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Cycle safety: make it simple

Why wouldn't you...?

Slater and Gordon are proud to support Cycling UK's road safety and road justice campaigning. As specialists in personal injury compensation claims for cyclists, we understand the importance of road safety and how significant a campaign such as this can be. Many of our clients have been seriously injured on the roads, so we're dedicated to supporting Cycling UK's campaigning which we believe can make our roads safer for everyone.



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Contents

TITLE	PAGE
Foreword	4
Introduction	5
General principles	6
1. Safe roads and junctions	7
Comprehensive and coherent cycle route networks.....	7
Cycle-friendly design guidance.....	7
Safety and priority at junctions	8
New developments.....	8
Cycle parking.....	8
Highway maintenance	9
2. Safe road users	10
Attitudes and awareness: the role of education and enforcement.....	10
Driver training, testing and retesting.....	10
Roads policing.....	11
Other enforcement and regulatory bodies	12
Road traffic offences and penalties: ‘careless’ and ‘dangerous’ driving.....	12
Other reforms to road traffic offences and penalties.....	14
The Highway Code	14
Safe cyclists	16
Cycle training.....	16
3. Safe speeds	17
4. Safe vehicles	18
Lorries and other large vehicles	18
Autonomous vehicles	19
5. Safe system management	20
Targets and indicators	20
Funding	20
Investigation procedures.....	21
Transparency in the justice system.....	21
Fair and timely compensation for road crash victims	22
Further reading	23

Foreword

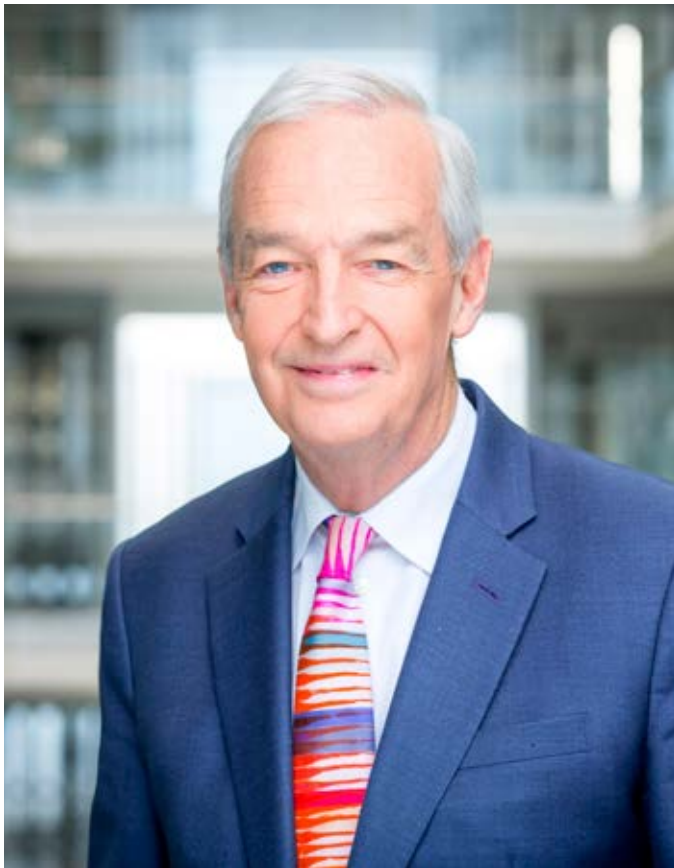
Cycling UK wants more people cycling more safely. It's a clear and simple vision, and one which reflects the Government's ambitions to double cycling levels and improve road safety. Sadly, not enough progress has been made towards achieving those ambitions.

We're not seeing any substantial change in the number of people cycling, with many citing safety fears as the reason they don't; and, unless people think and feel that cycling is safe, they're unlikely to embrace it as a natural means of both transport and recreation. That's what we have to change, and this report sets out exactly what needs to be done to achieve this.

After all, cycling safety is not as complex as some might think and, where there are simple measures which could be implemented to improve cyclists' safety, you have to ask: why wouldn't you do it?

Of course, if you make cycling safer and, at the same time, address perceptions that it's unsafe, it's not just cyclists who benefit. Implementing the recommendations in this report would help

make our roads safer for all road users, especially pedestrians, and why wouldn't you want that?



We occasionally say that something is as easy as riding a bike to convey the message that a task is simple, obvious and straightforward. That's the theme of this report, because some measures to improve cycling safety really should be easy to implement - as easy as riding a bike; so easy that you have to ask: why wouldn't you do it?

There are of course huge benefits to be gained if we can get more people cycling more safely, and that's why this report is so important, but to achieve this we'll need action to implement its recommendations. I hope you share our vision, and look forward to your help in making sure we make it happen.

Jon Snow
Cycling UK President

Introduction

Cycling has huge benefits, both for individuals and society.

For individuals, it's fun, fast, virtually free, keeps you fit and burns food instead of fuel. It's healthy, green and saves money and time; and all thanks to the simple act of pedalling.

For society, it helps reduce congestion, air pollution, greenhouse gases and the costs of ill health to employers, individuals and our health services.

The health benefits of cycling far outweigh the risks – by a factor of around 20:1, even in the UK where cycle safety is relatively poor compared with some other European countries. So, it is ironic that fear puts so many people off.

This booklet provides a blueprint for removing these deterrents, so that cycling in the UK becomes a safe and normal activity for people of all ages, backgrounds and abilities, as it is in countries like Denmark and the Netherlands.

It was prompted by the Government's call for evidence to inform a cycle and pedestrian safety review. This review aims to complement the Cycling and Walking Investment Strategy (CWIS, 2017), the goal of which is to double cycle use and increase walking, while reducing fatal and serious injuries for cyclists and other road users. Here, we suggest a range of simple solutions to support these ambitions.

Our solutions are relevant throughout most of the UK, although some (e.g. on design standards, road user awareness and training, target-setting and policing) would be matters for the devolved countries.

We present our recommendations in terms of the four main headings of the 'Safe Systems' approach, now widely advocated by groups such as the Royal Society for the Prevention of Accidents (RoSPA), and the Parliamentary Advisory Council on Transport Safety (PACTS).

At its heart, 'Safe Systems' aspires to eliminate road casualties altogether: 'Vision Zero'. This means progressively eliminating all possible sources of risk, focussing on:

- Safe roads and junctions
- Safe road users
- Safe speeds
- Safe vehicles

We are adding a fifth heading: 'Safe system management' to cover target-setting and systematic road crash investigations so that lessons can be learnt from them.



GENERAL PRINCIPLES

Cycling UK and its allies share the belief that more and safer walking and cycling can and should go hand-in-hand.

Walking and cycling are known to benefit from the 'safety in numbers' effect, i.e. these activities are safest in places where they reach high levels. Cycling UK documented this back in 2009, using both national and international comparisons.

Yet Cycling UK has never believed that more cycling would simply lead to safer cycling. On the contrary, we need to address the dangers and fears which deter people from cycling, or allowing their children to cycle.

This means tackling dangerous road conditions using the straightforward 'Safe Systems' approach.

CYCLING UK'S KEY RECOMMENDATIONS FOR A SAFE SYSTEMS APPROACH	
Safe roads and junctions	<ol style="list-style-type: none"> 1) Establish consistent design standards to ensure cycle and pedestrian-friendliness is designed-in from the outset into all highway and traffic schemes, new developments and planned highway maintenance work. 2) Adopt new rules for junctions, affording greater safety and priority for cyclists and pedestrians at both signalised and unsignalised junctions.
Safe road users	<ol style="list-style-type: none"> 3) Strengthen driver training, testing and awareness campaigns; and link awareness campaigns to enforcement activity. 4) Strengthen roads policing, both to deter irresponsible road user behaviour and to improve the quality of road crash investigations. 5) Carry out a comprehensive review of road traffic offences and penalties. 6) Revise the Highway Code.
Safe speeds	<ol style="list-style-type: none"> 7) Make 20mph the default speed limit for most streets in built-up areas, with 30mph (or higher) limits being the exception that requires signing, not the other way round.
Safe vehicles	<ol style="list-style-type: none"> 8) Improve lorry safety, focussing on safe lorry design and equipment, and enforcement of rules covering driver, vehicle and fleet safety. 9) Ensure that the development of autonomous vehicles, and the legislation governing them, takes account of cycle and pedestrian safety.
Safe systems management	<ol style="list-style-type: none"> 10) Set targets to reduce road casualties that also incentivise more, as well as safer, walking and cycling. 11) Rebalance overall transport spending, making a far greater proportion available for cycling, walking and safer streets, including local road and path maintenance. 12) Set up a road collision investigations body, with a remit purely to recommend measures for preventing future collisions. 13) Improve access to justice for injured pedestrians and cyclists and the support and information provided for crash victims.

1. SAFE ROADS AND JUNCTIONS

Cyclists and pedestrians face danger and intimidation wherever they share space with fast or heavy traffic, especially lorries. Junctions are a particular problem (see page 8). The main goal of any strategy for pedestrian and cycle safety, therefore, should be to reduce or eliminate these risks as far as possible.

Comprehensive and coherent cycle route networks

Local authorities need to deliver comprehensive and coherent cycle route networks, both within and between built-up areas, so that people of all ages and abilities can cycle and walk safely and comfortably for any local journey. Connecting homes, schools and workplaces, shops, stations and other key destinations, cycle route networks should be:

- **Safe:** avoiding conflict with high-volume or high-speed traffic, particularly at junctions;
- **Direct:** avoiding significant detours;
- **Coherent:** offering good connections between the links in a network;
- **Comfortable:** with good surfaces, no unnecessary stops-and-starts, and avoiding gradients where possible; and
- **Attractive:** with the street-scene or landscape enhancing the quality of the cycling experience.

Generally, the links in a high-quality cycle network will take one of three forms:

- **Physically protected cycle tracks alongside faster and/or busier main roads.** (The faster and/or busier the traffic, the greater the separation needed);
- **Lightly-trafficked low-speed streets or lanes,** where through traffic is removed as far as possible, and which are designed to feel like community streets, with low speed limits;
- **Routes entirely free of motor vehicles** – often a joy to ride, although they must be integrated with a wider cycle network to meet people’s day-to-day journey needs.

Cycle-friendly design guidance

At present, highway and traffic engineers are expected to follow a mass of unclear and conflicting design guidance on cycle provision. This results in a great deal of very poor and inconsistent design, which is confusing to drivers and cyclists alike, and often downright dangerous.

Instead, we need a single consistent source of cycle-friendly design guidance covering specific provision for cycling, plus how to integrate cycling into other transport schemes, a process known as ‘cycle proofing’. The guidance should apply to all road and junction types, all highway and traffic schemes, all new developments and indeed to planned highway maintenance works.

Given the Government’s ‘Public Sector Equality Duty’, the guidance also needs to address the fact that children, older people, women and people with disabilities are particularly deterred from cycling under current conditions.



Safety and priority at junctions

Safety at junctions is critical: around three-quarters of cyclists' collisions happen at or near them.

In most European countries, turning traffic has to give way to pedestrians or cyclists travelling straight ahead, a principle that can apply at both give-way and traffic light controlled junctions. Apart from making walking and cycling safer and more convenient, it can improve motor-vehicle traffic flow at traffic lights too.

But this rule doesn't apply in the UK. That makes it difficult for UK traffic engineers to design physically segregated cycle tracks without increasing (rather than reducing) cyclists' risk at junctions.

We therefore need pilots of junction designs, based on continental rules, to test and prove solutions that UK road users will find easy to understand. These should then be incorporated into new highway design standards, with the Highway Code being revised accordingly.

New developments

Whether for housing, retail, business or leisure, all new developments need to be located where they are easily accessible by walking, cycling or public transport. They need good cycle-friendly and pedestrian-friendly street and junction layouts within them too, along with ample cycle parking.

Cycle parking

High-quality cycle parking, preferably sheltered, should be available at all significant travel destinations and meet the various needs of its likely users (e.g. residents, employers or visitors).



Highway maintenance

Potholes are not only the bane of drivers' lives; they are also a serious threat to cyclists, and can prove lethal.

Cycling UK research shows that the average value of cyclists' claims for highway maintenance failures is 13 times higher than that for motorists.

The safety of cycle users, and indeed that of pedestrians and other vulnerable road users, should be reflected in all relevant highway maintenance policies and procedures.

The depth and size of a pothole or other road defect are not the only criteria that councils should apply when deciding if urgent repair is needed. They should also consider their alignment and position (i.e. if cyclists' wheels could get trapped); whether they are within 2m of the edge of the road; and whether they are on gradients or near junctions.

Cycle and pedestrian safety also needs to be a determining factor in: the inspection frequencies of minor roads and other cycling or walking routes; their priority for winter maintenance, vegetation clearance and lighting repairs; the layout and management of street-works; and the reinstatement of cycle route signing and surfacing after repairs.

Whenever councils undertake planned maintenance work, they should systematically consider whether the road could be redesigned to be more cycle-friendly at the same time. This is a highly cost-effective opportunity to introduce new cycle provision.



2. SAFE ROAD USERS

Attitudes and awareness: the role of education and enforcement

Cycling UK strongly believes that all road users should respect the rules of the road and the safety of others.

To achieve this, education and enforcement measures must be pursued hand-in-hand, as shown by half a century's experience of tackling drink driving.

Education is needed to raise awareness of the rules and why they matter. This improves compliance as well as building public support for enforcement activity. But the enforcement activity is also necessary to ensure that educational messages are not undermined by those who ignore them. Those who continue to behave irresponsibly must be seen to face appropriate sanctions.

DRIVER EDUCATION AND AWARENESS: KEY MESSAGES

In terms of cycle safety, drivers principally need to be made aware of:

- Why speed limits and the rules on mobile phones matter – drivers' understanding of this is currently not assessed as part of the driving test;
- The need to leave space when overtaking cyclists, particularly on left-hand bends;
- Why cyclists often ride in the middle of the lane, rather than the edge of the road, for their own safety.

Driver training, testing and retesting

Cycle awareness training should be integral to the driver training and testing process.

All learner drivers should be encouraged to undertake Bikeability level 3 cycle training. Furthermore, it should be compulsory for driving instructors and all other professional drivers (with suitable alternatives for people with disabilities that prevent them from cycling).



The theory test should examine candidates' awareness not only of the rules of the road but also the reasons behind them; while both the theory and hazard perception tests should examine their awareness of how to respect cyclists' safety.

Cycling UK supports the principle of 'graduated driver licensing'. This system sets a minimum period or a minimum amount of learning time before candidates can take their test, with provisional restrictions (e.g. on carrying passengers at night) for a period after passing.

The Government should also consider periodic driver retesting, including professionally administered sight tests, particularly for older drivers.

Disqualified drivers, those who have accumulated 12 penalty points, and those who have committed serious driving offences, should take a compulsory re-test linked to remedial training.

Roads policing

Visible roads policing is known to be a highly effective road safety measure. This is because the fear of being caught influences people's driving standards far more than the severity of the ensuing punishments.

Despite this, roads policing has faced disproportionate cuts in recent years. The number of traffic officers in England and Wales outside the Met Police area fell by 48% between 2004/5 and 2015/6, a far greater drop than for the police workforce overall.

Cycling UK suspects this may explain, at least partly, why a long-term downward trend in road casualty numbers has recently halted, while serious cycle and motorcycle casualty numbers have now started rising.

On the face of it, the downward trend in the number of 'dangerous driving' offences recorded by the police in England and Wales - 39% fewer in 2015/16 than in 2004/5 - might suggest that driving standards have improved. But, as the number of reported casualties has dropped by far less, this does not appear to be the case. It is more likely that the sharp fall in recorded offences simply reflects diminishing police resources available to detect them.



Roads policing should thus be prioritised in national governments' policing strategies, e.g. the 'Strategic Policing Requirement' for England and Wales. Police and Crime Commissioners and individual police forces would then have the backing to allocate the resources that roads policing needs and deserves.

Roads policing is an important deterrent, but it also ensures crashes are investigated effectively.

Well-resourced and well-trained roads police officers are also important for improving the standard of support for road crash victims.

POLICE OPERATIONS

- Cycling UK recommends the UK-wide roll-out of ‘Operation Snap’, an initiative of the four Welsh police forces to facilitate the submission of dash and helmet-cam footage of irresponsible road use. So that more people can benefit from schemes like these, we are supporting the work of a dash-cam manufacturer to create and promote a similar, England-wide portal.
- We also strongly support the West Midlands Police’s ‘Operation Close Pass’, which uses an educational ground-mat to explain to drivers how to overtake cyclists safely. Following a crowdfunding campaign, Cycling UK has supplied a similar mat to police forces throughout the UK.



Other enforcement and regulatory bodies

There are other agencies beside the police with a role to play in traffic law enforcement and regulation. All of them need to collaborate more closely, i.e. Driving and Vehicle Standards Agency (DVSA), the Health and Safety Executive (HSE) and Traffic Commissioners.

Traffic Commissioners: Cycling UK is aware of several cases where lorry operators have been allowed to function for months after fatal collisions involving serious breaches of licensing or other requirements. The relevant Traffic Commissioners, however, who can act against operators and drivers, were not alerted in good time.

HSE: this body needs to be mandated and resourced to take a more proactive role in enforcing the rules on work-related driving.

The need for agencies to collaborate inspired Transport for London’s Freight Enforcement Partnership (LFEP) to improve co-ordination between the relevant bodies. This is a model for the rest of the UK.

Road traffic offences and penalties: ‘careless’ and ‘dangerous’ driving

Although visible roads policing is the most effective deterrent to unlawful behaviour, offending drivers still need to face suitable sanctions, not least for the sake of public protection.

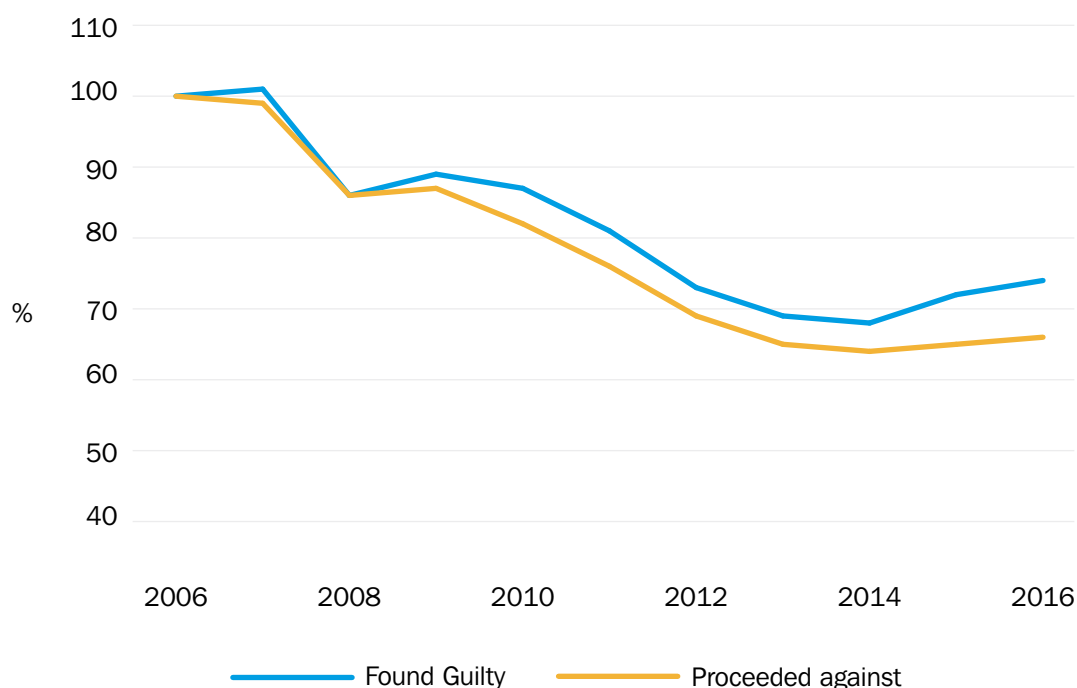
Legislating on road traffic offences, however, is uniquely problematic. It is all too easy for someone who is not an inherently ‘dangerous’ person to drive in a manner that nonetheless causes obvious and foreseeable danger. This doubtless explains the apparent reluctance of some jurors to convict other drivers of offences they can easily imagine they too could have committed: the “There but for the grace of God go I” effect.

Consequently, the framework of ‘dangerous’ and ‘careless’ driving offences is weak, unclear and applied very inconsistently. Too often, drivers who have committed serious offences with terrible consequences face lenient penalties. A fine of a few hundred pounds is not uncommon even in fatal cases. They may well then be free to drive again within weeks or months. Not only does this cause added distress to maimed or bereaved road crash victims, it also reinforces the idea that road danger is something to be tolerated, rather than eliminated.

In 2014, the Ministry of Justice promised a comprehensive review of road traffic offences and penalties. Yet, it has so far only consulted on introducing tougher sentences for dangerous drivers who kill, and a new offence of causing serious injury by careless driving. Though well-intentioned, the former is only likely to be used very rarely, while the latter could prove counter-productive by increasing still further the likelihood that serious offences are dismissed as merely ‘careless’ driving. This is what happened following the introduction of a new offence of ‘causing death by careless driving’ in 2008.

The definitions of ‘dangerous’ and ‘careless’ traffic offences thus need to be revised, with sentencing policy revised accordingly.

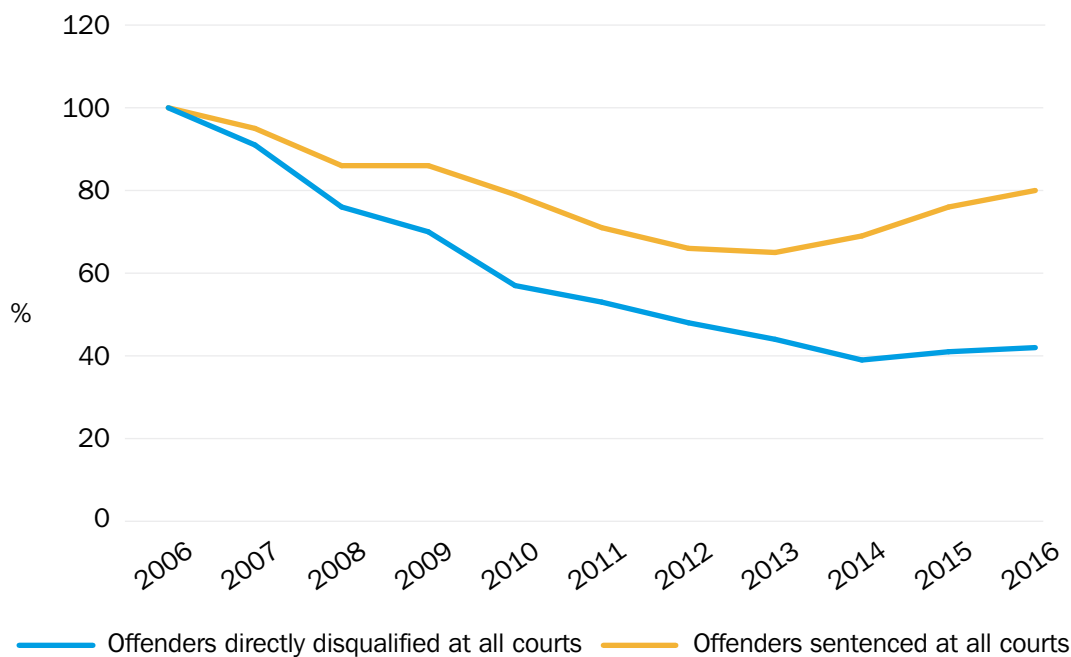
Offending drivers: proceedings and findings of guilt, England & Wales, 2006-2016



Between 2006 and 2016, counting principal offences alone, the number of offenders proceeded against for causing death or serious injury by driving, or of dangerous or careless driving fell by 34%, with a 26% drop in findings of guilt.

To balance this, the legal system should also make much greater use of lengthy driving bans (rather than prison sentences) for people who have caused death or serious injury by driving in a manner that clearly caused danger, but who are not 'dangerous people', i.e. there is no need to lock them up for public protection.

Offending drivers: sentenced v driving bans, England & Wales, 2006-2016



The number of people directly disqualified from driving by the courts in England and Wales dropped by 58% between 2006 and 2016.

Prison sentences should still be the main option, though, in cases involving driving that was more obviously 'reckless' or intentionally dangerous, or where the driver has flouted previous driving bans. This too can be fully justified on grounds of public protection.

Other reforms to road traffic offences and penalties

The Ministry of Justice should also consider the following changes:

- Closing the loophole whereby offenders routinely evade driving bans by claiming this would cause 'exceptional hardship' – thereby making a mockery of the word 'exceptional'.
- A new offence of failing to stop following a collision where the driver knew, or should have known, that a fatal or serious injury might have occurred, carrying more serious penalties than the current maximum of a six-month custodial sentence.
- Introducing a new offence of causing death or serious injury by opening the door of a motor vehicle in a dangerous manner. Even though 'car dooring' can often prove lethal to cyclists, currently the offence can only attract a £1,000 maximum penalty.

The Highway Code

There are 307 rules in the Highway Code. Those saying 'MUST' or 'MUST NOT' relate to statute law, and breaching them is an offence. Infringing the other rules is not inherently criminal, but may be used in court to decide whether a more general offence has been committed (e.g. 'careless' or 'dangerous' driving, or obstruction of the highway), or whether civil liabilities have occurred (whether someone is owed compensation for injury or property damages).

When the Code was last fully revised in 2007, Cycling UK's campaigning led to 40 changes to the initial consultation draft. Another revision, however, is overdue and we want to see these further changes:

- **New rules on junction priority** to improve safety and convenience for both pedestrians and cyclists at junctions with or without traffic signals. As mentioned, most continental countries oblige traffic to give way to cyclists and pedestrians going straight ahead at a junction, even where the turning traffic has a green traffic light. British Cycling's 'Turning the Corner' campaign has rightly called for something similar in the UK. Initially, this could be introduced via the Highway Code – allowing for UK pilots of junctions designed with this principle in mind. Once road users were more familiar with the basic principle, it could then be enshrined in law.
- **Advice on leaving a safe space when overtaking cyclists.** Being overtaken too closely can be seriously intimidating, especially for less confident cyclists, women, older people and children. Given the Government's ambition to make cycling a normal option for short journeys by 2040, drivers must be made more aware of this issue, with action taken against serious or repeat offenders. Cycling UK believes this rule is best introduced via the Highway Code rather than statute law. It could cite a guideline of 1.5m as a safe overtaking distance at speeds up to 30mph, and 2.0m for higher speeds, urge drivers to leave larger gaps in bad weather, and advise those in charge of larger vehicles to take extra care. It would be hard to spell out such a flexible rule in statute law, and courtrooms would doubtlessly struggle with the reliability and accuracy of the evidence presented on whether the gap left by a driver was just above or below the limit.
- **Removing legally prejudicial rules on helmets and hi-viz clothing for cyclists.** Whilst it is widely believed that helmets and hi-viz are important for cycle safety, the evidence is not clear-cut, much of it casting doubts on these apparent 'common sense' solutions. Cycling UK is not 'anti-helmet' or 'anti-hi-viz', but does not believe the evidence justifies their inclusion in the Highway Code. All this does is give drivers' insurers a spurious basis for making financial and legal threats in an attempt to deprive injured cyclists or their bereaved families of compensation, a cause of immense distress to people who have already suffered the trauma of very serious or fatal injuries.
- **Advice on opening motor vehicle doors safely.** Cycling UK strongly advocates the 'Dutch Reach' (see box-out below).



The Dutch Reach

So called because it is standard practice in the Netherlands, this life-saving technique involves opening the door with the hand on the opposite side to the door itself, e.g. using your left hand to open a door on your right. This forces you to turn your body, giving you a better chance of seeing an approaching cyclist and restricting how far the door can be opened. **See www.cyclinguk.org/dutchreach**

Safe cyclists

It is not Cycling UK's business to defend law-breaking cyclists, any more than it is the AA or the RAC's to defend law-breaking drivers. Irresponsible cycling can cause real fear, particularly to elderly and vulnerable pedestrians, and people with disabilities. We strongly support increased roads policing (see page 11) and agree that dangerous cyclists should face legal penalties just as dangerous drivers do.

Nevertheless, the scale of the problem is often greatly overstated. We know of no evidence that cycle users are any more, or less, prone to irresponsible behaviour than drivers. And even when it does occur, it is far less likely to cause fatal or life-changing injuries:

- From 2007 to 2016, 98.9% of pedestrian fatalities and 95.6% of pedestrian serious injuries arising from collisions on a footway or verge involved a motor vehicle of some kind. No pedestrians were killed by red light jumping cyclists during that period, whereas around five a year were killed by red light jumping drivers.
- Cyclists are the road user group who are least likely, apart from bus and coach drivers, to have 'contributory factors' attributed to them in police officer reports of collisions.

Despite this, there are often calls for cyclist/cycle tests to be made compulsory, along with licence plates and insurance. The Government has repeatedly rejected these ideas, concluding that they would be very costly, achieve little and could do significant harm.

This is largely because the number of bicycles owned in Britain is not much less than the number of private cars (25 million and 29.5 million respectively). Also, children account for a significant proportion of cycle use and ownership, while second-hand cycles are bought and sold more easily than cars. This would make it much harder to administer any system of cyclist testing, licensing or insurance, or to make it self-funding without having to charge fees on a scale that would massively undermine efforts to encourage more cycling.

In any case, we believe that the finite resources available for roads policing, and the finite parliamentary time for new legislation, is better focused on tackling the greatest sources of danger, namely irresponsible driving.



Cycle training

Bikeability cycle training helps people cycle more often and further, boosts confidence and reassures parents about allowing children to cycle. Evidence also shows that it promotes safer and more responsible cycling, and prepares people better for learning to drive.

Cycle trainers are good spokespeople for road safety messages. They often command young people's respect because they offer the prospect of greater freedom. So, when they explain the need to avoid intimidating/ endangering older or frailer pedestrians, they are more likely to have an impact than head teachers or other authority figures.

3. SAFE SPEEDS

Most people find cycling on busy roads intimidating. But this fear is particularly acute where cyclists are being overtaken by motor vehicles travelling much faster than they are. Pulling out to turn right, for example, becomes much harder if you have to look a long way over your shoulder before you can be sure it is safe. This may explain why slower cyclists tend to find higher-speed traffic particularly intimidating.

It follows that, to create the conditions where cycling becomes a normal activity for young and old alike, for women, and people with disabilities, we either need to separate cyclists from motor vehicles or ensure that they can mix safely with light volumes of traffic travelling at low speeds.

For built-up streets, 20mph should be the normal limit, with highway authorities introducing 30mph or higher limits as the exception, rather than the other way round. Speed limit signs would then be concentrated on the vehicle-dominated main roads rather than on residential streets where they are more intrusive. A similar approach should apply for rural lanes.

20mph streets should be designed to feel like 20mph streets, a place for pedestrians or shoppers rather than for through traffic. Sympathetic design and high-quality surfacing are good ways of doing this, while removing central white lines and other highway markings can help reinforce the visual impression of a 'street' or a 'lane', rather than a 'road'.

Public support for 20mph limits in residential streets is generally high (nationally, around 69% of the public is in favour), but engaging the local community in street design improvements can help maximise this.

Speed limit enforcement should be given higher priority, along with other aspects of road policing (see page 11). The combination of good design and community engagement, however, should ensure that enforcing 20mph limits requires no additional police resources than 30mph limits do.

Speed cameras are an effective way to ensure compliance from those who might otherwise drive dangerously even on narrow residential streets, or indeed on quiet rural lanes. Early cameras were criticised on the grounds that they prompted drivers to slow down momentarily (and possibly unsafely), then speed up immediately afterwards. Nowadays, however, they can record how a driver behaves throughout a speed limited zone.



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4. SAFE VEHICLES

Lorries and other large vehicles

Although heavy goods vehicles (HGVs) are involved in relatively few cyclist collisions, they are much more likely to prove fatal: 2% of recorded collisions between cars and cyclists result in the cyclist's death, while the corresponding figure for HGV collisions is around 20%.

HGVs account for only around 3.6% of non-motorway motor-vehicle mileage on Britain's roads, yet they are involved in around 18% of cyclist fatalities and 14% of pedestrian fatalities. The problem is particularly acute in urban areas: lorries are involved in about a quarter of cyclist deaths in these locations (GB); and in well over half of cyclist deaths in London, even though they account for just 4% of miles driven there.

Many urban cycling fatalities or serious injuries involve left-turning lorries, partly because most lorry cabs place the driver high off the ground with a lot of metal (rather than window) surrounding them. Compared with buses, it is far harder for lorry drivers to see cyclists or pedestrians alongside or in front of them.

Fortunately, new cab designs are now available (and becoming common on refuse vehicles). These give the driver a much better view of their surroundings without having to resort to mirrors, cameras and sensors. Modelling suggests these 'direct vision' cabs are likely to prove far safer.



Mercedes-Benz Trucks ©

One obstacle, though, is that the rules limiting the maximum length of lorries prevent direct vision cabs from being fitted to the longest lorries without reducing the amount of goods they can carry. Still, this should not prevent their use on smaller lorries, e.g. construction and refuse vehicles, which account for a very large proportion of cyclist deaths in urban areas.

Measures should also be taken to reduce urban lorry traffic, e.g. by making greater use of rail and water-borne transport. Another solution is edge of town 'trans-shipment depots', where HGVs or trains can transfer loads onto smaller, more street-friendly vehicles for delivery to their final destination.

More too should be done to maximise the potential for cargo bikes to deliver smaller consignments in urban areas – these could significantly reduce the number of delivery vans on busy streets.

Finally, the bodies responsible for the regulation and enforcement of lorries, lorry drivers and lorry operators need to be better co-ordinated (see page 12).

Prompted by Cycling UK's campaigning, Transport for London (TfL) has developed a 'road-map' to progressively restrict unsuitable lorries from using the city's streets. TfL also plans to adopt a 'direct vision standard' for lorry cabs. Once agreement has been reached on how this standard should be applied, we believe the UK Government should introduce similar arrangements nationally. After all, it would be hugely inefficient for lorry operators to have to comply with a variety of rules set locally by different city authorities.

Autonomous vehicles

The prospect of 'driverless cars', or autonomous vehicles (AVs), is now being widely discussed by motor-manufacturers and politicians alike. Testing is now underway at three UK locations, and the Government is promoting legislation to clarify responsibility in the event of collisions.

In terms of enabling more people to cycle more safely and conveniently, AVs could be a huge blessing or a terrible curse, depending on how the technology and the legislation governing it evolves:

- **Viewed positively:** if people could summon a driverless car when they needed one, this might reduce demand for private car ownership. Given that the average car spends 23 hours a day stationary, it could also free up vast amounts of parking space. Finally, space for cycle provision could be freed up thanks to AVs' ability to steer very precisely – following one another as if they were on rails.
- **Viewed negatively:** AVs could massively increase car ownership if every child and adult were able to own one. Moreover, fears that pedestrians and cyclists could hinder the progress of AVs could result in new laws to 'keep them out of the way', reducing the freedom and flexibility of cycle and pedestrian movement, particularly on quieter and narrower streets and lanes. There is also the more immediate concern, already borne out by trials, that AV drivers could become increasingly inattentive, relying on technology that is actually very unreliable.

There may come a time when AVs become more reliable than human drivers not only at detecting pedestrians and cyclists, but also at predicting their movements. At that point, Cycling UK might take the view that we should switch as quickly and completely as possible to the use of AVs – alongside a rapid switch to the shared ownership of electric vehicles. This is important, given the problems of mixing AV technology with conventional human drivers.

Until then, however, Cycling UK would strongly resist their use on roads other than on motorways or to assist with parking. Also, given that today's cyclists communicate with human drivers largely through hand-signals and eye contact, an equivalent will need to be found before they can mix safely with driverless vehicles.



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In the short term, Government and Parliament must clearly legislate for liability in collisions involving AVs in criminal as well as civil law. It must be a criminal offence (as well as civil negligence) if a driver puts an AV into autonomous mode in inappropriate circumstances (which need to be clearly defined), or fails to resume control when the vehicle indicates that driver intervention is needed.

5. SAFE SYSTEMS MANAGEMENT

Targets and indicators

The present Government has been rightly criticised for abandoning the national road safety targets set by its predecessor, and Cycling UK supports calls to reinstate them. However, targets relating to cycle and pedestrian safety should also incentivise measures to increase walking and cycling to maximise the well-evidenced ‘safety in numbers’ effect (see page 6).

Policy-makers should therefore avoid targets or indicators which aim simply to reduce cyclist or pedestrian casualty numbers. These risk creating a perverse incentive to reduce levels of walking and cycling, thereby shortening more lives from the loss of cycling’s health benefits. Not cycling is far more dangerous than cycling!

Instead, any targets or indicators should be ‘rate-based’, e.g. measuring the risk of a cycling injury (or a serious or fatal injury) per kilometre cycled, or per trip, or some other unit of cycling (or walking) activity.

Obviously, it is better to increase cycle use while reducing absolute casualty numbers at the same time, with ‘Vision Zero’ in mind, but it is important not to give the impression that increased cycle casualties is necessarily bad news. If cycle use rises more sharply than cyclist casualties (however many there are), a rate-based target or indicator would make it clear that this amounted to a reduction in risk.

Funding

The Government’s transport spending plans currently propose a rapid increase in roads investment, while the tiny annual allocations for its Cycling and Walking Investment Strategy (CWIS) are currently set to decline. This is contrary to its aim to make cycling and walking a safe and normal option for short journeys, and to maximise their health, environmental and other benefits.

The Government should thus rebalance overall transport spending, with a far greater proportion being invested in healthy and sustainable local transport solutions, such as walking and cycling networks and safer streets, including local road maintenance. This would improve road safety for everyone, but particularly for children, older people, those on lower incomes or with disabilities, who may be more dependent on non-motorised travel. It would also help tackle wider problems such as congestion, pollution, physical inactivity and climate change.



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Investigation procedures

In 2013, the College of Policing issued new guidance on investigating road deaths. This can also be used for serious non-fatal collisions yet, regrettably, this often does not happen. As a result, key evidence may be lost in non-fatal cases, e.g. witness statements or contact details are not gathered, eyesight and mobile phone records are not checked etc. This can undermine a successful prosecution, and hence the ability of the victim to secure compensation.

Moreover, the guidance has been badly slimmed-down compared with the 'Road Death Investigation Manual' which preceded it.

There should in any case be a separate body for investigating road collisions simply to investigate the causes of collisions and how they could be avoided in future. Rail, air and maritime travel has become very safe indeed, thanks in part to this approach.

Transparency in the justice system

It is currently impossible to find out whether the justice system treats different road user groups similarly or differently – for instance, whether cyclists face fairer or harsher justice than others, either as the accused party or the victim.

Annual government statistics, derived from police records, show what road-user types have suffered what level of injury due to road collisions in different circumstances. The Government also publishes data on the number of prosecutions and convictions for different types of offence, including road traffic offences, and the range of penalties received. But there is no link between these two datasets. This needs to be remedied, so that the public can see what prosecutions, convictions and sentences have been handed down when cyclists and other road users are involved in collisions, either as victims or perpetrators.

Greater transparency is also needed in individual cases. When someone is prosecuted merely for 'careless' rather than 'dangerous' driving, or not prosecuted at all, the victim often cannot even find out who has taken the decision (e.g. whether it was the police or Crown Prosecution Service), let alone the reasons behind it. This makes it very difficult for victims to challenge decisions which they believe are wrong. This too must be changed, as part of a wider package of improvements to road crash victim support.



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Fair and timely compensation for road crash victims

Most countries have some form of 'presumed liability' law. This assumes that pedestrians and cyclists are entitled to injury compensation when involved in a collision with a motor vehicle, unless the driver can demonstrate that the victim was at least partly at fault.

The UK is one of a small handful of western European countries where the onus is entirely on the victim to prove their entitlement to compensation. This can be challenging, particularly if an injury has caused the victim to suffer memory loss.

Worse still, the Government plans to raise the 'small claims' threshold for road crash injury claims from £1,000 to £5,000, ostensibly to tackle fraudulent 'whiplash' claims. Below this limit, the injured party cannot claim legal costs.

This move would affect ALL types of road use, a fact that would create a double whammy for cyclists and pedestrians: they are far more likely to be the victims when involved in a crash, and most unlikely to claim for 'whiplash'; and, since they are not required to have compulsory insurance, no insurance company would be fighting their corner in any resulting legal dispute.

The Government should rectify this imbalance, not worsen it. A form of 'presumed liability' is the answer. This gives drivers a reasonable opportunity to demonstrate fault on the victim's part, but otherwise grants compensation more swiftly and fairly, reducing both sides' legal bills in the process.

Equally, the Government should exempt cyclists and pedestrians from any increases in the small claims limit, raising it only in line with inflation.

FOR FURTHER INFORMATION

This document sets out Cycling UK's simple solutions for more and safer cycling, prompted by the UK Government's consultation on a safety review to support its Cycling and Walking Investment Strategy (CWIS). Many of our proposals would also increase walking activity and pedestrian safety too.

Cycling UK's full response to the above consultation explains our recommendations in further detail, including supporting references. www.cyclinguk.org/cyclesafety

More information about cycle planning and design is provided in Cycling UK's illustrated booklet 'Space for Cycling: a guide for decision-makers'. www.cyclinguk.org/space4cycling

Other detailed briefings, with references, are available on speed, roads policing, prosecution and the courts, the legal framework and sentencing, cyclists and the law, cycling and pedestrians, goods vehicles and helmets. www.cyclinguk.org/briefings



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