

Filling you in: potholes

It's peak pothole season, with dangerous craters pitting roads across the UK. Nadia Kerr of Fletchers Solicitors explains what you can do when you spot or, worse still, are knocked off by one

For drivers a pothole is an irritation: a jolt through the suspension and an expensive visit to the garage. For cyclists, it can be life changing. A deep or badly positioned pothole can throw a rider from their bike, causing broken bones, head injuries and, in the most tragic cases, death. Damage to bikes, clothing and equipment is often the least of it.

Potholes form when water seeps into cracks in the road surface and freezes, expanding and breaking the tarmac apart, and leaving a hole when the ice melts. The more this repeats, the faster roads deteriorate. Add heavier vehicles and overstretched maintenance budgets, and it's no surprise that many cyclists feel the road is literally crumbling beneath their wheels.

The good news? Cyclists are not powerless and Cycling UK members are not alone.

Reporting potholes really matters

One of the most effective things cyclists can do is also one of the simplest: report

dangerous defects when you see them. Local authorities are responsible for maintaining roads that are 'maintainable at public expense', but they are not expected to keep every road perfect at all times. Instead, the law is based on 'reasonableness'. Councils rely on inspection regimes and public reports to identify hazards and to decide what needs fixing soonest. When you report a pothole:

- It's far more likely to be repaired, potentially preventing someone else being injured.
- You help councils target limited resources where they are most needed.
- You create a record of knowledge, which can be crucial if someone later makes a claim.

Cycling UK's Fill That Hole tool (fillthathole.org.uk) is one of the easiest ways to report a defect. It automatically sends a report to the relevant highway authority. Some councils still resist third-party reports, but persistence pays off – and direct reports via council websites or phone lines also count.

Pothole crash checklist

As soon as practical after the incident:

- Take photos and measure the width, length and depth. Use a horizontal straight edge and a tape measure where possible. Note down the measurements.
- Obtain witness details. Ideally there will be a witness to the incident but also think of anyone who might help in providing evidence about how long the pothole had been there – for example, people living nearby.
- Note down exactly where the defect is situated by reference to a house number, business address or lamppost number.
- If there is any CCTV covering the scene, try to obtain the footage by contacting whoever operates the camera.
- Seek medical attention.