



**Further 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 has already submitted a preliminary response (the 1<sup>st</sup> Response) to the proposed traffic regulation order (TRO), which was sent to Highways England (HE) on 2 February 2018. At para 7 of the 1<sup>st</sup> Response Cycling UK reserved the right to submit further representations regarding the TRO as and when HE provided the information requested by:
  - a. Cycling Time Trials (CTT) on 23 January 2018;
  - b. Cycling UK on 2 February 2018.
  
2. None of that information has been provided, hence the submission of this further response (the 2<sup>nd</sup> Response), to supplement the objections made within the 1<sup>st</sup> Response.

3. The information HE has failed to provide includes inter alia evidence in support of the assertions made in HE's Statement of Reasons (SOR) regarding:
  - a. The concerns that have been raised for the safety of cyclists;
  - b. The average traffic speeds on the section of the A63 (the Section) in respect of which the proposed TRO would apply;
  - c. The stated traffic volume of traffic.

### **Summary of objections**

4. The objections outlined within Cycling UK's 1<sup>st</sup> Response were that HE had conducted an:
  - a. Inadequate assessment of safety and risk;
  - b. Inadequate assessment of the implications for cyclists crossing the Section;

And that HE's proposals are contrary to:

- c. Its own Cycling Strategy;
- d. The Government's own policy to promote cycle use;
- e. A Safe Systems approach.

Further objections are now submitted namely that:

- f. HE has provided inadequate and misleading information within the notice (the Notice) for the TRO and the SOR;
- g. HE's proposals are contrary to HE's own 'Interim Advice Note' on 'Cycle Traffic and the Strategic Network'.

### **Inadequate and misleading information within the Notice**

5. The SOR states that the proposed TRO is supported by Hull City Council (HCC). That is inaccurate, and likely to give the false impression that HCC has:
  - a. Been consulted and evaluated the arguments for and against making a TRO;
  - b. Come to the conclusion based on that evaluation that it is reasonable, proportionate and necessary to make the TRO.
6. In response to a freedom of information request dated 21 January 2018, following publication of the Notice and SOR, HCC confirmed on 5 February that it had no knowledge of supporting the TRO. In response to a request for information as to what had been discussed with HE, and the reasons given to support the TRO, HCC's response was that it did not hold any recorded information.

7. The TRO Notice and SOR therefore directly assert that HCC supports HE's proposals, and implies that this follows some form of consultation, when neither appears to be the case. Cycling UK submits that when these inadequacies in the Notice are considered in conjunction with HE's failure to provide evidence or information to verify other assertions in the Notice and SOR as to safety concerns, traffic speeds and traffic volumes, that it is evident that HE has:
  - a. Failed to publish accurate information regarding the proposed TRO;
  - b. Misled potential objectors to the TRO;
  - c. Failed to conduct an open and fair consultation process.
8. In the circumstances, it would be unreasonable for HE to make a TRO without first withdrawing the Notice and issuing a further Notice and SOR containing accurate information, which addresses the questions raised by objectors including CTT and Cycling UK.

### **Contrary to HE's own Interim Advice Note on Cycle Traffic and the Strategic Network**

9. HE's Interim Advice Note IAN 195/16, 'Cycle Traffic and the Strategic Road Network' (IAN 195/16), sets out requirements and advice regarding designing for cycle traffic for the strategic road network (SRN). The purpose of IAN 195/16 is to ensure SRN infrastructure facilitates the convenient and safe movement of cycle traffic crossing or travelling along the SRN. It also sets out how SRN infrastructure will support HE's objectives for cycle traffic.
10. Simply banning cyclists from the Section because of road safety concerns (whether or not those concerns are established), does not satisfy the requirements of IAN 195/16. To comply with their own guidance, HE would have to devise alternative measures to improve cycle safety along the Section, in accordance with its own Cycling Strategy and the design guidance within IAN 195/16. HE does not appear to have given any consideration to such alternative measures. If it has, however, please supply all the relevant information about what, if any, such measures it has considered or intends to devise or implement, should the TRO be made.

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