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King's Bench Walk

Velodrome accidents

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12, King's Bench Walk

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Construction of the track

- ▶ Materials
- ▶ Design
- ▶ When built
- ▶ Prevailing standards at time of construction

Track surface

- ▶ Maintenance regime
- ▶ Inspection by suppliers/installers
- ▶ Periodic inspections
- ▶ Frequency of inspection
- ▶ Inspection by whom – operator staff, coaches, specialist contractors
- ▶ Cleaning method – vacuum/brush/professional equipment
- ▶ Cleaning by whom – operator staff, specialist contractors

Contamination of the track

- ▶ Source:
- ▶ Dust generally
- ▶ Tyre debris – general wear and tear, friction marks
- ▶ Other debris

Coaching error

- ▶ British Cycling coaching qualification programme
- ▶ Levels 1 – 3
- ▶ Qualification and experience of the coach
- ▶ Training and supervision of the session

Rider error

- ▶ Track layout
- ▶ Track rules
- ▶ Speed
- ▶ “Kicking back”
- ▶ Sliding down the banking

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Bikes and tyres

- ▶ Track bikes
- ▶ Bike defect
- ▶ Tyres
- ▶ Dual compound tyres
- ▶ Grip
- ▶ Age, storage and tyre degradation

Evidence

- ▶ Documentary
 - ▶ Maintenance, inspection and cleaning procedures and records
 - ▶ Coach qualifications and training
 - ▶ Coach session training records – track inspection, session details
 - ▶ Bike inspections and maintenance
 - ▶ Track rules
 - ▶ Accident report/ambulance record/hospital records
 - ▶ CCTV – retain!
 - ▶ Post-accident investigations and measures
 - ▶ Previous accidents

Evidence

- ▶ Lay witnesses
 - ▶ Other riders
 - ▶ Coaches
 - ▶ Spectators
 - ▶ Post-accident investigations and conclusions
 - ▶ Velodrome systems and procedures

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Evidence

- ▶ Physical evidence
 - ▶ Post-accident track inspection – debris, contamination
 - ▶ Post-accident bike inspection – tyres, bike defects
 - ▶ Rider clothing – evidence of contamination from contact with track?
 - ▶ Retain and preserve

Evidence

- ▶ Experts

- ▶ Cycling experts (difficult)

- ▶ Engineers:

Track condition, bike condition, tyre inspection and analysis, grip testing of track, grip testing of tyres including comparable testing, cleaning and maintenance procedures, clothing inspection and analysis

CCTV analysis

Law

- ▶ Likely to be a public liability claim by a participating rider
- ▶ Occupier's Liability Act 1957
- ▶ Usual rules of common law negligence

THANK YOU

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Sportive accidents

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Sportives

- ▶ Organised, mass-participation cycling event.
- ▶ Not a race; however, most are timed and many participants use them as an opportunity to test themselves.
- ▶ Open or closed road events and sometimes a mixture of both.
- ▶ Distances can vary but they can typically be from between 20 – 200+ miles.
- ▶ Main attraction is a cycling challenge without the hassle of planning your own route. Most come with signage, food stops and mechanical support.
- ▶ Number of participants can vary from a few hundred to several thousand.

Sportive accidents: potential likely causes

- ▶ Other participants.
- ▶ Other road users.
- ▶ Hazards particular to the course:
 - ▶ Steep / blind bends
 - ▶ Hump back bridges
 - ▶ Steep descents
 - ▶ Wildlife
 - ▶ Railway/tram tracks
 - ▶ Low hanging foliage
- ▶ Condition of the road
- ▶ Actions of third parties, deliberate or otherwise
- ▶ Weather conditions (causing an accident or leading to medical issues such as hypothermia/heatstroke)

Sportive accidents: case example

- ▶ C takes part in a long distance sportive.
- ▶ Along the ride, C negotiated a bend that he says was sharper than he anticipated, causing him to ride wide into the oncoming lane and collide with part of a vehicle travelling in the opposite direction suffering injuries.
- ▶ Road surface was wet but it was not raining.
- ▶ “Slow” had been painted on the road before the bend by the Highway Authority.
- ▶ There were chevrons indicating that there was a bend.
- ▶ There was no additional warning signage provided by the organisers.
- ▶ There were no marshals at or around the bend.

Sportive case example: issues

- ▶ Was the risk assessment suitable?
- ▶ Was the warning painted on the road by the Highway Authority (and other road signage sufficient)?
- ▶ Should there have been additional warning signs provided by the organiser?
- ▶ Should there have been marshals on the course?
- ▶ Would signs and marshals have made a difference?
- ▶ Contributory negligence of the cyclist?

Sportive accidents: documentary evidence

- ▶ Contractual documents, pre-event guidance/advice to participants
- ▶ British Cycling / Cycling UK guidance
- ▶ Highway Code
- ▶ Risk assessments
- ▶ Training documents
- ▶ Accident report/police report/ambulance and hospital records
- ▶ Post accident investigations and measures
- ▶ Race photographs and official event times
- ▶ Strava data or similar (Garmin/Wahoo bike computer data)
- ▶ Meteorological Data
- ▶ Previous accidents

Sportive accidents: law witness evidence

- ▶ Claimant
- ▶ Other participants
- ▶ Locus photographer
- ▶ Spectators
- ▶ Local residents
- ▶ D manager / director
- ▶ Race Co-Ordinator
- ▶ Relevant employees / agents / third parties
- ▶ Marshals

Sportive accidents: physical evidence

- ▶ Post-accident locus inspection:
 - ▶ Debris
 - ▶ Road surface (defects and markings)
 - ▶ Barriers / signs
 - ▶ Other vehicles involved
- ▶ Post-accident equipment inspection:
 - ▶ Bike
 - ▶ Tyres
 - ▶ Brakes
 - ▶ Helmet
 - ▶ Lights

Sportive accidents: expert evidence

- ▶ Event management
- ▶ Engineer
 - ▶ Bike condition
 - ▶ Brake condition
 - ▶ Tyre inspection and analysis
- ▶ Accident reconstruction