



TraCC Response to the Active Travel (Wales) Bill

April 2013

1.0 TraCC Trafnidiaeth Canolbarth Cymru

Established in 2003, Trafnidiaeth Canolbarth Cymru (TraCC) is the Regional Transport Consortium for Mid Wales and is a voluntary partnership between the three Mid Wales local authorities of Ceredigion, Powys and Gwynedd (for the Meirionnydd district). Gwynedd is also a partner in Taith, the North Wales Regional Transport Consortium. TraCC is one of four Regional Transport Consortia in Wales. TraCC has become responsible for the development of integrated transport policies and strategies at a regional (Mid Wales) level and for the development and management of associated regional transport grant funding programmes.

TraCC undertook extensive public and stakeholder consultation during the preparation of its first Regional Transport Plan (RTP) and the Plan gained Ministerial approval in December 2009. The three local authorities have now commenced delivering a range of schemes funded through RTP Capital Grant, and Road Safety Capital and Revenue Grants. TraCC submitted its first RTP Annual Progress Report in September 2011 which shows successful delivery of a programme that is beginning to make a difference. The RTP APR for 2011/12 was submitted to the Welsh Government at the end of September 2012 and has shown further improvement.

The shared TraCC RTP Vision is:

'To plan for and deliver an integrated transport system in Mid Wales that facilitates economic development, ensures access for all to services and opportunities, sustains and improves the quality of community life and respects the environment.'

The TraCC RTP has 10 objectives/ priorities, most of which support the aims and shared national and regional delivery of the Road Safety Delivery Plan are:

1. Reduce the demand for travel.
2. Minimise the impact of movement on the global and local environment.
3. Improve safety and security for all transport users.
4. Improve travel accessibility to services, jobs and facilities for all sectors of society.
5. Improve the quality and integration of the public transport system including the role of community transport.
6. Provide, promote and improve sustainable forms of travel.
7. Maintain and improve the existing highway and transport infrastructure.
8. Ensure travel and accessibility issues are properly integrated into land-use decisions.
9. Improve the efficiency, reliability and connectivity of movement within and between Mid Wales and the other regions of Wales and England.
10. Deliver a co-ordinated and integrated travel and transport network through effective partnership working.

In March 2012, the TraCC Board approved a Walking and Cycling Strategy for Mid Wales. The Strategy was developed by engaging key stakeholders and delivery partners such as Sustrans,

Welsh Government and National Park Authorities. The prioritised list of schemes that accompanied the Strategy has informed the development of grant funding programmes including meeting the Welsh Government's expectation that a third of the RTP Capital Grant Programme for 2013/14 should support delivery of 'Active Travel' schemes. This programme was included in the TraCC Delivery Plan as submitted to the Welsh Government in February and TraCC is awaiting confirmation of funding from the Welsh Government.

TraCC also works closely with the Welsh Government to identify and develop new walking and cycling schemes seek funding improvements on the Trunk Road network. TraCC and Powys County Council have also worked closely with the Canal and River Trust (previously British Waterways) to develop walking and cycling routes along canal towpaths (Montgomeryshire and Brecon).

More information about TraCC along with copies of publications can be found on the TraCC website: www.tracc.gov.uk

2.0 Active Travel (Wales) Bill

Following the consultation process undertaken by the Welsh Government in August 2012, the Active Travel (Wales) Bill has now been introduced to the Senedd (18th February 2013). TraCC and its constituent local authorities all contributed to the original consultation in some detail.

The Bill will re-enforce and promotes active travel as a viable mode of transport, and a suitable alternative to motorised transport for shorter journeys. Its' ultimate aim is to create an environment where it is safer and more practical to walk and cycle. It is understood that the Bill will be supported by a broader programme of work to deliver a step change in active travel in Wales. This includes a review of funding streams from the Welsh Government, a renewed Walking and Cycling Action Plan, and new design guidance for walking and cycling routes.

It is proposed that the Act will make provision for the mapping of active travel routes and related facilities by local authorities in Wales. The original White Paper set out key proposals for potential implementation by local authorities as follows:

- Identify and map the network of routes in their areas that are safe and appropriate for walking and cycling;
- Identify and map the enhancements that would be required to create a fully integrated network for walking and cycling, and develop a prioritised list of schemes to deliver the network;
- Deliver an enhanced network subject to budget availability and following due process; and
- Consider the potential for enhancing walking and cycling provision in the development of new road schemes.

To comply with the Bill, local authorities will be required to prepare Active Travel Maps for approval by the Welsh Government within 3 years of commencement of the Act. They will then be required to review the maps every 3 years.

The Act will require existing Active Travel routes and facilities to be mapped, and once mapped, local authorities must continue to make improvements to the range and quality of these routes and facilities. The aim is to create an integrated network, and in striving to achieve this, the Bill will require local authorities to refer to the new maps when preparing transport policies. In addition, both the Welsh Government and Local Authorities will need to consider options for enhancing the walking and cycling provision when constructing and improving their highways.

Under the Rural Proofing Assessment it has been established that a 45 minute active travel journey is only likely to be suitable within a predominately urban or semi-rural environment. This will comprise a journey of 3 miles or less on foot or 10 miles or less by cycle. Much of the TraCC area (i.e. rural Mid Wales) is deeply rural and it is therefore possible that these distances may not be appropriate or realistic. It is possible that other modes of transport are more likely to be used by the travelling public. Applying a population threshold as part of any guidance to settlements of over 2,000 people may enable consideration of population clusters along particular transport corridors and contribute to overcoming social and economic exclusion in rural settings.

Going forward, local authorities will need to consider what is 'safe' and 'appropriate' when seeking to improve the active travel network and facilities. It is evident that much of the detail will become clearer once the Welsh Government issues guidance. Their advice in this regard is awaited.

It is important to note that the additional potential requirements imposed on local authorities will be resource-intensive. Therefore, it is recommended that every opportunity to work collaboratively with adjoining authorities and other partner organisations (regionally) should be explored. There is a need for the Welsh Government to adequately fund the new duties from commencement of the Statutory Duty with regard to the mapping requirements. This will need to continue thereafter with a review of the mapping and other improvements.

3.0 TraCC Response to Consultation Questions

Eight questions formed the consultation as follows together with the TraCC response to each:

Question 1. *Is there a need for a Bill aimed at enabling more people to walk and cycle and generally travel by non-motorised transport? Please explain your view.*

TraCC Response:

TraCC acknowledges the benefit of a single, user focused map that brings together the existing maps (promoted routes, definitive maps, OS maps, Sustrans route maps) in an accessible form. At a time when local authority budgets are reducing the provision of a duty will ensure that this important agenda is addressed together with providing additional benefits to provide health, town environments and tourism in Wales as a whole.

Question 2. *What are your views on the key provisions in the Bill, namely:*

- *The requirement on local authorities to prepare and publish maps identifying current and potential future routes for the use of pedestrians and cyclists (known as "existing routes maps" and "integrated network maps") (sections 3 to 5).*

TraCC Response:

With the Welsh Government focus being upon collaboration where ever possible, it is disappointing that use of the four local authority Regional Transport Consortia has not been identified as a method of delivering Active Travel mapping. It would be a missed opportunity not to bring together the required processes in line with the requirement to review the Regional Transport Plans (due in 2014/15) together with reviews to take place every 5 years and not the proposed 3 yearly reviews. Local/ regional mapping would need to seamlessly fit into a national overview (including across national boundaries). The standards of the maps and the formats need to be consistent across Wales and would need to connect across local authority administrative and

national boundaries, as local government boundaries are not the extent of travel (e.g. Herefordshire and Shropshire – the Offa’s Dyke Path). The Regional Transport Consortia could have a role in regionally co-ordinating the development of the maps to ensure uniformity and consistency although this would require sufficient resources (staff and budget) being made available to them for these purposes.

- *The requirement on local authorities to have regard to integrated network maps in the local transport planning process (section 6);*

TraCC Response:

The assessment of walking and cycling provision currently forms part of the Regional Transport Plan programme delivery and details are contained with the TraCC Walking and Cycling strategy, the progress is to also include prioritisation for Active Travel routes. Therefore this work is currently taking place and will continue.

- *The requirement on local authorities to continuously improve routes and facilities for pedestrians and cyclists (section 7);*

TraCC Response:

There is currently no identified way of measuring or assessing the term “continuous improvement” and there is therefore a concern that the yet-undefined measurable output will place a great burden on the local authorities’ current budgets/ level of funding. Therefore, additional funding is required in order to achieve improvements. Without the publication of Guidance, a full appraisal of the impact of the expectations placed upon local authorities cannot take place and this is a concern.

- *The requirement on highway authorities to consider the needs of pedestrians and cyclists when creating and improving new roads (section 8);*

TraCC Response:

Too often provision for pedestrians and cyclists is, at best, an afterthought in the design and construction of new road/ highways schemes, whether new roads (such as relief roads, bypasses and commercial or residential estate roads) or improvements to existing roads. In fact, there is ample evidence that in the past, walking and cycling may often be ignored altogether. This applies to both the local authority ‘County’ and the Welsh Government ‘Trunk’ road network. Therefore, the requirement to consider (and accommodate) the needs of pedestrians and cyclists when developing new schemes will, with no doubt, improve the provisions to be made available to the public. Much of this work is currently achieved by sympathetic design and layout, road safety audits and design guidance and has to be fair, improved in recent years anyway.

Question 3. *Have the provisions of the Bill taken account of any response you made to the Welsh Government’s consultation on its White Paper? Please explain your answer.*

TraCC Response:

As stated in the previous consultation, the definition of the terms ‘Safe’ and ‘Appropriate’ requires

clarification. Currently the Bill does not explain what is meant by these terms and this is a real concern because there will be inevitable legal implications and concerns over liability associated with the mapping and designation of routes that might be described as 'safe'. 'Safe' is a subjective word and open to interpretation (or even misuse) without a clear definition and sound evidence base to support the designation and promotion of 'Safe' routes.

Whether a route actually is 'Appropriate' for an individual will depend on their physical ability, skill and experience as well as the character of the route (e.g. perception of safety, volume and nature of traffic, whether in a rural or urban environment and terrain). Therefore, assessments of the accessibility needs of users should be required when developing walking and cycling schemes.

Question 4. *To what extent are the key provisions the most appropriate way of delivering the aim of the Bill?*

TraCC Response:

It is TraCC's view that local authorities are best placed to deliver the continuous improvements to networks/ routes and address any gaps in the network and facilities.

Question 5. *What are the potential barriers to the implementation of the key provisions and does the Bill take account of them?*

TraCC Response:

There are inevitable concerns over the uniformity and consistency of mapping to be undertaken and presented (made universally available) by 22 individual local authorities.

There is also a concern over the availability of sufficient funding to local authorities/ Regional Transport Consortia to deliver the aspirations set out in the Bill. It is strongly recommended that the Welsh Government should make a specific Active Travel Capital Grant scheme available to local authorities rather than the current approach adopted by the Welsh Government that is to insist that Regional Transport Consortia adjust already-established and approved priorities and programmes.

Without sufficient Revenue funding to support education, training and publicity/ promotions and marketing, the provision of new infrastructure alone will not have the desired effect. Alongside the ability to fund new Capital works there will be a need to fund negotiation with landowners and where this fails, meet the considerable costs associated with the use of Compulsory Purchase Orders (including legal costs).

Question 6. *What are your views on the financial implications of the Bill (this could be for your organisation, or more generally)? In answering this question you may wish to consider Part 2 of the Explanatory Memorandum (the Impact Assessment), which estimates the costs and benefits of implementation of the Bill.*

The Impact Assessment referred to the assessment of costs in relation to implementation of the Act. The particular area of concern to TraCC local authorities is the requirement placed upon them to produce mapping, review and implement it. Without knowing exactly how the Welsh

Government Guidance will prescribe or require this to be achieved, it will not be possible to make a full assessment of the financial implications of the Bill. However, again, it is pointed out that without adequate additional resources being made available to local authorities the new duties cannot be achieved.

It is TraCC's view that the required investment for 'Active Travel' measures and interventions should not be dependent upon the introduction and passage of new legislation. The provision of funding should be a priority shared at a national and regional/ local level and the benefits recognised as such.

Question 7. *To what extent has the correct balance been achieved between the level of detail provided on the face of the Bill and that which will be contained in guidance given by the Welsh Ministers?*

By providing a Bill that does not include any detail as to how it will be delivered means that the enabling guidance may be altered without the need for further legislation. There is considerable supporting information contained in the Impact Assessments which identifies how the process will be moulded going forward and will allow for changes to be made.

Question 8. *Are there any other comments you wish to make on the Bill that have not been covered in your response?*

TraCC Response:

The four local authority Regional Transport Consortia have already been required by the Welsh Government to make one third of their RTP Capital Grant allocations available to support delivery of the Active Travel agenda ahead of passage and assent of the Bill. This requirement (introduced for 2013/14 Financial Year) has necessarily resulted in delays to the allocation of funding to previously-prioritised schemes so as to accommodate the new requirement. This said, the delivery of Active Travel measures will not only assist in the delivery of 'hard infrastructure' (walking and cycling paths and associated facilities) but will also assist the Welsh Government in delivering its objectives associated with Health, Economic and Environmental policies and therefore funding should also be made available from the budgets associated with these other (non-transport) areas of public policy and Government.