

THE NEW KENT ROAD CYCLE TRACK (LONDON CYCLE NETWORK ROUTE LCN23) DESIGN FLAWS AND INCONSISTENCIES IN THE CYCLE TRACK SIGNING

Briefing in support of Kristian Gregory's defence against his fine and/or prosecution for pavement cycling

The cycle track along the south side of the New Kent Road appears to have been constructed in the late 1980s or early 1990s. However it is of substandard width – well below the widths now recommended in guidance from Government or Transport for London on cycle-friendly planning and design. It is also poorly and inconsistently signed. Specifically, it is unclear where cyclists are required to stick to one side of the solid white line marked on the pavement, and where they are entitled to share the whole width of the pavement with pedestrians.

Limited width

Photo 1 is taken from Kristian Gregory's helmet-camera footage of the lead-up to the moment when he was stopped and fined¹. It shows him sticking to the cycle track, despite the limited width available to pass an oncoming cyclist. The cyclist to the right of the photo has already pulled out of the cycle track to overtake the slower cyclist in front of Mr Gregory.



Photo 1: conflict due to the cycle track's limited width

It will be noted that the cycle track is around 2 metres wide. Guidance on cycle track design from both the Department for Transport and from Transport for London suggests that a cycle track intended for two-way cycle-use should be at least 3m wide, with an additional 0.5m needed if the track is bounded by a wall. The Department for Transport's Local Transport Note LTN 1/12, 'Shared use routes for pedestrians and cyclists'², says that, "*The preferred minimum effective width for a two-way cycle track is 3 metres. These effective widths will need additional clearance where track edge constraints such as kerbs or walls are present (see Table 7.4).*" Table 7.4 indicates that 0.5m of extra width is needed adjacent to a vertical feature (e.g. a wall) more than 60cm high.

¹ See www.youtube.com/watch?v=HraAA4W2AJc&feature=youtu.be

² See www.gov.uk/government/uploads/system/uploads/attachment_data/file/9179/shared-use-routes-for-pedestrians-and-cyclists.pdf, paragraph 7.38 (page 42) and table 7.4 (page 43).

Similarly, the current version of Transport for London's 'London Cycling Design Standards (LCDS) includes the following table:

	Desirable minimum width (m) (see note 1)	Absolute minimum width (m) (see note 1)	Safety strip to carriageway kerb edge minimum width (m) (see note 2)
One Way	2.0	1.5	0.5
Two Way	3.0	2.0	0.5

Figure 4.11
Cycle Track widths

Notes:

- 0.5m should be added for each side of the track that is bounded (e.g. by a wall, railings fence or hedge)
- Safety strip to carriageway kerb edge minimum width should be 1.0m adjacent to frequently accessed parked cars

Unclear and inconsistent signing

There is a pelican crossing adjacent to the point where Kristian Gregory was stopped and issued with his fixed penalty notice, ostensibly for cycling illegally on a pavement. This point now marks the western end of the cycle track alongside the south side of the New Kent Road. Until recently, the cycle track continued further west along the pavement, however this has now been suspended due to building works on the adjacent Heygate Estate.

Photo 2 shows the location looking eastbound, i.e. the opposite direction to that in which Mr Gregory was travelling. It shows traffic sign 956, indicating that the whole of the pavement adjacent to the pelican crossing constitutes a route for shared use by cycles and pedestrians.



Photo 2: looking eastbound. The first sign indicates a shared cycle/pedestrian area beside the pelican crossing.

In the background to photo 2 there is a second sign. Although unclear in this photo, it is a sign number 957, indicating that the cycle track has now become a segregated track, where cyclists are supposed to remain on one side of the solid white line (the right side, in this case).

Photo 3 however shows this section of the pavement from the opposite direction. This shows that the sign on the reverse of the more distant sign in photo 1 indicates that the area between the two sign-posts is segregated, contrary to the first sign in photo 1.

Moreover there is no 'unsegregated shared use' sign (sign number 056) between this point and the pelican crossing, despite the direction sign indicating that cyclists are supposed to use the pelican crossing to cross the road. The next sign beyond this 'segregated cycle track' sign is an 'end of cycle route' sign (sign number 951).

Hence for cyclists travelling westbound (as Mr Gregory was doing), the direction signing is not accompanied by any indication of where it is legally permissible to pull over to the right hand side of the pavement to access the pelican crossing.



Photo 3: the same scene looking westbound. The nearest sign indicates that the area up to and beyond the pelican crossing (as far as the "no cycling" sign in the background) is a segregated track. This not only contradicts the sign in the foreground of photo 1, but also provides no indication of where cyclists may legally access the pelican crossing point, despite the direction signing urging them to do so.

Indeed the fact that the crossing is a pelican, not a toucan (a shared use signal crossing for both pedestrians and cyclists), is also legally problematic. Strictly speaking, although there is no rule preventing cyclists from cycling across a pelican, they have no rights to do so either.

These are by no means the only errors and inconsistencies in the design and signing of this cycle route. Further to the east, there are two points where it appears that the highway authority intended that the cycle track should 'break out' temporarily from being a segregated track to a shared use track. One is adjacent to another pelican crossing around 200m east of the above location, the other is at a point where the cycle track is obstructed by a telephone box (it is a listed structure). These can be seen at 14-16 seconds and 22-25 seconds respectively in Kristian Gregory's helmet-camera footage.



Photo 4: Start of unsegregated shared use area by first pelican crossing (from K Gregory video, 14 secs)



Photo 5: End of unsegregated shared use area by first pelican crossing (from K Gregory video, 16 secs)



Photo 6: Start of unsegregated shared use area by phone box (from K Gregory video, 22 secs)



Photo 7: End of unsegregated shared use area by phone box (from K Gregory video, 25 secs)

Photos 8 and 9 show close-ups of the signing on the bollard just before (i.e. to the east of) the phone box (i.e.. the one in the foreground of photo 6), looking westbound and eastbound respectively. They show that the signing on both bollards is facing the wrong way. Photo 8 shows that westbound cyclists are unable to see either the “unsegregated shared use” sign (which is presumably aimed at them), or the segregated shared use sign (which is presumably meant to face the other way). Photo 9 shows both signs being visible instead to eastbound cyclists.



Photo 8: Westbound view of bollard before (to the east of) the phone box.



Photo 9: Eastbound view of bollard before (to the east of) the phone box

Photo 10 is a close-up of the bollard to the west of the phone-box, looking eastbound. It too is facing the wrong way, with the sign for a segregated cycle track being visible to eastbound cyclists (who are about to enter an unsegregated section), instead of to westbound cyclists such as Mr Gregory (to whom it is presumably intended to apply).

Moreover, if it was pointed to face westbound cyclists, it is clear that the sign is the wrong way round, showing the cycle track on the right and the pedestrian area on the left. In fact, for westbound cyclists, the cycle track is on the left (adjacent to the wall) and the pedestrian area on the right.



Photo 10: looking eastbound. The segregated use sign (which is presumably aimed at westbound cyclists) is facing the wrong way, but also has the cycle track and the pedestrian area shown the wrong way round.

Conclusion

The New Kent Road cycle track is of substandard width, making it woefully inadequate for the levels of cycle use which occur on it during peak times. Moreover its signing is inconsistent, with several signs facing the wrong way and/or showing segregated and shared-use sections of cycle track in the wrong places.

Specifically, the area where Kristian Gregory received his Fixed Penalty Notice (FPN) is shown as a shared use area on signs facing eastbound, but as a segregated area on signs facing westbound. Hence there is no indication of any point where cyclists may legally move across to the right hand side of the footway to access the pelican crossing, despite a direction sign telling them to do this.

CTC, the national cycling charity, and the Cyclists' Defence Fund (which was founded by and remains linked to CTC) promote lawful and responsible use of roads and other highways by all road users. We do not defend unlawful cycling, any more than the AA or RAC would defend unlawful driving.

However, consideration of the issues raised by Mr Gregory's case indicate that it is unclear how cyclists may legally access the pelican crossing where he received his FPN, even though cyclists are directed to use it. We believe that this, and other failings in the design and signing of this cycle track, make it unclear whether an offence occurred at all, let alone one serious enough to pass the public interest test such as to warrant a prosecution. We therefore urge the Crown Prosecution Service to drop Mr Gregory's prosecution.

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