



Response by Cycling UK
To
Highways England's proposed Traffic Regulation Order
On
The A63 Trunk Road (North Cave Interchange to Daltry Street Interchange) (Prohibition of Cyclists Order)

Introduction

1. Cycling UK (formerly known as CTC), the national cycling charity, was founded in 1878, and has 65,000 members and supporters. Our central mission is to make cycling a safe, accessible, enjoyable and 'normal' activity for people of all ages and abilities. Our interests cover cycling both as a form of day-to-day transport and as a leisure activity, which can deliver health, economic, environmental, safety and quality of life benefits both for individuals and society.

2. We represent the interests of current and would-be cyclists on public policy matters, with road safety being a core aspect of our campaign and policy work.

Background

3. Highways England Company Limited (HE) has given notice (the Notice) that it intends to apply for a Traffic Regulation Order (TRO) on the A63 in the East Riding of Yorkshire. The section of the road (the Section) in respect of which they seek an order, which is more particularly defined in the Notice, is between the North Cave Interchange and the Daltry Street Interchange, a distance just short of 24km to the west of Hull. The TRO would also extend to the various slips roads on and off the Section, and the effect of the TRO would be to ban cyclists from entering or using the Section.

4. HE's Statement of Reasons (SOR) accompanying the Notice states that concerns have been raised for safety of cyclists using the Section, and that the TRO is in the interests of road safety. Two facts are asserted in the SOR namely that:

- a. Cyclists are travelling on a carriageway that carries average speeds of 65mph for traffic, at a rate of over 2500 vehicles per hour;
- b. In the last five years there have been six accidents involving cyclists, including a fatality in 2013.

5. No other reasons have been presented for making the TRO, though the SOR states that East Riding of Yorkshire Council (ERYC), Kingston upon Hull City Council (KHCC) and Humberside Police (the Police) support the TRO. It is unclear what, if any, further information or evidence has been presented to those organisations said to be in support of the TRO, or whether they have undertaken any independent risk analysis or assessment.

6. The National Secretary for Cycling Time Trials (CTT) wrote to HE on 23 January 2018 regarding the SOR asking (in terms) for HE to provide by 7 February:

- a. Details of what concerns have been raised and when;
- b. The evidence in support of the assertion that the average traffic speed on the Section is 65mph;
- c. The evidence in support of the assertion that the Section carries traffic at a rate of 2500 vehicles per hour (which appears in excess of the available Department for Transport traffic counts for the Section), and the date and time at which any traffic count relied upon was taken;
- d. Details of the six accidents over the last five years, including cause, time and day;
- e. The comparison between six accidents involving cyclists and those involving other vehicle types over the same time period;
- f. The comparison between the accidents involving cyclists on the Section and those involving cyclists on other A roads involving cyclists within a 20 mile radius of Hull city centre within the same time period;
- g. What alternative safety measures have been considered along the Section.

7. Cycling UK understand that CTT has yet to receive a response to those questions, all of which appear pertinent. This response is accordingly an initial response to the Notice, but Cycling UK reserves the right to submit further representations as and when HE provide the information already requested by CTT.

Summary of objections

8. Cycling UK oppose this TRO on the following grounds:
- a. Inadequate assessment of safety and risk;
 - b. Inadequate assessment of the implications for cyclists crossing the Section;
 - c. Contravention of Highways England's own Cycling Strategy;
 - d. Contrary to the Government's policy to promote cycle use;
 - e. Contrary to a Safe Systems approach.

Inadequate assessment of safety and risk

9. HE's reliance on abstract numbers, without reference to context or rate-based analysis, demonstrates an inadequate assessment of safety and risk. It is impossible to ascertain whether six cyclists' injuries in five years is a statistically significant safety concern without knowing more about the number of cycling trips on the Section. If there have been 600,000 cycling trips, the injury rate is 1:100,000 trips. If there have only been 60,000 cycling trips, the injury rate would be higher by a factor of ten.

10. Having ascertained the injury rate for cyclists on the Section, it would be necessary to ascertain what the injury rate for other road users was on the Section before concluding that there was a statistically significant increased risk for cyclists.

11. Whatever the injury rates are for cyclists and other road users on the Section, it is not possible to determine whether either cyclists or other road users are disproportionately at risk on the Section without an understanding of and comparison with the injury rates on other roads within Humberside, and other Trunk Roads nationally.

12. In addition to the information requested by CTT, Cycling UK therefore requests that HE provides:

- a. Information regarding the number of cycling trips on the Section over the last five years;
- b. Information regarding the number of trips by other road users on the Section over the last five years;
- c. Any rate based calculations or assessments they have carried out, at any time, regarding injury risk for cyclists or any other road users on the section;
- d. Information to confirm how the rate based calculations at para c herein compare with rate based calculations for other HE managed roads nationally;
- e. Information to confirm how the rate based calculations for cyclists at para c herein compare with the rate based calculations for the roads adjoining and adjacent to the Section (which cyclists would then presumably use instead of the Section).

13. In the absence of any evidence-led rate based analysis of risk, Cycling UK would argue that HE is merely proceeding on the flawed and unreasonable assumption that a total of six incidents in five years means that the Section is a dangerous or unsafe road for cyclists, from which they should be banned. That may be HE's intuitive belief, but Cycling UK have seen no evidence to substantiate this.

Inadequate assessment of the implications for cyclists crossing the Section

14. Having regard to the plans accompanying the Notice it would appear that the TRO would:

- a. Prevent cyclists from crossing over the North Cave junction from north to south or vice versa (ie: crossing the A63), as they would be prohibited from passing through the area marked with red lines on the plan;
- b. Similarly prevent cyclists from crossing north to south or vice versa at the Welton and Melton junctions respectively;
- c. Prevent cyclists travelling in an easterly direction towards the Humber Bridge (not on the A63), from accessing the Humber Bridge to travel south (there are similar problems for cyclists crossing the bridge from the south who wish to travel west);

15. Consequently, this TRO would not merely prevent cyclists from using the Section, it would severely restrict cycle access across the east to west A63, preventing travel north to south along a 24km section which includes the Humber Bridge.

Contravention of Highways England's own Cycling Strategy

16. HE's Cycling Strategy, published on 8 January 2016, sets out how it intends to contribute towards the development of an integrated, comprehensive and high quality cycling network. This includes facilities that are safe and separate from traffic, that enable users of all abilities to cycle and encourages cycling as a sustainable form of transport.

17. HE's Cycling Vision, set out at page 2 of that strategy document, includes contributing to a connected, comfortable, attractive and high quality cycling network, suitable and safe for use by people of all ages and abilities.

18. HE's Guiding Principles, also set out at page 2 of the strategy document, refers to:

- a. Planning for cycling – we will improve our capability to ensure the needs of cyclists are considered.
- b. Improving cycling facilities – we will plan and deliver an investment programme to improve cycle facilities which are safe and separate from traffic. Over time we will improve the safety, convenience and environment for cycling.

- c. Partnership working – we recognise the role of our partners and stakeholders in helping us to identify and support the delivery of cycling facilities and will work closely with them.
- d. Impact – our cycling improvements will have a positive impact on communities, such as improving connections across roads that divide communities and providing an integrated and safe cycling network.
- e. Direction of travel – we will play our part in delivering the Government’s ambition for cycling.

19. The TRO is contrary to each of HE’s Guiding Principles in that:

- a. There is no plan for the needs of cyclists, with restrictions along and across the Section and no alternative proposals;
- b. The proposed ban is not accompanied by any proposals to improve cycling facilities;
- c. There has been no engagement with local cyclists, cycling groups or representative bodies;
- d. There has been no impact assessment, although the impact will necessarily be to make some cycling journeys more difficult, and completely prevent others;
- e. It is contrary to the aims of the Government’s Cycling and Walking Investment Strategy (CWIS), which are to increase the number of people cycling, and have more and safer cycling, not merely ban it.

Contrary to the Government’s policy to promote cycle use

20. The Government’s aims to increase cycling are set out at page 9 of CWIS. HE’s role in delivering those aims is specifically referred to on page 35, at para 3.24, which states that the DfT will continue to work closely with HE to maximise the impact of their Cycling Strategy. Specific reference is made to HE’s commitment to upgrading and increasing the number of safe crossings on the network in the interests of the safety and convenience of more vulnerable road users, as well as ensuring they integrate with other networks.

21. Contrary to the aims of CWIS, and HE’s specific commitments, HE are:

- a. Restricting rather than promoting cycling;
- b. Reducing the number of crossings over its network that cyclists can use;
- c. Making it more difficult for cyclists to integrate journeys with other networks.

Contrary to a Safe Systems approach

22. The Government is now committed to a safe systems approach to reducing road danger, which requires consideration of various components including safer roads, safer road speeds, safer vehicles and safer road use. When applying a safe systems approach, consideration has to be given to the source of any risk or danger, and how that might be reduced.

23. Uniquely, HE's own stated safe systems approach omits reference to speed as a factor to consider. It is therefore perhaps not surprising that HE have failed to consider whether the speed of motor vehicles at certain times might be a factor to consider when devising a safe system along the Section, but that the speed of motor vehicles necessitates other road users, cyclists, being banned (though not other slower moving vehicles, horses etc).

24. HE have failed to adequately consider road danger reduction via a safe systems approach, as they have not considered what other measures, including speed reduction, warnings to drivers that cyclists use the Section, road design changes etc might mitigate risk. HE have merely defaulted to banning cyclists, because they can't keep up with traffic said to be travelling at 65mph. If that logic is applied, cyclists could potentially be banned from the majority of A roads, and many B roads, because surprisingly, outside urban areas, cyclists can't usually keep up with motor vehicles.

25. In all the circumstances, this is an unreasonable proposal, not supported by any evidence or analysis, the impact of which would be to restrict cycling in contravention of Government policy and HE's own Strategy Document.

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