

Cycling UK's response to Northern Ireland's consultation on a new Road Safety Strategy to 2030

ROAD SAFETY CONTEXT

OUR ROAD TO SAFETY: STRATEGIC APPROACH

Do you agree that the Safe System approach should underpin the new Road Safety Strategy?

Yes

Have you any further comments about this approach or alternative suggestions?

Yes

If you responded 'Yes' please provide comments.

Yes, generally speaking Cycling UK agrees that the Safe System approach should underpin the new Road Safety Strategy for the reasons put forward in your consultation document.

We should, however, like to stress the combined importance of:

- Encouraging active travel
- Recognising the real sources of danger and protecting the vulnerable from them.

And our alternative suggestion:

- Replacing the 'Post-crash response' pillar with 'Safe system management'.

//

Encouraging active travel

We will always welcome the Department for Infrastructure (DfI)'s commitment to active travel, but are particularly pleased to see it reiterated in the context of its proposals for Northern Ireland's new Road Safety Strategy, i.e. to: "... significantly increase the proportion of journeys made by walking, wheeling and cycling, so that this becomes the most popular choice for the many shorter, everyday journeys that we all make."

It was equally good to learn recently that DfI is backing this undertaking by topping up its specific capital funding for greenway and active travel projects.

With this in mind, we share DfI's concerns about the vulnerability of those who opt to travel by the very modes that the Executive is committed to encourage, so we strongly support the recognition that: "What deters many people from active travel is their concern about 'road safety'. Accordingly, road safety policies need to be focused on measures that address this significant concern."

As the latest results from the Continuous Household Survey show (2019/20), all too many people conclude that cycling is a "no way, no how" option for them: about two-thirds of males and almost three-quarters of females.

This reluctance is borne out by the findings of the Travel Survey for Northern Ireland (TSNI), which suggest that cycling accounts for a meagre 1% of all the trips that individuals make, and is dominated by males aged 16-59.

This is undoubtedly a shame because the environmental and economic return on investing in everyday cycling for routine, short local trips (to school, shops, work etc.) is significant, and the public health benefits far outweigh the risks. (The benefits of cycling are widely accepted, including by the Northern Ireland Executive, but for more detail, please see Cycle Safety: Make it Simple (CSMiS), Cycling UK's detailed response to the UK Department for Transport's Cycle Safety Review, 2018 : cyclinguk.org/sites/default/files/document/2018/06/1806_cuk_response-to-dft-call-for-evidence_finalv2.pdf

For these reasons, Cycling UK stresses how vital it is to encourage not only safer cycling, but more cycling and, in doing so, take advantage of the 'safety in numbers' effect (i.e. that higher cycling levels generated by improved conditions will, in themselves, generate safer cycling). (See CSMiS, link above).

By the same token, lowering cycling levels worsens safety for the few who keep riding. We therefore believe the pillars of the Safe System approach need to be adopted in an integrated way, thereby creating the conditions in which far more people, of all ages and abilities, feel able to walk and cycle in safety.

Conversely, the Strategy should avoid adopting an aim simply to reduce the number of pedestrian and cyclist casualties. This risks creating a perverse incentive to reduce cycling and walking, thereby undermining the 'safety in numbers' affect as well as eroding their health, environmental and other benefits. Setting the right kind of targets is pivotal here, as discussed in our response to the relevant question below.

As mentioned, the majority of people in Northern Ireland are currently reluctant even to consider cycling, especially females. It is much safer, though, than many think. To put this in perspective, estimates from journey and population figures suggest that at least 17 million cycle journeys take place in Northern Ireland each year, yet the police receive

reports of only c.300 cycle casualties on average a year (including 2-3 killed and 52 seriously injured). Provisional figures from the PSNI show that no pedal cyclists, in fact, were killed on the roads in 2021. Although not every slight or serious injury is reported, these estimates give us every reason to suppose that millions of cycle trips pass without incident.

Given the small number of cyclist fatalities each year in Northern Ireland, it is difficult to come to conclusions about trends over the last decade, and it is a mixed picture for seriously injured cyclists casualties, year on year, but generally speaking KSIs do not seem to be growing – we would like, of course, to see a marked drop.

In other words, we agree that one of the tasks of a good road safety strategy is not only to make cycling physically safer, but to make it look and feel far less dangerous to the general public. This includes measures to eliminate the many ‘near misses’ that may or may not be reported to the police but, because they do not lead to injury, are not reflected in official casualty statistics.

//

Recognising the real sources of danger and protecting the vulnerable from them

That said, we also agree that every single road collision victim is a victim too many and are alarmed by the over-representation of vulnerable road users in casualty statistics, i.e. that, as pointed out in your consultation document: “... pedestrians, cyclists and motorcyclists are identified as the most vulnerable road user group with the rate of KSI per 100 million KMs by road user type in 2020 showing: car user 2, pedestrian 24, pedal cyclist 47 and motorcyclist 251.”

Looking in particular at people who cycle, we reckon that cycle mileage in Northern Ireland accounts for only around 0.6% of the total distance travelled by all modes per year, but cyclists account for around 7% of all KSIs.

Unfortunately, facts like these sometimes lead to a tendency to label cycling as “unsafe” or “dangerous”. This is the kind of messaging that we urge the Department to resist. ‘What kills most on the roads?’, a 2020 analytical report from PACTS (Parliamentary Advisory Council for Transport Safety), explains this particularly well:

“Pedestrians and cyclists, sometimes viewed as “unsafe”, pose very little risk to other road users. In fatal collisions between motor vehicles and pedestrians or cyclists, it is almost always the pedestrian or the cyclist who dies, not the occupants of the motor vehicle.” (pacts.org.uk/wp-content/uploads/PACTS-What-kills-most-on-the-roads-Report-15.0.pdf).

On basis of GB figures, PACTS also concluded: “Cars are involved in the majority of vulnerable road user deaths (472). HGVs are also involved in a large number of vulnerable road user deaths (82).”

The “unsafe” and “dangerous” parties here are motor vehicles, modes that are typically considered “safe” because their occupants are housed in metal and enjoy a growing number of protective features.

PACTS’ aim is “to distinguish vulnerability from danger”, an aim that Cycling UK advocates too, i.e. people who walk and cycle may be vulnerable, but they are not dangerous. This in turn underpins our calls for a strategic approach that embraces the concept of a ‘Hierarchy of responsibility’ rather than, say, ‘shared responsibility’ (discussed in more detail in our answer to the question on ‘Safe Users’ below).

//

Replacing the ‘Post-crash response’ pillar with ‘Safe system management’

While we agree that the fifth pillar, ‘Post-crash response’, is a crucial element of any Safe System, we think that this title is overly narrow and should be replaced by ‘Safe system management’.

In your consultation document, you rightly refer to the need for ongoing medical care and rehabilitation for road crash victims, but we feel victims and, indeed, the cause of road justice, need the ‘Post-crash response’ pillar to extend to the legal system too, namely to:

- Gather and publish data on prosecutions, convictions and sentences for road traffic offences involving different user groups, both as the accused party and as the victim.
- Provide road crash victims with timely and thorough information about the conduct and progress of any criminal cases involving the offending party.

Both of the above measures are sure to go a long way towards improving the transparency and accountability of prosecution and other decisions and, as such, are immensely important to victims post-crash. Anonymising and publishing the findings, moreover, will be of strategic value to everyone committed to road justice and road safety.

We know this call is complicated by the fact that there is currently no reliable way of tracking an incident reported via STATS19 (and presumably Northern Ireland’s STATS19-based Collision Report Form (CRF)) to any legal consequences, but we urge all national authorities to work together to ensure this happens (e.g. by using the same identifying tag at every stage of the process, with due regard to data protection).

As far as civil law and safe system management is concerned, Cycling UK is keen to see all UK governments working towards the adoption of ‘presumed liability’, which means that:

- In collisions injuring pedestrians and cyclists, any drivers involved would be presumed liable to pay compensation to victims, unless they can show that the victim

was wholly at fault. This system is widespread in Europe and, by putting the onus of proof on the least vulnerable road users instead of the most vulnerable, it upholds the principle that those who are most likely to injure, maim or kill others should bear the brunt of responsibility. From a road safety perspective, it gives drivers a strong personal incentive to take due care of the people walking or cycling around them. (For a more detailed look at ‘presumed liability’, please see our CSMiS response, section 5.4. cyclinguk.org/sites/default/files/document/2018/06/1806_cuk_response-to-dft-call-for-evidence_finalv2.pdf).

The draft Strategy also mentions the need to capture and act upon learnings from collisions, which we also support. However, we feel it is important to:

- Establish clear arrangements for monitoring and feedback from the start, reflecting the emphasis on road danger reduction.

We note here that the UK Department for Transport (DfT) has recently consulted on creating a Road Collision Investigation Branch (RCIB), a measure we also called for in CSMiS.

The idea is to set up a body dedicated to learning lessons from road traffic collisions. This would operate much like similar independent bodies that already exist for air, maritime and rail crashes, probing specific incidents, establishing the causes and making recommendations to help improve road safety.

It is not yet clear whether this body would merely cover England, or the whole of Great Britain or the United Kingdom (presumably with the agreement of the relevant devolved administrations). Either way though, we urge that there should be a RCIB for all four nations of the UK.

Additionally, we believe ‘Safe system management’ should include setting rate-based targets and performance indicators (discussed in more detail in our response to your question on targets below).

///

PROPOSED TARGETS FOR THE NEW STRATEGY TO 2030

Do you agree with these proposed targets?

No

Have you any comments or concerns about the targets being proposed or alternative views?

Yes

If you responded 'Yes' please provide comments.

Clearly, Northern Ireland recognises the importance of encouraging active travel for a variety of sound reasons, and we congratulate the Department and Minister on echoing this in the consultation document on the new strategy. This makes it all the more vital to guarantee that Northern Ireland's strategic targets do not create a perverse incentive, namely to cut cyclist casualty numbers by discouraging cycling (the same could be said of walking). Unfortunately, this is what simplistic targets based on absolute numbers risk doing.

We recommend rate-based targets and performance indicators instead, i.e. aiming to cut casualties per mile (or per trip). This means that the measure of success for Northern Ireland's road safety strategy would be cycling levels rising more steeply than any increase in casualties (though obviously it is preferable that these should fall, even while cycle use is increasing).

This approach eliminates any resistance to increasing Northern Ireland's levels of cycling; and avoids the temptation to let them fall in order to meet an ill-conceived and simplistic casualty reduction target.

Rate-based targets would also allow for the 'Safety in Numbers' effect to flourish in Northern Ireland (see our response to the first questions above).

To illustrate the dangers of simplistic targets, we have looked at Northern Ireland's casualty statistics for the latest financial year (2020/21). These show that child pedestrians and cyclists accounted for 46.4% and 17.9% of child KSIs respectively and, as such, represented almost two-thirds of all child KSIs. It is hard to see how a 60% reduction in child KSI numbers could be achieved without reducing the amount of walking and cycling among children (which is already regrettably low).

Conversely, a rate-based target here – i.e. one that aims to reduce child KSIs per mile (or per trip) walked/cycled – would support Northern Ireland's mission to increase levels of active travel because the goal is not to reduce the absolute number of child road casualties, but to improve children's safety as more of them travel actively, thanks to complementary initiatives that encourage them to do so.

In passing, we should like to stress how crucial it is to encourage active travel among children now, and reassure their parents and guardians about it. Children not only find cycling fun, but it is also good for their physical activity levels and means they are travelling independently rather in a car (thus helping to convert many short trips by a dangerous mode into a safe mode – see above). It also helps establish the cycling habit as early as possible in life, benefitting their wellbeing as adults and, indeed, that of future generations.

To ensure that progress towards rate-based targets is robustly monitored, we feel work needs to be done on producing pedal cycle and motor traffic mileage estimates (by vehicle type/road class) in Northern Ireland. Arguably, it is unwise to rely solely on the

results of travel surveys (TSNI), which are no substitute for a routine collection of data via traffic counting systems, plus an annual, published analysis of the results.

///

STRATEGIC OUTCOMES

Do you agree that these are the best outcomes for the strategy?

Yes

Have you any further comments or alternatives as to what the outcomes should focus on?

Yes

If you responded 'Yes' please provide comments.

We believe that the best outcomes should directly reflect the five Safe System pillars by adding 'Safe Speeds' and 'Safe System Management' to the list.

We note that the consultation document covers safe speeds under the headings 'Safe People' and 'Safe Roads'. Yet this topic is so vital that we think it deserves an outcome in its own right given that, as you say: "Excessive speeding, despite showing a reduction of 73% in fatal and serious collisions compared to the 2004-08 baseline, was the second highest causation factor for fatal and serious collisions in 2020".

Also, we feel that targeting excessive speeding separately makes a clear distinction between "human error" and driving too fast. This is almost always a deliberate act, puts others at risk and is particularly intimidating for vulnerable road users: TSNI found that "Traffic travelling above the speed limit" makes over a quarter of people walking by the road (27%) and well over a third of cyclists riding on the road (37%) feel unsafe.

Thus, if Northern Ireland sets 'Safe Speeds' as a specific measure of Safe System success, and as long as active and robust enforcement by the PSNI is cited as a priority, people who travel actively are bound to feel and be less vulnerable. In turn, this will help the Department and Minister meet their commitment to these modes and "shaping communities around people".

Further to developing the associated key challenges, priority areas and high-level actions, we recommend referring to Section 3 'Safe Speeds' of our CSMiS submission to the DfT, where we flesh out the following evidence-based recommendations:

- **Headline recommendation:**
 - Make 20 mph the default speed limit for most streets in built-up areas (e.g. where people shop, live and work), normalising the idea of driving at low speed where others are likely to be walking or cycling around. 30 mph (or higher) limits would then be the exception that requires signing, not the other way round. In other words, this does not mean a “blanket” 20 mph limit because it allows for valid and carefully considered exceptions. (An added benefit of this approach is the removal of unsightly and intrusive signage clutter from residential streets, given that they would then be subject to the default limit. Instead, speed limit signs would be concentrated on any main roads excepted from the default).

- **Supporting recommendations:**
 - 20 mph streets should be made to look and feel like 20 mph streets, with the local community involved in their design to maximise local support.
 - A default limit of 40 mph should be adopted for single-carriageway non-built-up roads. Again, higher speed limits could be adopted on more major roads with higher design standards, including the provision of separate cycle facilities.
 - Speed limits need to be enforced actively by the police, supported by zonal cameras, Intelligent Speed Adaptation (ISA), and driver education. Please also see our comments about one of the key challenges listed under Outcome 2, namely: “The need for wider adoption of 20mph speed limits outside schools”.

Likewise, we believe that ‘Safe System management’ – our alternative to the fifth pillar, ‘Safe post-crash response – should be appended as the fifth outcome (we have detailed what this should cover in our response to the first question above).

///

SAFE PEOPLE: OUR PEOPLE WILL BE SAFER ON OUR ROADS

Do you agree that the challenges identified represent the key challenges that may impact on our ability to ensure that everyone will be safer on our roads?

No

If you responded 'No' what other challenges do you feel merit consideration and why?

We largely agree with these challenges, and especially welcome the 3rd and 4th. However, we have a concern about the 1st (human error); suggest that the 3rd (ensuring vulnerable road users are safer) needs to be interpreted with care; and believe the 2nd (behaviour change) should be directly tied to the 6th (enforcement).

Human error

It may not be intentional, but running “human error” straight into examples of “attributing” illegal behaviour subordinates and waters down the latter, yet at the same time fails to stress clearly enough that errors behind the wheel may be no more/no less dangerous than breaches of the law. This is compounded by the fact that “more enforcement of existing regulations by PSNI/DVA” omits to state that the actual challenge here is illegal behaviour, which is why enforcement needs to step up.

Making it clear that both human error and illegal behaviour are challenges of equal weight and potential danger, and referring directly to the latter in respect of enforcement, would help address this issue.

Also, as mentioned above, we would prefer to see speeding dealt with in a fourth strategic outcome, ‘Safe Speeds’.

//

Risks to vulnerable road users and the need to ensure they are safer on our roads

As discussed in our response to earlier questions, in most (but not all) cases, the risk to vulnerable road users (VRUs) comes from dangerous behaviour from others, not from VRUs themselves.

It is, indeed, factually incorrect to assume that cyclists are their own worst enemies – contributory factors (CFs) collected through STATS19 demonstrate time and time again that they are not. Although CFs reflect the views of police at the scene and cannot objectively determine liability or “causation” (which is for forensics/the courts to decide), they consistently suggest that motor vehicles are more likely to contribute to collisions involving cyclists than the cyclists in question.

In 2018, for instance, the DfT concluded from GB’s record of thousands of CFs that: “Between 2011 and 2016, pedal cyclists involved in a collision with other vehicles were less likely to have a contributory factor recorded – 48 per cent compared with 72 per cent for all motor vehicles.”

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/686969/pedal-cycle-factsheet-2017.pdf

While Cycling UK certainly does not condone risky, inconsiderate, irresponsible or illegal behaviour by VRUs, we cannot stress enough that the main source of danger to them is motor vehicles and the behaviour of some drivers. This challenge therefore needs to

make this clear to ensure that no-one misinterprets it simply as a call for measures that put the spotlight on self-protection for VRUs. This is tantamount to victim blaming, and should be vigorously avoided.

For more, see:

- Section 2 'Safe Road Users' of our CSMiS submission to the DfT (this also covers driving standards, behaviour towards cyclists and cyclists' vulnerability: cyclinguk.org/sites/default/files/document/2018/06/1806_cuk_response-to-dft-call-for-evidence_finalv2.pdf).
- An earlier but very thorough study, Collisions involving pedal cyclists on Britain's roads: establishing the causes, TRL PPR445 (<https://trl.co.uk/publications/ppr445> with commentary from the Guardian here: theguardian.com/lifeandstyle/2009/dec/15/cycling-bike-accidents-study).

///

The need for behavioural change of road users / More enforcement of existing regulations by PSNI/DVA

There is a risk that, on its own, the challenge of changing "habits, behaviours and attitudes" may be interpreted to mean addressing it through public awareness campaigns and nothing more. While these campaigns help build public understanding and support, they must be backed up by strong enforcement. We discuss this in greater detail below.

We should like to note here, however, that effective awareness/education campaigns are a challenge in their own right. This is because they must, but often fail to, embody the 'hierarchy of responsibility', which hinges on the unequivocal fact that motor vehicle drivers present a far greater threat to VRUs than VRUs present to them or, indeed, to themselves.

Awareness campaigns should therefore avoid messaging that implies that VRUs and drivers share equal responsibility for collisions between them. As discussed above, this is not only unfair but untrue. Regrettably, campaigns based on this myth inevitably pursue the wrong targets and, as such, do a disservice to casualty reduction and, ultimately, to vision zero.

Section 2.1 of CSMiS covers best practice for awareness campaigns in more detail. (cyclinguk.org/sites/default/files/document/2018/06/1806_cuk_response-to-dft-call-for-evidence_finalv2.pdf)

///

SAFE PEOPLE: KEY PRIORITY AREAS FOR THE NEW STRATEGY

Do you agree that these are the key priority areas which will help to deliver on the outcome of our people will be safer on our roads?

Yes

Do you have any views on the high-level actions that have been identified?

Yes

If you responded 'Yes' please provide comments.

Cycling UK agrees with the four priority areas for this outcome, particularly the 3rd on active and sustainable travel. Road safety must, after all, support the wider health, quality of life and environmental objectives of all governments.

We are not suggesting further priority areas, but urge the Department to give enforcement a higher profile, and link it overtly to awareness campaigns. We comment on this and the need for adequate resources for all enforcement agencies below. We also outline Cycling UK's views on traffic law itself.

//

Highway Code

We strongly agree with the inclusion of “considering and introducing appropriate changes to the Highway Code to enhance local road safety”.

Cycling UK has been working with the DfT on the forthcoming new version for GB, and is looking forward in particular to the following updates, and to seeing them incorporated into Northern Ireland's revised Code too:

- The introduction of the 'Hierarchy of Users' or 'Hierarchy of Responsibility', recognising that road users who pose greater risks to others ought to have a higher level of responsibility
- Simplification of the rules relating to non-signalised junctions, which will make junctions safer and address 'left-hook' collisions
- New rules to tackle dangerous overtaking and 'close passes', with a guideline minimum safe passing distance of 1.5m (with drivers being urged to leave more space than this, particularly if they are driving a lorry or other large vehicle, or driving at higher speeds, or in adverse weather conditions)
- The inclusion of the Dutch Reach to help prevent 'car-dooring'.

For more details on the changes we proposed and why we proposed them, please see www.cyclinguk.org/safer-highway-code-cyclists

//

Graduated Driver Licensing

Cycling UK fully supports GDL and Northern Ireland's decision to introduce it is, we feel, an example for the rest of the UK to follow.

Our views on driver training, testing and licensing are outlined in section 2.2 of CSMiS. (cyclinguk.org/sites/default/files/document/2018/06/1806_cuk_response-to-dft-call-for-evidence_finalv2.pdf)

//

Cycle training

Although the 'Current Context' introduction refers to the Cycle Proficiency Scheme, we recommend that the 'Education/training' priority refers specifically to cycle training for children and adults.

High quality cycle training not only teaches people to cycle as safely as possible, but also makes parents and guardians feel more confident about allowing young people to cycle. Not only that, but drivers with personal experience of cycling are more likely to behave considerately towards the cyclists they encounter on the roads.

Cycling UK was instrumental in the development of the national standard for cycle training in England (branded as 'Bikeability'), and is keen to see all children in the UK benefitting from it free of charge.

Our views on cycle training and integrating it with the driver training and testing process, especially for professional drivers, are set out in section 2.2. of CSMiS ([link above](#)).

//

Aligning enforcement with education/awareness campaigns

As it stands, enforcement is subsumed by 'Policy/legislation/regulation', but we believe it deserves to be picked out as a key priority area in its own right and overtly aligned with effective 'Communication/awareness' campaigns.

Without enforcement, the minority who disregard educational messages and are oblivious even to common-sense, will go on misbehaving; and, because they may be rarely, if ever, pulled up on it, the abiding message will be there's no real need to comply with official advice, because you'll probably get away with it.

The DfT's long-term campaign to tackle drink-driving through publicity, linked with complementary and conspicuous activity by the police, exemplifies how successful the alliance between education and enforcement can be:

- Referring to GB statistics, the DfT reports that, in 1979, just over a quarter of road deaths occurred in crashes where at least one driver or rider was over the limit; by 1989, this had fallen to 15% (in 2019, the rate was 13%).
- To mark the drink-drive campaign's 50th anniversary back in 2014, the DfT carried out a survey into public attitudes and found: "Of those surveyed, 91% agreed drink driving was unacceptable and 92% of people said they would feel ashamed if they were caught drinking and driving."

Another good example of a successful awareness/enforcement campaign is West Midlands' Police 'Close Pass' initiative, launched in 2016.

This involved intercepting drivers who failed to give a plain clothes police officer on a bike enough room, and pulling them aside for a demonstration of safe passing distances on an illustrated ground-mat. Repeat offenders, those who drive dangerously close, and those who declined the "chat on the mat", however, were still charged. By September 2017, the force had pulled over at least 200 offenders, while reports of close passes halved.

They also noted that: "The number of cyclists involved in serious road smashes in the last year has dropped by 20 per cent compared to the previous 12 months." (west-midlands.police.uk/news/serious-cycle-smashes-down-fifth-close-pass-first-year)

Turning to a rather different, but recent, example from Northern Ireland, we feel that the new public awareness campaign designed to crack down on pavement parking, 'Think before you park' will be all the better for visible and enduring PSNI/enforcement action. We therefore welcome the accompanying public consultation on bans and new powers for Traffic Attendants.

We also commend Northern Ireland's proposals to introduce 'Operation SNAP' to make it easier for people to submit dash cam footage (and, we trust, handlebar or helmet cam footage) for review by police officers.

We'll reserve our more detailed comments on this for the separate consultation on this issue, however. The crucial role that enforcement, allied with communication/awareness, plays in road safety is well-documented:

- Cycling UK cites a substantial body of evidence for this in our response to the UK Government's 'Roads Policing Review' (August 2020). (www.cyclinguk.org/sites/default/files/document/2020/10/2010_rg_dft_roadspolicing-review_con.pdf)
- PACTS, who carried out an extensive literature review and published their findings in 'Roads Policing and its Contribution to Road Safety' (June 2020), found "clear evidence that an increase in enforcement will lead to a reduction in both fatal and serious injury collisions." (www.pacts.org.uk/wp-content/uploads/Roads-Policing-Report-FinalV1-merged-1.pdf)

//

Resourcing the police and other agencies

Obviously, the police and other agencies need adequate resources to carry out the enforcement of all road traffic law, whatever themed educational campaign is under way, so investing in roads policing should be a key priority as standard. The same applies to the DVA.

//

FPNs for careless driving

We very much welcome Northern Ireland's willingness to review the approach to careless driving. As mentioned, we support proposals to introduce Operation Snap. We also note the proposed introduction of fixed penalty notices (FPNs) for careless driving.

Although we will reserve our more detailed thoughts on FPNs for the separate consultation, it is probably worth saying here that we welcome this approach, albeit cautiously.

It certainly helps if police officers are able to respond immediately to lower level acts of bad driving, but we reiterate our caveats made at the time the idea was put forward and approved in GB, i.e. that FPNs (and remedial driver training) should never be used to deal with acts of dangerous driving or where someone is injured; cases like this should still be referred to the courts. The gravity of these acts should never be downgraded or belittled by relatively light consequences. (<http://dev.cyclinguk.org/news/careless-driving-fixed-penalty-welcomed>)

Confusion over the legal definitions of 'careless' as opposed to 'dangerous' driving are relevant here, so we discuss our calls for a full review of road traffic offences and penalties next.

//

Full review of road traffic offences & penalties

Cycling UK and our allies have long been calling on the UK government to conduct its promised review of road traffic offences. We were accordingly very pleased with the news that work is now under way on a call for evidence. Our CSMiS response (section 2.5, link above) covers this in some detail but we summarise our headline recommendations below:

- The legal definitions of 'careless' and 'dangerous' driving, and their associated penalties, should be reviewed or replaced by an alternative legal framework. This is because the current definitions have led to much confusion and inconsistency, with all too many acts of 'dangerous' driving being dismissed as 'careless'.

- Greater use should be made of substantial driving bans in cases where the driver's actions have caused harm but where they are not obviously a dangerous person who needs to be locked up for the public's protection. Convicted drivers should not be able to routinely evade driving bans by claiming this would cause 'exceptional hardship'.
- A new offence of causing death or serious injury by car-dooring should be introduced.
- There should be increased penalties for 'failing to stop' offences where the driver must or should have known there was a possibility of a serious or fatal injury.

Cycling UK has published several relevant reports:

- Five Flaws: Failing Laws (although this was written to support our calls for amendments to the Police, Crime, Sentencing and Courts Bill, which does not apply in Northern Ireland, the contents may still be of interest).
www.cyclinguk.org/sites/default/files/document/2021/12/2106_cyclinguk_five-flaws-failing-laws_final.pdf
- Failure to See What's There to be Seen (a case study report demonstrating how the justice system fails vulnerable road users fatally hit by drivers who didn't look or didn't see them).
www.cyclinguk.org/sites/default/files/document/2018/11/1811_cuk_failing-to-see_rpt.pdf
- 'Exceptional Hardship?' (case studies illustrating why the law on 'exceptional hardship' pleas needs to change to stop drivers avoiding automatic bans for unexceptional reasons).
www.cyclinguk.org/sites/default/files/document/2021/07/2107_cyclinguk_exceptional-hardship-case-studiesb2.pdf
- No Compassion or Humanity (case studies illustrating why the law needs to toughen up on failing to stop at the scene of a collision).
www.cyclinguk.org/sites/default/files/document/2021/12/2112_cyclinguk_failed-to-stop-case-studies_final.pdf

///

SAFE ROADS: OUR ROADS WILL BE SAFER FOR ALL

Do you agree that the challenges identified represent the key challenges that may impact on our ability to deliver a safer road system for all?

No

If you responded 'No', what other challenges do you feel merit consideration and why?

We have concerns about the framing of one of these challenges (20 mph outside schools); and urge the Department to include junctions. We also have some comments on some of the other challenges already listed.

//

Ongoing road maintenance and funding

This topic is important, and we strongly welcome its inclusion as a challenge, but feel it should also be mentioned as a key priority area too. We also stress that it should focus on catering for those road users who are most likely to suffer physically from (and be deterred by) poorly maintained roads, i.e. cyclists and pedestrians. This makes sense both from a casualty reduction and financial perspective.

Results from a survey we carried out in 2018 revealed that cyclists' compensation claims against highway authorities were c13x higher than those of motorists (presumably because they are more likely to involve personal injury, rather than just property damage).

There is also evidence that maintenance cuts for minor roads, where the majority of cycling takes place (certainly in Great Britain), are a distinct financial risk, greater than for major roads which tend to attract lower levels of cycling. A review by Transport Scotland and the Transport Research Laboratory (TRL) of the economic value of road maintenance found not only that a £1 cut to road maintenance budgets would have an average economic cost of £1.50, but also that this disbenefit was significantly higher for local roads (£1.67) than for trunk roads (£1.12).

(www.starconference.org.uk/star/2012/JohnstonParkmanAbell.pdf).

Another false economy is opting routinely for short-term emergency patching. More often than not, this is not carried out carefully enough, often deteriorating so quickly that it is hardly worth doing. This is no substitute for investing solidly in timely road surface renewal or resurfacing programmes, which make for safer conditions for longer.

We also recommend that maintenance regimes pay special attention to the kind of defects that cause cyclists most discomfort and, more importantly, put them most at risk. Such defects:

- Are at or near junctions
- Are on downhill sections of roads
- Present a sharp upstand on the far side of the defect
- Run along rather than across the path that cyclists will be taking, i.e. those which are more likely to trap a cyclist's wheel.

We expand on the above and more in our submission to the Transport Select Committee's Inquiry into Local Roads Funding and Maintenance (2018/19).

<http://data.parliament.uk/writtenevidence/committeeevidence.svc/evidencedocument/transport-committee/local-roads-funding-and-governance/written/90786.html>

//

Major roads projects / new developments

'Stakeholder analysis' states: "Specifically major roads projects and the involvement of planners in the design of new developments would be required in order to improve road safety figures." It is not clear what is meant by "major roads projects". If this means major projects that improve the safety of VRUs, we are in support; but if this means widening or building major roads, we find this statement somewhat alarming.

Against the background of a climate crisis (not to mention the crises of congestion, pollution, road danger and physical inactivity), Cycling UK and our allies believe that all governments should be taking action to halt and reverse the growth of motor traffic and to invest in healthy, safer and sustainable transport alternatives instead.

By its very nature, increasing space for motor traffic simply fails to do this. It undermines road safety and the cause of active travel too, given that motor vehicles represent by far the greatest threat to people who walk or cycle.

The consultation document also says "... planners need to be involved when new developments are being designed to ensure the consideration and allocation of safe road space." We trust this means safe space for people cycling and walking within new developments, and supplying convenient active travel connections for residents/workforces to and from local services, town centres and other communities.

On the general subject of cycle-friendly infrastructure, Cycling UK recommends applying the advice given in DfT's Cycle Infrastructure Design (LTN 1/20).

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/951074/cycle-infrastructure-design-ltn-1-20.pdf

//

Rural and rural country roads

We appreciate the recognition that rural and rural country roads present distinct risks. The fact that the majority of cyclist KSIs (62%) in Northern Ireland happen in urban areas simply reflects the prevalence of cycling there, but the 32% that happen in rural areas is still a substantial amount.

Establishing 'quiet lanes' would help make rural areas safer and more attractive for cycling, so we recommend that Northern Ireland seriously considers them (something the Department has been invited to do, we understand).

//

New technologies

We simply note here that electrically assisted pedal cycles (or 'e-bikes', including e-cargo bikes) should be seen as a blessing for active travel rather than a road safety challenge.

E-bikes are excellent alternatives to the car, particularly for journeys that are longer or hillier than people would otherwise be happy to cycle, and for people put off cycling because of their age, health conditions or disabilities.

E-cargo bikes should be encouraged too as a feasible alternative for last-mile delivery.

We covered the evidence of the benefits in our written evidence to the Transport Committee's inquiry into active travel (2018).

<http://data.parliament.uk/WrittenEvidence/CommitteeEvidence.svc/EvidenceDocument/Transport/Active%20travel/Written/91593.html>

In view of DfI's ongoing monitoring of progress on CAVs, we wish to highlight Cycling UK's views on them as set out in CSMiS, section 4.2. (Link above)

//

20 mph speed limits outside schools / walking and cycling infrastructure outside schools

Proposals to introduce 20 mph speed limits outside schools are intuitively appealing, but measures to encourage children to walk and cycle for school journeys must go considerably further than simply improving their safety between a car door and the school gates.

Child road casualties do not happen solely at school arrival and pick-up times, but also (and, according to past analysis of GB data, mostly) near their homes during the evenings, weekends and school holidays.

If the aim is to encourage and enable children to cycle or walk the whole way from home to school, a much more comprehensive approach is needed, based on creating comprehensive local cycling and walking networks. After all, active travel trips for them start and end at their front door.

We therefore urge the Department to re-frame this challenge so that the Safe Routes to School Initiative/Active Schools Travel Programme take a comprehensive look at children's door-to-door travel to/from school in each catchment area, and develop plans for reallocating road space etc. accordingly.

This point is linked to our recommendation for a default 20 mph in built-up areas (see answer to earlier question above). That would mean that children's routes to/from school benefit from low speeds throughout with safe and convenient crossing points over any exempted arterial roads.

Children (and their learning) benefit from physical activity and, again, encouraging active travel and giving parents/guardians confidence in it is one of the best investments any government can make for the future.

//

Junctions

Junctions are hazardous places for pedal cyclists: NISRA's analysis of casualties in Northern Ireland, 2014-2018, found that over two-fifths (41%) of KSIs among cyclists occurred at a T or staggered junction.

For this reason, Cycling UK recommends referring specifically to junctions and the need to improve their safety record through high quality infrastructure treatments (see the DfT's LTN 1/20 for current best practice, link above). This links with the need to revise the Highway Code's rules on junction priority (see above).

///

SAFE ROADS: KEY PRIORITY AREAS FOR THE NEW STRATEGY

Do you agree that these are the key priority areas which will help to deliver on the outcome of safer roads for all?

No

If you responded 'No' what other key priority areas, in your view, should be considered and why?

Junctions

As mentioned in our response to the question on challenges for Outcome 2, we believe junctions should be included as a specific challenge. As such, we think they should be considered as a key priority area too.

Ongoing road maintenance and funding

Please see our comments under 'Challenges' above.

Do you have any views on the high-level actions that have been identified?

Yes

If you responded 'Yes' please provide comments.

Road engineering and infrastructure

With regard to all road schemes (major, minor, retrofit or new), Cycling UK recommends consistently applying the advice in DfT's Cycle Infrastructure Design (LTN1/20).

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/951074/cycle-infrastructure-design-ltn-1-20.pdf

Further to major roads, we believe it is important to address the barriers to safe cycle/pedestrian movement created by existing trunk roads, including all associated junctions and the lack of other crossing points to connect up paths and/or rights of way on either side. Trying to navigate across hostile major roads on foot or by bike without any dedicated provision is extremely daunting, not to say hazardous.

//

Speed management review

Cycling UK particularly welcomes the statement, made in the consultation document, that the DfI is “considering a speed management review which could look at a number of areas including: the general speed limit system here; specific speed limits such as for HGVs; and reducing speed limits in urban/residential areas”.

We urge DfI to confirm this as a key priority area, and start work on the review as soon as possible.

As discussed above, we also urge the Northern Ireland Executive to make 20 mph the default for most urban streets, not just oases of 20 mph around schools.

//

Legislation

In ‘Current Context’ for this section, the draft Strategy mentions the preparation of Local Development Plans (LDPs), which gives councils the chance to assess and appropriately consider transport needs, problems and opportunities in their areas.

To maximise the benefit of this for active travel and make sure that all local studies which inform such plans always cover it, we recommend giving councils a statutory role in developing high quality, safe local cycling and walking networks, then incorporating them into their LDPs.

///

SAFE VEHICLES: OUR VEHICLES WILL BE SAFER

Do you agree that the challenges identified represent the key challenges that may impact on our ability to deliver on the outcome of safer vehicles for all?

No

If you responded 'No' what any other challenges do you feel merit consideration and why?

HGVs

We note that the list refers to the size of agricultural vehicles and their impact on road safety, especially on rural roads. Clearly, this is a worry for stakeholders and we accept that it is a challenge that needs addressing. However, we note the absence of HGVs more generally from the list, even though developments in detecting, investigating and tackling poor compliance among operators/drivers are mentioned in the subsequent 'Current Context' section.

HGVs are a challenge because of the impact they have on VRUs, both in terms of injury risk and intimidation (which is a problem for encouraging active travel). PSNI's published statistics do not readily tell us whether HGVs present a disproportionate risk to cyclists and pedestrians in Northern Ireland, but we know that in GB from 2015-2019 ('normal' pre-pandemic years), HGVs were involved in 16% of cyclist and 13% of pedestrian fatalities, even though they accounted for only 3.4% of non-motorway motor traffic.

We also note that 37% of respondents to the TSNI (2017-2019), said that 'buses or lorries' make them feel unsafe when cycling on the roads.

We therefore believe that HGVs should be specifically listed as a challenge and covered in the key priority areas for this outcome (we set out our recommendations for the latter below).

///

SAFE VEHICLES:KEY PRIORITY AREAS FOR THE NEW STRATEGY

Do you agree that these are the key priority areas which will help us deliver on the outcome of achieve safer vehicles for all?

No

If you responded 'No' what other priority areas, in your view, should be considered and why?

While we agree with the priority areas listed, we feel the following need to be included too:

HGV compliance and vehicle design

Cycling UK welcomes the ongoing work on improving HGV compliance mentioned in 'Current Context', but believes that HGVs' impact on VRUs (as discussed under challenges above) should translate into the priority areas too. In particular, we advocate the promotion of 'direct vision' lorries, by:

- adopting a Direct Vision Standard, similar to that introduced by Transport for London (TfL). This standard measures how much an HGV driver can see directly through their cab windows, making VRUs on the outside more visible to them and, consequently, less likely to be unnoticed and/or hit.
- requiring the use of 'direct vision lorries' for all construction and other contracts with NI Executive; and
- encouraging NI local authorities to do likewise (e.g. waste disposal as well as construction contracts), and stipulating the use of 'direct vision' lorries for construction work as a requirement for the granting of planning permission for new developments.

//

Vehicle checks

While recognising that Covid-19 continues to present challenges for enforcement activity of this kind, we urge DfI and DVA never to reduce vehicle checks to only a few per day, if at all possible. One conviction for every ten checks in Q1 of 2021-2022 suggests how vital they are as a road safety measure.

The routine removal of unsafe lorries and lorry operators is one of the most important aspects of these checks and their consequences, and the new strategy should regard this as a priority.

//

Do you have any views on the high-level actions that have been identified?

Yes

If you responded 'Yes' please provide comments.

HGVs

Please see our comments on HGVs above, which go beyond consulting on bans on tyres aged 10-years and over.

//

GB e-scooter trials

Cycling UK agrees with the need to review outcomes of GB e-scooter trials. Our provisional view is that e-scooters may prove either beneficial or detrimental, both in terms of reducing car use and improving road safety. To avoid detriment, we believe that it is important not to set the maximum speed, power, acceleration and weight for e-scooters (and other micromobility vehicles) at too high a level.

For more detail, please see Cycling UK's article 'Striking the balance on e-scooters'.
www.cyclinguk.org/blog/striking-balance-e-scooters

///

NEXT STEPS GOVERNANCE PROCESSES

Do you agree that a new Road Safety Forum should be established?

Yes

If you responded 'Yes' do you feel that this should be chaired at Ministerial level?

Yes

Do you think other governance arrangements should be put in place?

No

Are there any equality impacts that you feel need to be considered?

Yes

If you responded 'Yes' please provide details.

We agree with the impact assessment as outlined. We should like to note here, though, that a high proportion of individuals of all ages and abilities are deterred from cycling in Northern Ireland (as is the case elsewhere in the UK).

Results from the 2019/20 Continuous Household Survey, extracted for the latest 'Cycling in Northern Ireland' (CNI) data, found that: only 3% of respondents were undeterred by road conditions; 14% 'comfortable' about cycling (but would do more if facilities improved); another 16% said they were afraid for various reasons; and a massive 67% that they were not interested in cycling at all.

However, some groups are disproportionately deterred: namely, women, younger and older people and those with disabilities. CNI results reveal that 69% of males who owned or had access to a bike, said they'd not cycled in the last four weeks, compared to 84% of women.

Also, only 8% of the respondents who had cycled in the last four weeks were 16-24 year-olds, and 9% aged 65 and over, compared to over two-fifths of people in the 35-49 age group.

On top of that, Cycling in Northern Ireland results from the 2017/18 CNI suggest that 80% of respondents with a disability were either not able or simply had "no interest in

cycling”, compared to 57% of those without a disability. Inclusive cycling projects, and the provision of safe and accessible cycling infrastructure should help address these serious inequalities (people who find it difficult to walk or drive, for instance, can find independence and freedom by using a bicycle, adapted cycle, or an e-cycle as a mobility aid).

Although the latest Travel Survey Northern Ireland data (2017-2019) found that 63% of children (0-15) had cycled in the last 12 months (a much higher proportion than for other age groups), only 1% of children’s journeys are cycled – their trips are more than likely to be driven (67%). Provision must be made for them to cycle as safely as possible (to school, for example), and S75 equality obligations towards them are as strong for cycling as they are in any other field.

Are there any rural needs impacts that you feel need to be considered?

Yes

If you responded 'Yes' please provide details.

TSNI tells us that, in Northern Ireland (as in England), the average journey length, time spent travelling and average journey times is higher in rural areas than for urban areas. For school children and people with disabilities who live in rural areas, this makes travelling by anything but car a particular challenge.

For rural pupils, schools may well be beyond walking but within cycling range. Riding their bikes, though, is not viable for many because of the dangers of rural roads (especially 60 mph single carriageways without separate cycling infrastructure). E-bikes could play a big role in decarbonising rural transport and facilitating cycling, but people still need safe conditions in which to ride them.

For more on rural transport, please see our article written in response to the Whitehall Government’s Future of Transport: Rural Strategy (February 2021).

www.cyclinguk.org/blog/governments-innovative-rural-transport-plans-overlook-basics