

**North Yorkshire County Council**

**Business and Environmental Services**

**Executive Members**

**23 October 2020**

**Consultation on the Proposed Changes to The Highway Code to Improve the Safety of Vulnerable Road Users**

**Report to the Corporate Director – Highways and Transportation**

**1.0 Purpose of Report**

- 1.1 The purpose of this report is to advise the Corporate Director Business and Environmental Services (BES), in consultation with BES Executive Members of proposed changes to The Highway Code and to seek approval for a suggested NYCC response.

**2.0 Background**

- 2.1 The Cycling and Walking Investment Strategy Safety Review Call for Evidence, published in March 2018, aimed to gather information on how to tackle the safety issues that cyclists and pedestrians face, or perceive, when travelling on our roads, to support the Government's aim of increasing cycling and walking.
- 2.2 The subsequent Government response to the call for evidence set out a two-year plan of action to address the key themes and issues raised. One of the top priorities identified by major stakeholders was to review the guidance in The Highway Code to improve safety for cyclists, pedestrians and horse riders, with a specific reference to responsibility and junctions.
- 2.3 The Department for Transport (DfT) is seeking views on proposed changes to an interim review of The Highway Code to improve safety for vulnerable road users. This includes pedestrians, particularly children, older adults and disabled people, cyclists and horse riders

**3.0 The Highways Code Review**

This interim review of The Highway Code, announced in October 2018, focusses on the vulnerable groups mentioned above with specific consideration on overtaking, passing distances, cyclist and pedestrian priority at junctions, opening vehicle doors and responsibility of road users. Three key changes are proposed through this consultation:

- Introducing a hierarchy of road users, which ensures that those road users who can do the greatest harm have the greatest responsibility to reduce the danger or threat they may pose to others
- Clarifying existing rules on pedestrian priority on pavements and that drivers and riders should give way to pedestrians crossing or waiting to cross the road
- Establishing guidance on safe passing distances and speeds when overtaking cyclists or horse riders, and ensuring that they have priority at junctions when travelling straight ahead.

- 3.1 These changes will be reflected in the following areas of The Highway Code:
- Introduction;
  - Rules for pedestrians (Rules 1 to 19);
  - Rules about animals (Rule 52);
  - Rules for cyclists (Rules 59 to 82);
  - Rules for drivers and motorcyclists (Rule 97);
  - General rules, techniques and advice for all drivers and riders (Rules 123 to 151);
  - Using the road (Rules 160 to 199);
  - Road users requiring extra care (Rules 204 to 215);
  - Waiting and parking (Rule 239)
  - Annex 1: You and your bicycle; and
  - Annex 6: Vehicle maintenance, safety and security.
- 3.2 There are 41 proposed changes to The Highway Code. These are summarised in Appendix 1, together with proposed comments and responses by the County Council that have been prepared by your officers.  
Consultees are invited to response to the following question for each proposed change:-
- Do you agree with the introduction of new Rule?
  - Is the proposed wording easy to understand?
  - Do you agree to the proposed change to Rule?
- 3.3 Our Response  
All proposed new rules and changes to rules are supported by your officers. It is the view of officers that the hierarchy of road users will create a more mutually respectful environment for all. It is an important step for ensuring that those who pose the greatest danger understand their responsibility for minimising said risk.
- 3.3.1 The introduction of the hierarchy will help to create an environment that is more conducive for greater modal shift to walking and cycling.
- 3.3.2 Whilst supporting the hierarchy, we believe that there needs to be a wider consideration of other road users. This includes considering where mobility scooters fit into the hierarchy, along with micromobility (including escooters), if made legal in the future for use on the public highway.
- 3.3.3 Similarly, additional consideration should be given to fixed rail public transport and its interaction with other road users on the highway, such as rail at level crossings, or trams that run on the highway. This may need to be referred to in the hierarchy.
- 3.3.4 Finally, there needs to be clear understanding of the legal implications of the hierarchy of users – for example the apportionment of blame in the event of a collision.
- 3.4 Pedestrian safety  
Officers agree with the proposed change to give way to pedestrians waiting at a junction and zebra crossing as this will firm up the current guidance and remove previous contradictions.
- 3.4.1 We believe this change should also consider other types of crossing however, including non-signal crossing points such as raised road features, to help create wider improvements to pedestrian priority and safety when crossing roads.

- 3.5 **Cycle safety**  
Officers further agree with the inclusion of the ‘Dutch Reach’ and believe the explanation is adequate for effectively highlighting the method of opening a vehicle door.
- 3.5.1 The additional text in Rule 63 helps to emphasise the importance of a mutual respect and consideration of all users when using shared spaces, and this will further help to create a safe environment for all.
- 3.6 **Room for overtaking**  
It is positive that the recommendations for overtaking speed and distance are included in the guidance and the wording should be as strong as possible to stress the need to give space to vulnerable road users.
- 3.6.1 Where it states that a large vehicle should leave a minimum of 2m in all conditions, the definition of what is considered a large vehicle (e.g. SUV or LGV) should be explained.
- 3.6.2 Furthermore, whilst the guidance states ‘give motorcyclists, cyclists, horse riders and horse drawn vehicles at least as much room as you would when overtaking a car’, the guidance does not actually state how much room this should be for a driver overtaking a car. This addition may help to improve the safety of vehicles overtaking other vehicles.
- 3.7 **General comments**  
Alongside any changes to the Highway Code, there will need to be considerable campaigning and public communications to ensure that road users are aware of the changes. This will be necessary for ensuring that all road users are up to date on the changes.
- 3.7.1 Together with the changes to the Highway Code, continued investment in infrastructure is also necessary to further improve the safety of vulnerable road users, especially through the provision of high quality segregated facilities.
- 3.7.2 Collaboration is needed to ensure a holistic, joined up approach when new facilities (such as footways) are built across the network by different bodies to avoid fragmentation of networks and facilities.
- 4.0 Equalities Implications**
- 4.1 There are no Equalities implications, see Appendix 2.
- 5.0 Legal Implications**
- 5.1 Introducing any changes to the infrastructure of the highway network or regulations governing traffic behaviour will require to be complicit with all relevant governing legislation in particular relating to Highways and Road Traffic Regulation.
- 6.0 Financial Implications**
- 6.1 There are no financial implications
- 7.0 Climate Change Implications**
- 7.1 There are no climate change implications and this report does not require a climate change impact assessment.

## **8.0 Recommendations**

- 8.1 It is recommended that the Corporate Director – BES, in consultation with BES Executive Members approve the proposed responses to be submitted in the DfT Highway Code consultation survey as set out in Appendix 1 of this report.

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Background documents: None

**KEY:-**

-Original text relating to the proposed new text is highlighted in grey

-Proposed new text is in plain text

-Additional wording to existing rules are highlighted in *Italics*

Rule No.	Subject	Context	Original text, proposed new or <i>additional</i> text	Recommendation
H1	Hierarchy of road users	<p>Establishes a hierarchy of road users that ensures that those road users who can do the greatest harm have the greatest responsibility to reduce the danger or threat they may pose to other road users.</p> <p>The hierarchy places vulnerable road users before motorised vehicles so the top of the hierarchy would therefore be</p> <ol style="list-style-type: none"> <li>1. Pedestrians, in particular children, older adults and disabled people</li> <li>2. Cyclists</li> <li>3. horse riders</li> <li>4. motorcyclists</li> </ol> <p>The objective of Rule H1 is not to give priority to pedestrians, cyclists and horse riders in every situation, but rather to ensure a more mutually respectful and considerate culture of safe and effective road use that benefits all users. This does not detract from the requirement for everyone to behave responsibly.</p>	<p>It is important that ALL road users are aware of The Highway Code, are considerate to other road users and understand their responsibility for the safety of others.</p> <p>Everyone suffers when road collisions occur, whether they are physically injured or not. But those in charge of vehicles that can cause the greatest harm in the event of a collision bear the greatest responsibility to take care and reduce the danger they pose to others. This principle applies most strongly to drivers of large goods and passenger vehicles, followed by vans/minibuses, cars/taxis and motorcycles.</p> <p>Cyclists, horse riders and horse drawn vehicles likewise have a responsibility to reduce danger to pedestrians.</p> <p>Always remember that the people you encounter may have impaired sight, hearing or mobility, and may not be able to see or hear you.</p> <p>None of this detracts from the responsibility of all road users, including pedestrians, cyclists and horse riders, to have regard for their own and other road users' safety.</p>	Agreed

<p>H2</p>	<p>Clarification of right of way and stronger priorities for pedestrians</p>	<p>Clarifies where pedestrians have right of way and creates clearer and stronger priorities for pedestrians, particularly at junctions. It seeks to emphasise where road users:</p> <ul style="list-style-type: none"> <li>• SHOULD give way to pedestrians crossing a road</li> <li>• MUST give way to pedestrians on a zebra crossing, and pedestrians and cyclists on a parallel crossing</li> </ul> <p>It introduces a new obligation for drivers and riders to give way to pedestrians waiting to cross a junction (side road), or zebra crossing.</p>	<p>Rule for drivers, motorcyclists, horse riders and cyclists</p> <p>At a junction you should give way to pedestrians crossing or waiting to cross a road into which or from which you are turning.</p> <ul style="list-style-type: none"> <li>-You MUST give way to pedestrians on a zebra crossing, and pedestrians and cyclists on a parallel crossing.</li> <li>-You should give way to pedestrians waiting to cross a zebra crossing, and pedestrians and cyclists waiting to cross on a parallel crossing</li> <li>-Horse riders and horse drawn vehicles should also give way to pedestrians on a zebra crossing, and pedestrians and cyclists on a parallel crossing.</li> <li>-Pedestrians have priority when on a zebra crossing, on a parallel crossing or at light controlled crossings when they have a green signal.</li> <li>-Cyclists should give way to pedestrians on shared use cycle tracks.</li> <li>-Only pedestrians may use the pavement. This includes people using wheelchairs and mobility scooters.</li> <li>-Pedestrians may use any part of the road and use cycle tracks as well as the pavement, unless there are signs prohibiting pedestrians.</li> </ul>	<p>Agreed</p>
<p>H3</p>	<p>Cyclists priorities and right of way</p>	<p>Clarifies cyclists' priorities. It makes clear that a driver should not cut across the path of a cyclist, going turning into or out of a junction straight ahead when they are:</p> <ul style="list-style-type: none"> <li>-changing direction</li> <li>-changing lane</li> </ul> <p>This applies whether cyclists are using a cycle lane, a cycle track, or riding ahead on the road.</p> <p>It also recommends that drivers and motorcyclists should not turn at a junction if to do so would cause the cyclist going straight ahead to stop or swerve.</p>	<p><b>Rule for drivers and motorcyclists</b></p> <p>You should not cut across cyclists going ahead when turning into or out of a junction or changing direction or lane, just as you would not turn across the path of another motor vehicle. This applies whether cyclists are using a cycle lane, a cycle track, or riding ahead on the road and you should give way to them.</p> <p>Do not turn at a junction if to do so would cause the cyclist going straight ahead to stop or swerve, just as you would do with a motor vehicle.</p> <p>You should stop and wait for a safe gap in the flow of cyclists if necessary. This includes when cyclists are:</p> <ul style="list-style-type: none"> <li>• approaching, passing or moving off from a junction</li> <li>• moving past or waiting alongside stationary or slow-moving traffic</li> <li>• travelling around a roundabout</li> </ul>	<p>Agreed</p>

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8	Pedestrians	The Highway Code already advises drivers and riders to give priority to pedestrians who have started to cross the road. The proposed change is to introduce a responsibility for drivers and riders to give way to pedestrians waiting to cross junction or side road	<p>At a junction  <i>When you are crossing or waiting to cross the road other traffic should give way</i>            Look out for traffic turning into the road, especially from behind you. If you have started crossing and traffic wants to turn into the road, you have priority and they should give way</p>	Agreed
13	Drivers & Riders	Routes shared with cyclists	<p>Cycle tracks <i>may run alongside footpaths or pavements and be separated from them by a feature such as a change of material, a verge, a kerb or a white line.</i>  <i>Some routes shared with cyclists will not be separated by such a feature allowing cyclists and pedestrians to share the same space. Cyclists should respect your safety (see Rule 62) but you should also take care not to obstruct or endanger them unnecessarily.</i></p> <p><i>Some routes are shared between pedestrians, cyclists, horse riders and horse drawn vehicles. Cyclists and horse riders should respect your safety but you should take care not to obstruct or endanger them unnecessarily.</i></p>	Agreed
19	Pedestrians	Zebra Crossings	Drivers and riders should give way to pedestrians waiting to cross and MUST give way to pedestrians on a zebra crossing.	Agreed
52	Animals	To ensure inexperienced or returning horse riders consider training before riding on roads we are proposing amending Rule 52 to include a suggestion that they take the British Horse Society Ride Safe Award	<p>Before you take a horse or horse drawn vehicle on to the road you should</p> <ul style="list-style-type: none"> <li>• ensure all tack fits well and is in good condition</li> <li>• make sure you can control your horse</li> </ul> <p><i>If you are an inexperienced horse rider or have not ridden for a while, consider taking the Ride Safe Award from the British Horse Society. The Ride Safe Award provides a foundation for any horse rider to be safe and knowledgeable when riding in all environments but particularly on the road.</i></p>	Agreed
59	Cyclists	Clothing and Equipment	<p>You should avoid clothes which may get tangled in the chain, or in a wheel or may obscure your lights <i>when you are cycling.</i> Light-coloured or fluorescent clothing can help other road users to see you in daylight and poor light, while reflective clothing and/or accessories (belt, arm or ankle bands) <i>can increase your visibility</i> in the dark.</p> <p>You should wear a cycle helmet which conforms to current regulations, and is the correct size and securely fastened.</p> <p><i>Evidence suggests that it will reduce your risk</i></p>	Agreed

			<i>of sustaining a head injury in certain circumstances.</i>	
61	Cyclists	Cycle Routes and other Facilities	<p><i>Cycle lanes are marked by a white line (which may be broken) along the carriageway (see Rule 140).</i></p> <p><i>Use facilities such as cycle lanes and tracks, advanced stop lines and toucan crossings (see Rules 62, 63 and 73) where they make your journey safer and easier.</i></p> <p><i>This will depend on your experience and skills and the situation at the time. Whilst such facilities are provided for reasons of safety, cyclists are not obliged to use them and may exercise their judgement.</i></p>	Agreed
62	Cyclists	Cycle Tracks	<p><i>These are routes for cyclists that are physically protected or located away from motor traffic, other than where they cross side roads (see Rule 206). Cycle tracks may run alongside footpaths or pavements and be separated by a feature such as a change of material, a verge, a kerb or a white line.</i></p> <p><i>You MUST keep to the side intended for cyclists as the pedestrian side remains a pavement or footpath.</i></p> <p><i>Some cycle tracks shared with pedestrians will not be separated by such a feature. On such shared use routes, you should always take care when passing pedestrians, especially children, older adults or disabled people, and allow them plenty of room.</i></p>	Agreed
63	Cyclists	Clarify priorities Provides guidance to encourage safe cycling	<p><i>Sharing space with pedestrians, horse riders and horse drawn vehicles. When riding in places where sharing with pedestrians, horse riders or horse drawn vehicles is permitted take care when passing pedestrians, especially children, older adults or disabled people. Let them know you are there when necessary e.g. by ringing your bell (it is recommended that a bell is fitted to your bike), or by calling out politely.</i></p> <p><i>Remember that pedestrians may be deaf, blind or partially sighted and that this may not be obvious.</i></p> <p><i>Do not pass pedestrians, horse riders or horse drawn vehicles closely or at high speed, particularly from behind. Remember that horses can be startled if passed without warning. Always be prepared to slow down and stop when necessary</i></p>	Agreed
66	Cyclists	Cyclists using the road	<p><i>Ride in single file when drivers wish to overtake and it is safe to let them do so.</i></p> <p><i>When riding in larger groups on narrow lanes, it is sometimes safer to ride two abreast</i></p>	Agreed



67	Cyclists	Cyclists setting off, turning or manoeuvring	<p><b>You should</b></p> <ul style="list-style-type: none"> <li>• look all around to make sure it is safe before moving away from the kerb, when pulling out to overtake or to pass stationary vehicles, or when turning at junctions or stopping</li> <li>• watch out for obstructions in the road, such as drains, service covers and pot-holes, positioning yourself so you can move to the left (as well as to the right) to avoid them safely</li> <li>• take care when passing parked vehicles, leaving enough room (a door's width or 0.5m) to avoid being hit if a door opens unexpectedly, and watch out for pedestrians stepping into your path</li> <li>• not ride too close behind another vehicle, in case it stops suddenly</li> <li>• proceed with caution when passing to the left of large vehicles as the driver may not be able to see you</li> </ul>	
71	Cyclists	Stop lines at Traffic lights	<p>At traffic light junctions and at cycle-only crossings with traffic lights, you <b>MUST NOT</b> cross the stop line when the lights are red.</p> <p>Some junctions have an Advanced Stop Line to enable you to position yourself ahead of other traffic and wait (see Rule 178). When the traffic lights are red, you may cross the first stop line, but you <b>MUST NOT</b> cross the final stop line.</p>	
72	Cyclists	Provides guidance on road positioning for cyclists to ensure that they adopt safe cycling behaviours. This will be merged with Rule 74 Turning	<p>When approaching a junction on the left, watch out for vehicles turning in front of you, out of or into the side road. If you intend to turn left, check first for other cyclists or motorcyclists, before signalling.</p> <p>Do not ride on the inside of vehicles signalling or slowing down to turn left.</p> <p>If you are turning right, check the traffic to ensure it is safe, then signal and move to the centre of the road.</p> <p>Wait until there is a safe gap in the oncoming traffic and give a final look before completing the turn. It may be safer to wait on the left until there is a safe gap or to dismount and push your cycle across the road.</p> <p>When turning into or out of a side road, you should give way to pedestrians crossing (see Rule H2).</p>	Agreed

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73	Cyclists	Provides guidance for cyclists on how to proceed safely at junctions, both with and without separate cyclist facilities.	<p><i>Some junctions, particularly those with traffic lights, have special cycle facilities, including small cycle traffic lights at eye-level height, which may allow you to move or cross separately from or ahead of other traffic. Use these facilities where they make your journey safer and easier.</i></p> <p><i>At junctions with no separate cyclist facilities, it is recommended that you proceed as if you were driving a motor vehicle (see Rules 170 to 190). Position yourself in the centre of your chosen lane, where you feel able to do this safely, to make yourself as visible as possible and to avoid being overtaken where this would be dangerous. If you do not feel safe to proceed in this way, you may prefer to dismount and wheel your bike across the junction</i></p>	Agreed
75	Cyclists	New Rule for cyclists Become Rule 77	<p><i>Busy roads. When crossing faster or busy main roads, you may find it safer and easier to</i></p> <ul style="list-style-type: none"> <li><i>• dismount and push your cycle across</i></li> <li><i>• wait for a safe gap in the traffic before doing so, especially on faster roads and dual carriageways</i></li> <li><i>• make use of traffic islands or central reservations to help you where appropriate.</i></li> </ul> <p><i>Two Stage Turns. At some signal-controlled junctions there may be signs and markings informing cyclists to turn right in two stages:</i>  <i>Stage 1: When the traffic lights turn green, cyclists wishing to make the turn should go straight ahead to the location marked by a cycle symbol and turn arrow on the carriageway; then stop and wait there</i>  <i>Stage 2: When the traffic lights now facing them on the far side of the junction turn green they should then complete the manoeuvre</i></p>	Agreed
76	Cyclists	New Rule for Cyclists Clarify priorities when going straight ahead Becomes Rule 78 to 80	<p><i>Going straight ahead.</i></p> <ul style="list-style-type: none"> <li><i>-If you are going straight ahead at a junction, you have priority over traffic waiting to turn into or out of the side road, unless road signs or markings indicate otherwise (see Rule H3).</i></li> <li><i>-Check that you can proceed safely, particularly when approaching junctions on the left alongside stationary or slow-moving traffic.</i></li> <li><i>-Watch out for drivers intending to turn across your path. Remember the driver ahead may not be able to see you, so bear in mind your speed and position in the road.</i></li> <li><i>-Be particularly careful alongside lorries and other long vehicles, as their drivers may find it difficult to see you. Remember that they may have to move over to the right before turning left, and that their rear wheels may then come very close to the kerb while turning</i></li> </ul>	Agreed

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77	Cyclists	Roundabouts. Becomes Rule 79	<i>Watch out for vehicles crossing your path to leave or join the roundabout, remembering that drivers may not easily see you. Where a roundabout has separate cycle facilities, you should use these facilities where they make your journey safer and easier although you are not obliged to use them. This will depend on your experience and skills and the situation at the time.</i>	Agreed
80	Cyclists	Crossings. Becomes Rule 82	<i>Cycle track crossings can be in spacious pedestrian environments. Cyclists should look out and be prepared to stop for pedestrians crossing the track informally as well as at these designated points. Take extra care when crossing level crossings and tramways (see Rule 306). You should dismount at level crossings where a 'cyclist dismount' sign is displayed. Law TSRGD schedule 14 part 1</i>	Agreed
97	Driver & Motorcyclists	Amended to include additional text which states that before setting off you should ensure that:-	<i>any fitted audible warning systems for other road users, and camera and audio alert systems for drivers are all working and active (and should be used appropriately on the road). Law RTA 1988 sects 2 &amp; 3 &amp; CUR reg 104</i>	Agreed
123	Drivers & Riders	Changes to the general rules, techniques and advice for all drivers and riders section of The Highway Code include ensuring that 20mph speed limits and other local speed limits, which already exist, are recognised in The Highway Code. For the driver and the environment	In some local authority regions or in built up areas the limit may be reduced to 20 mph	Agreed
124	Drivers & Riders	Maximum speed limits	<i>Local signed speed limits may apply, for example</i> <ul style="list-style-type: none"> <li>• 20 mph (rather than 30 mph) where it could be the limit across a region or in certain built-up areas such as close to schools</li> <li>• 50 mph (rather than 60 mph) on stretches of road with sharp bends</li> </ul>	Agreed
125	Drivers & Riders	Speeds	<i>Unsafe speed increases the chances of causing a collision (or being unable to avoid one), as well as its severity. Inappropriate speeds are also intimidating, deterring people from walking, cycling or riding horses. Driving at speeds too fast for the road and traffic conditions is dangerous. You should always reduce your speed when sharing the road with pedestrians, particularly children, older adults or disabled people,</i>	Agreed

			<i>cyclists and horse riders, horse drawn vehicles and motorcyclists</i>	
140	Drivers & Riders	Provides advice on cycle lanes and cycle tracks, ensuring that drivers and riders know that cyclists have priority and should give way when turning across their path	<p><i>You should give way to any cyclists in a cycle lane, including when they are approaching from behind you – do not cut across them when turning or when changing lane (see Rule H3).</i></p> <p><i>Be prepared to stop and wait for a safe gap in the flow of cyclists before crossing the cycle lane.</i></p> <p><i>Cycle tracks are routes for cyclists that are physically protected or located away from motor traffic, other than where they cross side roads. Cycle tracks may be shared with pedestrians.</i></p> <p><i>You should give way to cyclists approaching or using the cycle track when turning into or out of a junction (see Rule H3). Be prepared to stop and wait for a safe gap in the flow of cyclists before crossing the cycle track, which may be used by cyclists travelling in both directions.</i></p> <p><i>Bear in mind that cyclists are not obliged to use cycle lanes or cycle tracks</i></p>	Agreed
163	Drivers & Riders	<p>Providing further clarity on when drivers of motorised vehicles should give way to pedestrians, cyclists and horse riders</p> <p>-making clear that those groups have priority over traffic that may be turning across their path in certain situations</p> <p>-reinforcing advice around inappropriate speed</p> <p>Rule 163 on overtaking will be amended to advise drivers that cyclists may pass on their right or left. It will also provide a guide of safe passing distances and speeds for passing motorcyclists, cyclists, horse riders and horse drawn vehicles.</p>	<p><i>Cyclists may pass slower moving or stationary traffic on their right or left, including at the approach to junctions, but are advised to exercise caution when doing so [Give motorcyclists, cyclists, horse riders] and horse drawn vehicles [at least as much room as you would when overtaking a car(see Rules 211 to 215)]. As a guide:</i></p> <ul style="list-style-type: none"> <li><i>• leave a minimum distance of 1.5 metres at speeds under 30 mph</i></li> <li><i>• leave a minimum distance of 2.0 metres at speeds over 30 mph</i></li> <li><i>• for a large vehicle, leave a minimum distance of 2.0 metres in all conditions</i></li> <li><i>• pass horse riders and horse-drawn vehicles at speeds under 15 mph and allow at least 2.0 metres space</i></li> <li><i>• allow at least 2.0 metres space where a pedestrian is walking in the road (e.g. where there is no pavement) and you should pass them at low speed</i></li> <li><i>• you should wait behind the motorcyclist, cyclist, horse rider, horse drawn vehicle or pedestrian and not overtake if it is unsafe or not possible to meet these clearances</i></li> <li><i>• take extra care and give more space when overtaking motorcyclists, cyclists, horse riders, horse drawn vehicles and pedestrians in bad weather (including high winds) and at night."</i></li> </ul>	Agreed

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167	Drivers & Riders	Overtaking	<p>DO NOT overtake where you might come into conflict with other road users. For example <i>on the approach to crossing facilities</i></p> <ul style="list-style-type: none"> <li>• <i>where a vehicle ahead is slowing to stop for a pedestrian that is crossing from a pedestrian island</i></li> </ul> <p><i>Do not cut across cyclists going ahead, including those using cycle lanes and cycle tracks (see Rule H3)</i></p>	Agreed
170	Drivers & Riders	Junctions	<p>You should give way to pedestrians crossing or waiting to cross a road into which or from which you are turning.</p> <p><i>remain behind cyclists and motorcyclists at junctions even if they are waiting to turn and are positioned close to the kerb</i></p>	
178	Drivers & Riders	Advanced stop lines for cyclists	<p>If your vehicle has proceeded over the first white line at the time that the signal goes red, you should stop as soon as possible and MUST stop at the second white line. Allow cyclists, including any moving or waiting alongside you, enough time and space to move off when the green signal shows.</p> <p><i>Drivers of large vehicles should stop sufficiently far behind the first white line so that they can see the whole area where cyclists may be waiting, allowing for any blind spot in front of the vehicle.</i></p> <p><i>Laws RTA 1988 sect 36 &amp; TSRGD Schedule 14 part 1</i></p>	Agreed
183	Drivers & Riders	Turning	<p>When turning</p> <ul style="list-style-type: none"> <li>• keep as close to the left as is safe and practicable</li> <li>• give way to any vehicles using a bus lane, cycle lane, cycle track or tramway from either direction, including when they are passing slow moving or stationary vehicles on either side.</li> </ul>	Agreed
186	Drivers	Rule 186 on signals and position will be amended to advise drivers to give priority to cyclists on roundabouts, and to take care not to cut across a cyclist, horse rider or horse drawn vehicle that may be continuing around the roundabout in the left-hand lane	<p><i>You should give priority to cyclists on the roundabout. They will be travelling more slowly than motorised traffic. Give them plenty of room and do not attempt to overtake them within their lane. Allow them to move across your path as they travel around the roundabout.</i></p> <p><i>Cyclists, horse riders and horse drawn vehicles may stay in the left-hand lane when they intend to continue across or around the roundabout.</i></p> <p><i>Drivers should take extra care when entering a roundabout to ensure that they do not cut across cyclists, horse riders or horse drawn vehicles in the left-hand lane, who are continuing around the roundabout</i></p>	Agreed

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192	All Traffic	Queueing Traffic	In <i>slow-moving and queueing traffic</i> , you should keep crossings <i>completely clear</i> , as <i>blocking these makes it difficult and dangerous for pedestrians to cross</i> . You should not enter a pedestrian crossing if you are unable to completely clear the crossing. Nor should you block <i>Advanced Stop Lines for cycles</i> .	Agreed
195	Drivers & Riders	Rule 195 on zebra crossings will be updated to include reference to parallel crossings and also amended to advise drivers to give way to pedestrians and cyclists waiting to cross at a zebra crossing or parallel crossing. This rule restates guidance in Rule 17 and reinforces Rule H2	<i>Zebra and parallel crossings - you should give way to pedestrians waiting to cross</i> <i>Parallel crossings are similar to zebra crossings, but include a cycle route alongside the black and white stripes.</i> <i>As you approach a parallel crossing:</i> <i>-look out for pedestrians or cyclists waiting to cross and slow down or stop</i> <i>-you should give way to pedestrians or cyclists waiting to cross</i> <i>-you MUST give way when a pedestrian or cyclist has moved onto a crossing</i> <i>-allow more time for stopping on wet or icy roads</i> <i>-do not wave or use your horn to invite pedestrians or cyclists across; this could be dangerous if another vehicle is approaching</i> <i>-be aware of pedestrians or cyclists approaching from the side of the crossing.</i> <i>A parallel crossing with a central island is two separate crossings.</i> <i>Law TSRGD schedule 14 Part 5</i>	Agreed
199	All Traffic	Toucan, puffin and equestrian crossings	<i>Do not enter the crossing if you are unable to completely clear it to avoid obstructing pedestrians, cyclists or horse riders</i>	Agreed
204	Drivers and Riders	The most vulnerable road users are pedestrians, cyclists, motorcyclists and horse riders. It is particularly important to be aware of children, older and disabled people, and learner and inexperienced drivers and riders.	The road users <i>most at risk from road traffic</i> are pedestrians, <i>followed by</i> cyclists, horse riders and motorcyclists. It is particularly important to be aware of children, older <i>adults</i> and disabled people, and learner and inexperienced drivers and riders.  <i>In any interaction between road users, those who can cause the greatest harm have the greatest responsibility to reduce the danger or threat they pose to others.</i>	Agreed
206	Drivers and Riders	Driving Carefully and slowly in crowded streets, when crossing a footway, reversing, passing parked vehicles, turning, approaching pedestrians,	Turning at road junctions; <i>you should give way to pedestrians who are crossing or waiting to cross the road into which or from which you are turning</i> <i>• going through road works or when passing roadside rescue and recovery vehicles, as there may be people working in or at the side of the road</i> <i>approaching zebra and parallel crossings as you MUST give way to pedestrians on the crossing (see Rule 195)</i> <i>• approaching pedestrians who have started to cross the road ahead of you. They have</i>	Agreed

APPENDIX 1

			<i>priority so you should give way (see Rule H2). Law TSRGD schedule 14 Part 5</i>	
211	Drivers	Observations - vulnerable road users	<p>It is often difficult to see motorcyclists and cyclists, especially when they are <i>waiting alongside you</i>, coming up from behind, coming out of or moving off from junctions, at roundabouts, overtaking you or filtering through traffic. Always look out for them before you emerge from a junction; they could be approaching faster than you think.</p> <p><i>Do not turn at a junction if to do so would cause the cyclist going straight ahead to stop or swerve, just as you would do with a motor vehicle.</i></p>	Agreed
212	Drivers	Passing Motorcyclists and cyclists	<p><i>Give motorcyclists, cyclists, horse riders, horse drawn vehicles and pedestrians walking in the road (e.g. where there is no pavement), at least as much room as you would when overtaking a car (see Rules 162 to 167). Drivers should take extra care and give more space when overtaking motorcyclists, cyclists, horse riders, horse drawn vehicles and pedestrians in bad weather (including high winds) and at night.</i></p> <p><i>If the rider looks over their shoulder it could mean that they intend to pull out, turn right or change direction. Give them time and space to do so.</i></p>	Agreed
213	Drivers	Provides further advice on proceeding with caution around pedestrians, cyclists, horse riders and motorcyclists, as the main vulnerable user groups. It also strengthens the advice in earlier chapters on giving these groups priority in certain circumstances	<p><i>On narrow sections of road, at road junctions and in slower-moving traffic, cyclists may sometimes ride in the centre of the lane, rather than towards the side of the road. Allow them to do so for their own safety, to ensure they can see and be seen. Cyclists are also advised to ride at least a door's width or 0.5m (metres) from parked cars for their own safety</i></p>	Agreed
215	Drivers and Riders	Horse riders and horse-drawn vehicles.	<p><i>Be particularly careful of horse riders, horse-drawn vehicles and feral ponies especially when approaching, overtaking, passing or moving away. Always pass wide and slowly. When you see a horse on a road, always slow down to a maximum of 15 mph. Be patient, don't sound your horn or rev your engine. When safe to do so, pass wide and slow, allowing at least 2.0 metres space</i></p> <p><i>Remember there are three brains at work when you pass a horse; the rider's, the driver's and the horse's. Don't forget horses are flight</i></p>	Agreed

			<i>animals and can move incredibly quickly if startled.</i>	
239	Waiting and parking	The main change to the chapter in The Highway Code on 'waiting and parking' is the introduction of a new technique, commonly known as the 'Dutch Reach', that advises road users to open the door of their vehicle with the hand on the opposite side to the door	<p><i>You should open the door using your hand on the opposite side to the door you are opening, e.g. use your left hand to open a door on your right-hand side.</i></p> <p><i>This will make you turn your head to look over your shoulder. You are then more likely to avoid causing injury to cyclists or motorcyclists passing you on the road, or to people on the pavement</i></p> <p><i>When using an electric vehicle charge point you should park close to the charge point and minimise the danger to pedestrians from tripping over charging cables. After using the charge point you should return charging cables and connectors neatly to prevent creating an obstacle for other road users.</i></p>	Agreed
Ann ex 1	Cyclists	You and your bicycle. Feeling confident of your ability to ride safely on the road	<p><b>Be sure that</b> the wheels spin freely You should <b>fit a bell to your cycle.</b> You <b>MUST</b></p> <ul style="list-style-type: none"> <li>• ensure your brakes are efficient</li> <li>• <b>have white front and red rear lights lit when cycling at night</b></li> </ul> <p>Cycle training: If you are an inexperienced cyclist or have not ridden for a while, consider taking a cycle training course. Some councils offer national standard cycle training such as Bikeability and in certain areas this is free of charge. It can help build up your skills and confidence.</p> <p>There are three levels to Bikeability, starting with the basics of balancing, stopping and starting safely, through to handling complex and busy junctions. You will also learn about traffic signs and the rules of the road, planning routes, safe road positioning and signalling (particularly at junctions) and basic cycle maintenance. For more information, see <a href="http://www.bikeability.org">www.bikeability.org</a>, <a href="http://www.cycling.scot/bikeability-scotland">www.cycling.scot/bikeability-scotland</a>, <a href="http://www.bikeabilitywales.org.uk/">www.bikeabilitywales.org.uk/</a></p>	Agreed
Ann ex 6	Drivers and Riders	Vehicle maintenance	<p>..any audible warning systems are all working. Undertake all aspects of the daily walkaround checks for commercial vehicles as recommended by the DVSA and the Fleet Operator Recognition Scheme (<a href="https://www.gov.uk/government/publications/van-drivers-daily-walkaround-check/van-drivers-daily-walkaround-check">https://www.gov.uk/government/publications/van-drivers-daily-walkaround-check/van-drivers-daily-walkaround-check</a>).</p>	Agreed



Initial equality impact assessment screening form			
<p>This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.</p>			
Directorate	BES		
Service area	H&T		
Proposal being screened	Response to DfT Highway Code consultation		
Officer(s) carrying out screening			
What are you proposing to do?	Respond to DfT survey on proposed changes to the highway code		
Why are you proposing this? What are the desired outcomes?	Appropriate for NYCC to contribute to consultation		
Does the proposal involve a significant commitment or removal of resources? Please give details.	No		
<p><b>Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics</b></p> <p>As part of this assessment, please consider the following questions:</p> <ul style="list-style-type: none"> <li>To what extent is this service used by particular groups of people with protected characteristics?</li> <li>Does the proposal relate to functions that previous consultation has identified as important?</li> <li>Do different groups have different needs or experiences in the area the proposal relates to?</li> </ul> <p>If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your <a href="#">Equality rep</a> for advice if you are in any doubt.</p>			
Protected characteristic	Potential for adverse impact		Don't know/No info available
	Yes	No	
Age		No	
Disability		No	
Sex		No	
Race		No	
Sexual orientation		No	
Gender reassignment		No	
Religion or belief		No	
Pregnancy or maternity		No	
Marriage or civil partnership		No	
<b>NYCC additional characteristics</b>			
People in rural areas		No	
People on a low income		No	
Carer (unpaid family or friend)		No	
Does the proposal relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details.	NO		
Will the proposal have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	No		

**APPENDIX 2**

<b>Decision (Please tick one option)</b>	EIA not relevant or proportionate:	<input checked="" type="checkbox"/>	Continue to full EIA:	
<b>Reason for decision</b>	This is the NYCC response to a DfT consultation survey on proposed changes to the highway code. It has no impact on any services that may be used by people with protected characteristics.			
<b>Signed (Assistant Director or equivalent)</b>	Barrie Mason			
<b>Date</b>	13/10/20			