Cycling in the New Forest administrative area.

The principal authorities are Hampshire County Council for highways matters, the New Forest District Council for safety matters and events as well as control of fly posting, the New Forest National Park for planning and National Park purposes, the Verderers for commoning aspects, the Forestry Commission as a large landowner, and the police in the normal way. There are numerous rules with which it is necessary for event organisers and cyclists to be familiar after taking relevant legal and other advice. Careful observation of these rules will promote trouble free cycling in the National Park & New Forest area, and most importantly, safer cycling.

The event planning department provides the police link with public events that take place in the New Forest. Cycle events are as you know a popular activity in the New Forest and my department is notified of most events. Events generally can be categorised into four types:

1. Cycle Races
2. Cycle Time Trials
3. Triathlon/Duathlon events
4. Cycle fun/charitable events/Cyclo Sportive events

1. Cycle races are rare in the New Forest and when undertaken do so under authority of road closures with marshals' and lead and tail end vehicles. It requires police authorisation to hold these events. Whilst a cycle race may have been authorised under the Cycle Racing on the Highways Regulations 1960, this does not absolve the riders from complying with all road traffic legislation. Individually they are all liable for their actions and on open roads uninvolved persons and traffic can expect the same duty of care from the cyclists as they would from any other road user.

Relevant legislation

The Cycle Racing on the Highways Regulations 1960 Regulation 5 or 7 provide conditions for a cycle race to take place on a highway

Sec 28 Road Traffic Act 1988 as amended by Sec 7 Road Traffic Act 1991 Dangerous cycling.

Section 29 of the Road Traffic Act 1988, as amended by the Road Traffic Act 1991, Cycling on a road without due care and attention or reasonable consideration.

The Highway Code

Although failure to comply with these rules of the Code will not, in itself, cause a person to be prosecuted, The Highway Code may be used in evidence in any court proceedings under the Traffic Acts to establish liability. This includes rules which use advisory wording such as 'should/should not' or 'do/do not'.

2. Cycle time trials are a more common occurrence run by cycling clubs under the auspices of the Cycling Time Trials Organisation. The organisation is a national body with powers of sanction against members who breach their rules. The organiser must provide 28 days notice of an event to the Police; otherwise the police have no power to prevent the event. The result must depend on time over a fixed course, or distance in a fixed time, and not on order of arrival at a finish. The police may make observations on the proposed route. Time Trial Clubs have their own internal rules, for example requiring event officials not to regulate or interfere with traffic, or prohibiting "drafting" (closely following a vehicle or other riders). These rules do not relax, restrict or affect Road Traffic legislation.
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3. Triathlon events normally are managed by local clubs / organisers under the auspices of the British Triathlon organisation again a national body with powers of sanction against members who breach their rules.

4. Cycle fun/charitable events/Cyclo Sportive Events are the most prevalent, less competitive and often over a greater distance. Both the Cycling Times Trials and Triathlon Organisations have useful websites that includes their rules and regulations. Cyclo Sportive events are not regulated as per items 1 and 2.

Participants in Events 2-4 must comply with all the requirements of the Road Traffic Acts.

The police form part of the New Forest Safety Advisory Group (SAG.) The group forms part of a national initiative embedded within most Local Council areas. Core members of the group also include the District and County Councils, Fire and Ambulance Services. The SAG itself has no powers although individual member agencies may have their own statutory powers. The SAG’s prime role is to:-

* Advise District Councils concerning events in their area
* Advise event organisers concerning their plans
* Inform those agencies with statutory responsibilities (examples would be the District Councils who issue road closure orders, exercise building and environmental controls and the Hampshire Fire and Rescue Service who enforce fire safety regulations)

Event organisers do receive advice from SAG members on the planning and conduct of their event. If the event is not well presented, not well planned or there is a clear paucity in the planning then a SAG meeting can be called by any of the SAG members to raise the issue and guide the organiser.

Police regularly make comment on a host of issues relating to events and ask to see plans to make the event safer. Police have, as a SAG member put together safe cycling documentation which covers safe and considerate cycling in the New Forest. This compliments organiser advice which they give to the participants in advance and on the day. The organisers have the responsibility to ensure their event is safe and considerate to all in the New Forest

Police as a SAG member have been notified of the following specific events
Saturday 14th April 2012   Wiggle New Forest Spring Saturday Sportive
Saturday 14th April 2012   Wiggle New Forest Spring MTB
Sunday 15th April 2012     Wiggle New Forest Sunday Sportive

Police officers are not dedicated to these events although we will respond to incidents if called. Through dealing with the organiser I have learnt that they are sensitive to the feelings of residents and amend their arrangements' where possible.

With the authors permission we do pass on letters of complaint where specific organisers can be identified. Feedback is very useful to formulate guidance we give to organisers. The Police (Event Planning Department) do receive some letters concerning the conduct of participants in these events, but thankfully it is rare that we have to provide an emergency response to these incidents.

Disclaimer
This brief note is for information only. It was prepared in January 2012 and is not held out as definitive in any sense (and the law and rules may change) nor is it legal advice, but is only an indication of some matters in relation to which cyclists and event organisers should obtain and rely on their own legal and other advice, and for the general information of residents.