

June 12, 2007

Our ref: C 07 031
Your ref:

Department for Transport



Cambridge Cycling Campaign

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Dear Sir or Madam,

Comments on further changes (June-2007) to the Highway Code

Further to the DfT's announcement¹ of a further short consultation on changes to cycling rules in the Highway Code, we write to set out our views on these latest changes.

By way of introduction, Cambridge Cycling Campaign is a local voluntary organisation with over 800 members. We work closely with local government and others to improve conditions for cyclists in Cambridge. Government statistics show that in Cambridge more than 25% of local people cycle to work and that this is much the highest figure for the UK.

There has been much concern and activity on this issue within Cambridge, with around 25,000 people signing a petition² started by one of our members, an EDM Prayer to parliament initiated by our MP, David Howarth, and a paper parliamentary petition³ which raised over a thousand signatures in just two days. Our webpages on the subject⁴ has also been widely read, with over 6,000 hits in the past month or two.

Response summary:

- We find the latest revision of draft rules 61 and 63 to be, in the words of the Parliamentary Under-Secretary DfT, "less unacceptable".
- There remain serious deficiencies in the advice given by these rules.
- The wording which remains on roundabouts is still unclear and likely to be read as advice to keep to the left when turning right.

We also endorse the response by the Cycle Campaign Network⁵ to this consultation.

¹ <http://www.gnn.gov.uk/environment/fullDetail.asp?ReleaseID=288554&NewsAreaID=2>

² <http://petitions.pm.gov.uk/roads4bikes/>

³ <http://www.camcycle.org.uk/campaigning/issues/highwaycode/petition.html>

⁴ <http://www.camcycle.org.uk/campaigning/issues/highwaycode/>

⁵ <http://www.cyclenetwork.org.uk/latest/doc/070611hc.pdf>

Rule 61:

We welcome the clarification of the current legal position regarding use of cycle facilities: "Use of these facilities is not compulsory". This is an important development which gives a clear message to motorists which we hope will lead to a change in culture.

However, the useful new wording is still bracketed by the generalised advice to use "cycle routes" (which may be off-road or on-road), because "they can make your journey safer", excepting occasions when it may be "unsafe to do so".

The word "unsafe" (involving abnormal risk) is inappropriately strong. Cyclists need to weigh lesser normal risks. We suggest amending this to "would be riskier to do so".

The phrase "they can make your journey safer" is likely to be read as an assertion and, as such, is misleading. It should be omitted. The best available published evidence indicates that the general use of in-town off-road facilities is either no safer than use of the road or involves greater risk.

As it stands, rule 61 still assumes that it is normally safer to use off road facilities. If a cyclist chooses to use the road instead, then they have chosen, according to the advice of rule 61, to accept some measure of additional risk. In the event of an on-road crash resulting in a cyclist seeking damages, the wording of the revised draft could still give rise to unjust claims of contributory negligence.

Rule 63:

As in the case of rule 61, we welcome the clarification: "use of these facilities is not compulsory". Again, the phrase "they can make your journey safer" is misleading and should be omitted.

Roundabouts:

We regret the lack of a further opportunity for consultation on rules relating to roundabout use by cyclists. The present wording is still unclear and likely to be read as advice to keep to the left when turning right. This puts cyclists into the position of greatest danger and least visibility.

Cyclists turning right should be advised to obey the normal rules on approach and on the roundabout. If they do not have the confidence or skill to do this then they should be advised to adopt a pedestrian alternative.

When it is appropriate for cyclists to remain in the left-hand lane to take an intermediate exit, the cautions of rule 77 should apply and in addition they should be advised to ride away from the edge, when it is safe to do so, so as to maximize their visibility and claim their space on the road.

Yours sincerely,
on behalf of Cambridge Cycling Campaign,

Martin Lucas-Smith
Co-ordinator