



Accidents involving cyclists—Case law

Cycling 5 - Cycle accident when vehicle in queue turns left across cycle path

Rickson V Barker [2017] EWHC 264 (QB)

Claimant cyclist collided with a vehicle turning across his path. Defendant admitted primary liability.

Held: Cyclist 20% contributory negligent because if he had kept a proper look out the collision would have been avoided, by his braking.

Cyclists who undertake slow or stationary traffic need to keep a careful lookout for road users ahead who may wish to turn off the main road.

Clenshaw V Tanner (2002) EWHC Civ 1848

Claimant cyclist was riding in the cycle lane along a main road – travelling faster than the cars due to heavy traffic. As the Claimant approached the entrance to a petrol station, a large vehicle driven by the Defendant turned left across the cycle lane to enter the petrol station. There was evidence that the Defendant had first indicated left. The Claimant collided with the rear of the Defendant's vehicle.

Held: 50/50. This was upheld by the Court of Appeal.

McGeer V Macintosh [2015] QBD (Liverpool)

Defendant was driving an HGV. Claimant cyclist was cycling to the left-hand side of the Defendant approaching a junction on the left. The Defendant was stationary straddling two lanes before it moved off. He was not indicating. Evidence indicated that the Claimant would have seen the Defendant for at least 4.5 seconds before he moved off and was travelling at speed without ability to stop should the Defendant make an unexpected manoeuvre.

Held: HGV driver 70% cyclist 30%. Decision was upheld on appeal.

The Claimant had failed to heed the advice in Rules 72 and 73 of the Highway Code.