2009, that he would present to the WCC Cabinet a report into the legitimacy of the novation of the parking enforcement contracts, he finally managed the same in November 2010, some 16 months later. Hardly "immediate" one would venture. Similarly, when asked to qualify the validity of supposed "assurances" made by Mr Gilchrist, again which simply cannot be true, PLarge opted to refer to comments made on our forums regarding his punctuality as excuse to prevaricate.

It was put to him on 17 December 2010: *"It is clear that there has not been any suggestion that the procurement or award of the Pay & Display contract by WCC was defective or reliant on the establishment of PIP. The issue is whether any reliance can be placed on Mr Gilchrist's assurance to the Board that the legal teams of partnering authorities were consulted throughout the process. Since WCC had no "partnering authorities" at the time this contract was procured & awarded, how, and more poignantly, why would other authorities' legal teams have been consulted?"*.

His response: *"I see from your website that I am accused of responding to your interrogatories too promptly, and a Mr Chalky seeks to draw conclusions therefrom. I will therefore respond in my own time, later in the New Year"*. Guess what? Still no response!

Moreover, during that 16 months it took him to do his report, at our behest, the "novation" issue was supposedly investigated by the Met Police & the District Auditor, both of whom, following advice from PLarge, were of the opinion that there was enough of a relationship between both National Car Parks Ltd & NCP Services Ltd to suggest that there could be nothing untoward in the latter performing the contracts when the former vacated them. The DA went as far as to describe the switch as a mere "group reorganisation". Clearly forgetting that he had portrayed this scenario, PLarge, in response to the somewhat obvious question "If it was not a material change in supplier, why was the contract deemed necessary to be novated?", finally admitted:- "However, on the novation - there clearly was a change in supplier, because NCP and NSL are two different legal entities. That is why it was necessary for the contract to be novated."

Naturally, the right course of action will be to present this admission to the DA and the Met Police to ascertain how they arrived at such a different opinion.

And these men deem themselves fit for public office!!

Final thought....

"Ace to Ace, the Circulars" Mark I

After over 2 years of gruelling campaigning, one cannot fail to be inspired by the sight of over 200 fellow motorcyclists, from every demographic, prepared to brave the January cold and ride through the many London boroughs that encircle the now increasingly isolated Westminster City Council, wherein the reviled motorcycle parking charge has been so successfully quarantined. This has only been achievable by the determination of those prepared to fight to preserve a well-earned freedom afforded to motorcycles the world over in exchange for the valuable contribution made to inner city congestion & pollution. Moreover, at a time when the motorist is to become even more savagely attacked by cash-strapped local authorities, it is crucial that the rest of the motorcycle community gets fully behind the "Westminster few" to ensure the Appeal Hearing in March, which has the very real prospect of scrapping the motorcycle parking charge, not only is financial assured, but acts as a marker to other road-users that all local authorities need to properly justify their charges. Only by challenging them can the illegitimate

revenue-raisers be exposed.

Ride safe

Warren & the Committee

Network:

04-11-2010 MAG invited to work with County Council in South Wales, to address road safety concerns.

MAG's involvement at all levels of National and Local Government policy creation, was clearly demonstrated last night in Shirenewton, Monmouthshire.

MAG member Greg Harrison attended a meeting originally arranged by Monmouthshire County Council to discuss motorcycle fatalities on the B4235 between Chepstow and Usk, in the county.

The meeting was well attended, with a good mix of Councillors, local residents, the Police (including their Road Safety Officer), and various employees of Monmouth Council including their Traffic and Network Manager Paul Keeble, Highways Engineer, and two members of the Road Safety Team, one of whom is a biker and MAG member.

The concerns from the local residents and Councillors were two-fold, concerning bikers - safety, and nuisance or anti-social behaviour.

Stats were delivered first to enable everyone present gain an insight into specific areas of concern. Accident figures on the B4235 for the last 10 years are as follows: -

Total incidents - 141

Fatals - 6 (4 bikers, 66.6% of total)

Serious - 34 (11 bikers, 32.3% of total)

Slight - 101 - (12 bikers, 11.9% of total)

These figures are higher than the National average and worthy of note.

Monmouthshire County Council (MCC) has conducted three speed reviews following on from resident complaints. All were conducted on stretches of road where the national speed limit (NSL) was in force, and in a non-intrusive fashion so that accurate figures could be obtained. At the first site, cars returned an average of 36mph and motorcycles 39mph, both well within the NSL. At the second site cars returned an average of 32mph and bike speeds ranged from 20 to 39mph, again all well inside the NSL.

Clearly, reducing the speed limit would have no real effect at all.

Figures were also given for the number of bikes using the road on weekdays (49), Saturdays (168), and Sundays (303). Whilst there is a significant increase at weekends, and particularly Sundays, there is no significant increase in average speed. Although there are a couple of sections where high speed would be possible, including one long straight, the data would seem to support the idea that high speed is not responsible for accidents, fatal or otherwise.

Gwent Police have been involved in a number of initiatives including high visibility patrols, engaging the motorcycling community at places like Abergavenny bus station cafe (a very busy meeting point for bikers at weekends) and running Bikesafe events. Gwent Police ran a total of ten Bikesafe events during 2010, and it is hoped that they will run more in 2011, but funding now seems to be a serious concern. After complaints from residents about anti-social and unlawful use of motorcycles, Gwent Police ran an operation that stopped 41 motorcycles.

As a result five riders were issued with Section 59 notices, two were issued with speeding tickets, and two were issued with verbal warnings for the manner of riding. A useful statistic to set against these figures is that 437 speeding tickets were issued on Sunday the 17th of October in Gwent - only 5 were issued to motorcycles, representing 1.1% of the total. This is in line with the number of bikes on the road compared to other vehicles, i.e. bikes representing approx 1% of traffic.

As the meeting developed it became clear that the issues from local residents were more to do with what they perceived to be anti-social behaviour by bikers rather than speeding, although speeding was still a concern, in particular through the village of Mynydd-bach which has no footpaths for pedestrians. A Gatso camera was mentioned as a possible solution, as was an illuminating speed register sign.

Further discussion and exploration revealed that much of what was called 'anti-social behaviour', actually centred around concerns of inappropriate speed and noise. The police officers present eloquently made the point that traffic noise is subjective - it can appear louder in the country where there is far less background noise than in the city, for example. They also made the point that bikers pay road tax and insurance and have no less right to use the road than anyone else.

Environmental Health were also involved, and have recorded noise levels in the house of one concerned resident - this does not appear to have recorded any illegal noise levels by any road user.

One of the residents present also complained that she had been surrounded by "18" bikers all itching to overtake her whilst she was travelling at an appropriate speed, but it was explained that 'appropriate' speed, within limits, often varies by vehicle type and that antisocial behaviour on the roads is by no means restricted to bikers and any examples of it by any road user should be reported to the Police.

Mr Harrison, who had recently ridden the route in question, gave the meeting a mile by mile account of the route from the rider's perspective and identified what he perceived to be the danger areas and possible solutions.

MCC in particular were very receptive to what he had to say, and have invited him to do a drive-through of the route with them to highlight problem areas, and discuss what signage / road markings, etc., could be introduced. This is a real demonstration of how MAG and local councils can work together to achieve change with real user group input instead of knee jerk over-reaction.

The Highways Engineer at the meeting was also very keen to work with MAG on a number of issues, not least the campaign to stop diesel spills on the highway. Talks will hopefully begin soon to see Monmouthshire County Council follow the lead of the Public Services in the North East, who have been fitting MAG's "Diesel Spills Kill" stickers to all their vehicles.

Additionally, both the local Council at Shirenewton and the MCC Road Safety Team have asked if MAG will work with them on road safety initiatives involving bikers in the area.
As MAG continues to grow in strength and respect in South Wales, these are welcome developments indeed.

05-11-2010 Texaco garage embraces Diesel Spills campaign

Sean Buckley and the team at Peak District MAG are in talks with a host of haulage companies and public sector organisations about the application of Diesel Spills stickers to their vehicles, but now the Sickleholme Service Station in Bamford, Derbyshire has agreed to put them on all their pumps, to remind drivers to not overfill and to ensure that their fuel caps are properly secured before they drive off.
MAG welcomes the move and is delighted that the Texaco garage is setting the standard in the region, for others to follow.

A.O.B.

Keith: The Fred Hill on 5th Feb at meet at Chieveley Services. Meet at the Royal Oak 10,30am to leave at 11am.

Miller: Dates for clay pigeon shooting are 13th 20th and 27th March. Names in and we will book as soon as we have numbers.

Colin: Excel Bike show. Going by train. Time to be arranged

2011 Events

Sunday, January 30, 2011 - Western Region MAG AGM

Organiser: Western Region MAG

Regional AGM hosted by Bristol MAG. Bring your Membership cards, no card, no vote!

Location: The Lamb Wotton Road Iron Acton South Gloucestershire BS17 9UZ

Friday, February 4, 2011 - Sunday, February 6, 2011 - The 25th Frozen Nuts Rally

Organiser: Dangermouse Rally Club

Same site, live band and disco. £12 pre book or £15 on the gate send cheques to: PO Box 582, Enoch House, Scotia Business Park, Stoke on Trent, ST6 4RG contact Orko on: 07960451573 or Bones: 07990500688 or Rich: 07812580337.

Location: Bignall End Cricket Club, Boon Hill, Bignall End, Stoke On Trent, ST7 8LA

Web: <http://www.dmrc.co.uk>

Saturday, February 5, 2011 - Fred Hill Run

Organiser: Thames Valley MAG

Annual memorial run into Oxford. Depart 1200pm.

Location: Depart Chieveley Services, J13 M4, 1200pm.

Enquiries: Any queries, please call Rob - 07905 003585

Saturday, February 5, 2011 - Thames Valley Regional AGM

Organiser: Thames Valley MAG

3pm. Follows Fred Hill Run. All members from region welcome. Please remember to bring your current

MAG Membership card. No card - no vote.

Location: H Cafe. Berinsfield, Oxfordshire, OX10 7LY

Enquiries: Any queries, please call Rob - 07905 003585

Sunday, February 6, 2011 - Fred Hill Memorial Run

Organiser: MAG Cornwall.

Ride around Cornwall to remember Fred Hill, finishing at Truro War Memorial for laying of flowers and explanatory poster.

Location: 10am Smokey Joes cafe near Blackwater Cornwall.

Saturday, February 19, 2011 - East Anglia Regional AGM

Organiser: East Anglia MAG

Arrive from 14:00 for a 14:15 start Remember your Membership card - no card, no vote.

Location: 11 Short Drive, Manea, Nr. March, Cambridgeshire PE15 0GF

Web: <http://east-anglia-region.mag-uk.org>

Basingstoke MAG 2011 AGM. 24th March, 8pm at The Royal Oak.

Basingstoke MAG 2012 AGM. 22nd March, 8pm at The Royal Oak.