



Department
for Transport

Summary of Responses to Consultation

Red Tape Challenge (RTC) - Proposed changes to the Cycle Racing on the Highway Regulations (1960)

June 2015

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Issue

As part of the previous government's Red Tape Challenge programme to reduce regulatory burdens, on 9 September 2013, the Department for Transport (DfT) issued a six week consultation, seeking views on making the process of permitting cycle races on the highway clearer for organisers, police and the public. The consultation was on amending the Cycle Racing on the Highways Regulations 1960 made under the Road Traffic Act 1988 (RTA), sections 31(1) to (5). The general power to make regulations under the RTA is set out in section 195 of the RTA.

The proposals that DfT consulted upon were submitted by British Cycling (BC) and the Association of Chief Police Officers (ACPO).

The consultation responses were analysed, alongside the proposals by BC and ACPO, and a number of changes have been identified. This document summarises the consultation responses and sets out how the Government intends to act. These changes will apply to England only.

To note, these proposals cover cycle racing only. Non-racing events, such as “sportives”, and leisure cycling are NOT covered by these regulations or the proposed amendments.

The consultation was published on our website and a copy of the consultation can be viewed and downloaded at:

<https://www.gov.uk/government/consultations/proposed-changes-to-the-cycle-racing-on-the-highway-regulations-1960>

The closing date for comments was 21 October 2013.

1. Proposed amendments

1.1 The existing regulations and the proposed amendments consulted upon are set out in the table below:

Regulation as 1960	Proposed Amendments consulted upon
<p>Reg. 5(1)(a)(i) The number of competitors must not exceed: (a) In two, not more than two, races selected in any one year by the British Cycling Federation – 100, (b) in the case of any race not promoted by virtue of sub-paragraph (a) above, – 80.</p>	<p>Revised regulations should acknowledge that larger field sizes can be authorised subject to suitable risk assessment to assure safety of participants and the public. Similarly, it may be that the risk assessment for a particular course determines that a field size of less than 100 is appropriate. In essence the scale of events should be determined by discrete assessment rather than simple numbers.</p> <p>Competitors can therefore be regulated in a flexible manner based on safety considerations, route geography, marshalling and policing. In this way a successful and safe event with a large field size could be allowed in areas where road conditions allow.</p>
<p>Reg. 5(1)(a)(ii) no part of the race must take place during the time between half-an-hour after sunset and half-an-hour before sunrise.</p>	<p>No change is required.</p>
<p>Reg. 5(1)(a)(iii) where the route to be followed by a competitor is such that he must while on the highway pass a point on that highway at least twice (whether in the same or a different direction), the length of the route which he has to follow after passing that point at any time until he next passes it again, must not be less than ten miles.</p>	<p>Restriction should be relaxed from 10 miles to 5 miles and that the revised regulations should acknowledge that it may be possible for a circuit which is shorter than 5 miles to successfully and safely accommodate a road race without causing inconvenience to other road users.</p>

<p>Reg. 5(1)(a)(iv) where any length of the route is comprised of any public highway on which a speed limit of 40 mph or less is imposed by or under any enactment, that length must not exceed one mile and a half and no part of it must lie within three miles, measured along the route, of any part of any other such length.</p>	<p>This is a confusing and outdated condition. The growth of towns and cities and the introduction of lower speed limits over larger areas have made this stand condition redundant.</p> <p>Recommend removal of this condition.</p>
<p>Reg. 5(1)(b) the promoter of the race, not less than twenty-eight days next before the day on which the race is to be held, or if it is to be held on more than one day, the day on which the race is to begin, gives the appropriate officer of police in writing notice of the proposal to hold the race and the like particulars with respect to the race as are required by subparagraphs (a) to (e) of paragraph (1) of Regulation 3 to be given with respect to a proposed time trial being ...</p>	<p>No change to the requirement of 28 days' notice.</p> <p>If the police refuse authorisation for a race the reason(s) should be provided in writing to the organisers and British Cycling within five working days of the refusal.</p>
<p>Reg. 8(1) An appropriate officer of police may, when authorising the holding of a bicycle race under Regulation 6 or 7, impose such conditions as he may think fit on the holding or conduct of the race so far as it takes place on a public highway.</p>	<p>Provided the redrafted regulations and accompanying Code are clear, we question whether it is necessary for the police to have the ability to impose further conditions.</p>

2. Summary of responses and government position

- 2.1 112 individuals and organisations responded to the consultation. A summary of the responses and the government's position are set out below.

Regulation 5(1)(a)(i) The number of competitors must not exceed: (a) In two, not more than two, races selected in any one year by the British Cycling Federation – 100, (b) in the case of any race not promoted by virtue of sub-paragraph (a) above, – 80

- 2.2 The proposal made in the consultation would determine the field size through a risk assessment. This would be based on safety considerations, route geography, marshalling and policing. This would mean larger field sizes could be authorised, but conversely, it may mean that the police may only authorise smaller field sizes for a particular route.

Summary of responses to proposal 1

- 2.3 Some respondents agreed with the proposals to determine the field size based on the conditions of the route, etc. In agreeing, some organisations said that “British Cycling Federation” should be removed from the wording in the regulations.
- 2.4 There were some concerns raised that the proposed changes would result in larger field sizes and this would create more disruption for communities and for traffic using these roads. The behaviour of cyclists was also raised and some respondents felt that they should pass a test before being allowed to race. Some felt that larger races should only be held on wider roads and some suggested a set number of participants per mile.
- 2.5 Several respondents gave details of large events taking place in their areas; these seem to be “sportives”, and they said that these should be covered in the proposed regulations.

Government position

- 2.6** The regulations will be amended to remove the limit on the size of the field and to require race promoters to provide a risk assessment setting out how the race will run in a safe way. The assessment will need to cover factors such as the route, field size and the safety of participants, race officials, spectators and other road users. The authorising police officer may impose conditions on the promoter to ensure the race is run in a safe way.
- 2.7** With regards to cyclist behaviour, cyclists are still required to behave in a safe and responsible manner and if they do not, it is a matter for police enforcement. The behaviour of cyclists and their interaction with other road users will be part of a Code of Practice for cycle racing.
- 2.8** Events taking place on the road that are not managed under these regulations, such as “sportives” and leisure cycling, are outside the scope of this consultation.

Regulation 5(1)(a)(ii) no part of the race must take place during the time between half-an-hour after sunset and half-an-hour before sunrise

- 2.9** No changes were proposed for this regulation.

Summary of responses to proposal 2

- 2.10** There was broad agreement that this regulation should remain. However, one organisation mentioned 24 hour time trials.

Government position

- 2.11** The DfT has decided that this regulation should remain.

Regulation 5(1)(a)(iii) where the route to be followed by a competitor is such that he must while on the highway pass a point on that highway at least twice (whether in the same or a different direction), the length of the route which he has to follow after passing that point at any time until he next passes it again, must not be less than ten miles

- 2.12** The proposal made in the consultation would relax the restriction from ten miles to five miles, and less than five miles if the race did not cause inconvenience to other road users.

Summary of responses to proposal 3

- 2.13** Some respondents agreed to this proposal to relax this regulation. However, some felt that if the route was shortened people and traffic would be inconvenienced for a longer time, i.e. the riders would pass the same point more times.

Government position

- 2.14** The restriction will be amended from ten miles to five miles. Applications for shorter circuits would need to be made to the police for consideration.

Regulation 5(1)(a)(iv) where any length of the route is comprised of any public highway on which a speed limit of 40 mph or less is imposed by or under any enactment, that length must not exceed one mile and a half and no part of it must lie within three miles, measured along the route, of any part of any other such length

- 2.15** The proposal made in the consultation was to remove this regulation.

Summary of responses to proposal 4

- 2.16** Some respondents agreed to this proposal, however, others had concerns especially about narrow roads and in rural locations. Some felt speed restrictions were there for a reason, for instance, for vulnerable road users.

Government position

- 2.17** This regulation will be removed as the route of a race will be determined using the proposed risk based approach.

Regulation 5(1)(b) the promoter of the race, not less than twenty-eight days next before the day on which the race is to be held, or if it is to be held on more than one day, the day on which the race is to begin, gives the appropriate officer of police in writing notice of the proposal to hold the race and the like particulars with respect to the race as are required by subparagraphs (a) to (e) of paragraph (1) of Regulation 3 to be given with respect to a proposed time trial being ...

- 2.18** The proposal made in the consultation was to keep the 28 days' notice but if the police refuse authorisation for a race, the reason(s) should be provided in writing to the organisers and BC within five working days of refusal.

Summary of responses to proposal 5

- 2.19** Some agreed with the proposed change to this regulation, including police.
- 2.20** However some thought the 28 days' notice should be increased to allow better consultation on the proposed route, maybe raised to two months. Several respondents suggested that the local highway authority should be contacted too so they are aware of the races being held, and perhaps hold a calendar of events.

Government position

- 2.21** This regulation should remain. However, for clarity if the police impose conditions for a race, the reasons should be provided in writing to the organisers within five working days of refusal.

Regulation 8(1) An appropriate officer of police may, when authorising the holding of a bicycle race under Regulation 6 or 7, impose such conditions as he may think fit on the holding or conduct of the race so far as it takes place on a public highway

- 2.22** This proposal made in the consultation would remove this regulation and therefore the ability of police to impose further conditions.

Summary of responses to proposal 6

- 2.23** Some respondents agreed with this proposal to relax this regulation. However, some felt that the police should still retain powers to impose further conditions, especially with regards to issues outside the proposed Code of Practice for cycle racing and also unforeseen circumstances.

Government position

- 2.24** The DfT has decided that this regulation should remain. It is important that the police are able to stipulate specific conditions on cycle races that are appropriate for the proposed route.

Other Issues Raised

- 2.25** Respondents raised a number of other issues when responding to the consultation.

Some respondents complained about individual or groups of cyclists riding through lanes and villages causing congestion and litter, and race signs being left behind. Some suggested that cyclists should abide by speed limits, carry identification numbers or pass a test before they can race. Others thought that cycle racing should be banned on rural roads or that repeated racing on the same roads should not be allowed.

Another area of concern was the interaction between cyclists and equestrians. Several respondents highlighted rights of way and off-road cycling events. There were concerns raised from respondents from the New Forest that “sportives” interfered with the workings of the forest, especially during drifts, when animals were rounded up.

There was a desire that a Code of Practice for cycle racing should be written in consultation with local transport authorities, the police and other interested parties.

There were also concerns over marshals and the level of training that would be provided.

Government position

2.26 The DfT agrees that a Code of Practice for cycle racing should be written in consultation with interested parties.

The behaviour of cyclists and their interaction with other road users are a matter for race organisers and the police. These issues will be covered in the Code of Practice for cycle racing. However, if cyclists are committing an offence this should be dealt with by the police.

With regards to the route, the proposed risk based approach would determine the route and the right number of competitors for the nature of the roads on it.

Rights of Way are outside of the scope of this consultation.

The proper training of marshals is an essential aspect of running a safe race and would need to be covered in the risk assessment.