

**Evidence to the Enterprise and Business Committee
The Active Travel (Wales) Bill**

Consultation questions

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 answer.

1. Yes, in our view, there is a need for the Bill. Increases in walking and cycling can provide significant benefits, in particular:

- reductions in car traffic (and associated emissions of greenhouse gases such as carbon dioxide, as well as other pollutants)
- improving people's health & well being (through increases in physical activity and contact with natural heritage; improvements to social cohesion)
- local environmental improvements (where replacing car use: reduces noise and demand for space and improves air quality)
- improved pedestrian and cyclists' safety
- economic benefits (including to local communities adjacent to recreational routes; to those without a car; in the form of lower transport costs)

2. We therefore welcome the commitment of Government to taking forward improvements to walking and cycling networks together with measures aimed at increasing pedestrian and cycling activity. We believe the proposals, if implemented in a sustained way and linked to resources for their implementation, have the potential to achieve significant increases to current levels of walking and cycling.

3. We therefore agree with Welsh Government's rationale and the evidence they have presented in association with the Bill, the Government's consultation paper, the Regulatory Impact Assessment (RIA) and the accompanying statement with the Bill. In particular the evidence presented about:

- the benefits of walking and cycling;
- the barriers to increasing current participation levels;
- that current levels of walking and cycling in Wales are significantly lower than they could be;
- also that attempts to increase overall levels of 'purposeful' walking and cycling amongst the Welsh population in recent years have not been successful

4. We would also note the strong evidence from other countries, notably in Europe, that clearly indicates that if the right approach is taken in this country for a sustained period, significantly increased levels of walking and cycling should be achievable in

Wales in the medium to long term. The factors that have been found to be important to the success of the Dutch¹ in achieving high levels of cycling were:

- A national legal and policy framework
- Interpretation and implementation of the national framework and policies at the local level
- The prioritisation of the needs of cyclists [and non-motorised users] were sustained and implemented over many years
- Integrated transport planning, linked to spatial planning
- Sustained, significant investment
- Provision and maintenance of extensive, good quality cycling networks and associated facilities
- Improvements to safety and the perception of safety
- Traffic education (for motorists and cyclists)
- Wide ranging and positive promotion

5. We therefore agree with Welsh Government that changes are needed to overcome some of the key barriers that exist to walking and cycling in Wales, and that change is possible. We also agree with the areas for change targeted by Government through the proposed legislation. In particular:

- requiring improvements to walking and cycling infrastructure networks and facilities;
- changes to the culture around walking and cycling; and
- the need to inform and support people in making decisions to cycle and/or walk

6. We would also note the role that forthcoming legislation should also consider the ways it can support the Government's aims e.g. the proposed legislation in relation to planning and that for sustainability.

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);

7. We support the idea of providing maps of both existing networks and proposed improvements (integrated networks maps) as part of the duty. We also support the desire not to create an overly bureaucratic process. However, we feel the legislation needs to include other requirements to provide an effective and transparent process

¹ Pucher and Buehler (2007); 2006 review of cycling by Dutch Government's Ministry of Transport, Public Works and Water Management

that will identify and deliver the improvements needed and that engages the public. For example, it is important to assess and consult about the adequacy of the existing network and also the walking and cycling needs of people and visitors to an area. Then, using the conclusions drawn from the assessments and consultations, set out in a 'Statement' to go alongside the maps the strategic aims, objectives and priorities for the network together with the network and route enhancements to be undertaken. This will help engage with the public, better inform the process of identifying the improvements needed and aid transparency as to how the proposed 'list of schemes' was derived. Engagement with the public at this stage will therefore be part of the process of encouraging use of an area's network of routes. (We set out our suggestions in more detail in the attached CCW consultation response to the White Paper, see paragraphs 71 – 78).

8. As noted in our response to Q1 above, we agree with Welsh Government about the need for good information about the route networks available to people and the improvements proposed. Mapped information is one useful approach. We would expect other sources also to be required (perhaps set out in the proposed Guidance) e.g. improved signing of walking and cycling routes on the routes themselves (including destination and distance); provision of information through other media such as information boards, in newspapers, local/regional publicity, mobile technology and so on.

9. We believe that the Bill should include the requirement for local authorities (LAs) to promote their routes and make the information accessible, not just identify and enhance them. This could be done through the provision of measures set out above (for example, signage). We also believe that LAs and other public bodies could be required to advertise how to get to their offices by walking or cycling, for example on their websites.

10. We would wish to see mapping of routes linked to existing mapping duties for 'local surveying authorities' i.e. for unitary authorities' recording of public rights of way (PROW) on definitive maps and statements and for recording of maintainable highways on the 'list of streets' [/ street gazetteer]. We recognise the additional flexibility that the new duty seeks to provide and the avoidance of the legal aspects of the list of streets and definitive map of PROW; nevertheless it is likely to impact on these existing surveying authority duties.

11. We fully support the provision in the Bill requiring the long term planning of improvements to walking and cycling routes. This echoes to some extent the current duties of local authorities to produce Rights of Way Improvement Plans for 10 years – although the ROWIP duty is to cease in 2017. ROWIPs have proved successful in improving the strategic planning and improvement of PROW in Wales. We put forward

the suggestion in our consultation response that the Active Travel should include recreational routes to build on and integrate the good work done through ROWIPs.

12. In relation to the wording in the introduced Bill, in our view it would have been preferable to require the mapping of *networks* for walking and cycling not simply “routes.” Research shows that inter-connectedness of routes is important to people when walking and cycling. Using the existing mapping of PROW, other publically maintained walking and cycling networks (including the road network where appropriate) as the basis of the duty would better integrate management of existing walking and cycling networks for both recreational and more utilitarian purposes. Currently this tends not to be the case.

13. In our view the improvement of walking and cycling routes and networks should be on the basis of the public’s need/demand for route networks rather than solely for ‘purposeful’ journeys. People use many of the same walking and cycling routes and networks for both recreational and utilitarian journeys e.g. Sustrans’ monitoring of the use of the National Cycle Network found that two thirds of all use was recreational compared to utilitarian purposes. Recognising that there is such dual use of walking and cycling route networks the more significant factor in the management of networks should be public need/demand when deciding the priority given to their improvement and management, not whether they are used a recreational or utilitarian purpose (or some combination of the two). It would also avoid separate management of route networks according to whether they are recreational or utilitarian, especially as the benefits realised from their use is irrespective of the purpose they were used for i.e. whether people are using a route to walk the dog or to go to the shops (or indeed both at the same time).

14. In addition, there is evidence (although not particularly extensive) that undertaking recreational walking and cycling encourages people to also walk and cycle for more utilitarian purposes (Cope et al, 2003; Sustrans, 2007²).

15. A duty framed along similar lines to that for Rights of Way Improvement Plans within sections 60-61 of the Countryside and Rights of Way Act 2000 provides a possible model. We would limit the requirement to plan for the improvement of networks of existing public highways (rights of way and other minor highways) and public access to facilitate walking and cycling. We believe such an approach would emphasise the need for a more focused and integrated approach to current duties rather [than increasing those duties] although we would hope as a minimum it would

² Cope et al (2003) ‘The UK National Cycle Network: an assessment of the benefits of a sustainable transport infrastructure’ *World Transport Policy and Practice* 9 (1): 6-17; Sustrans (2007) ‘The National Cycling Network: Route User Monitoring Report 2007

lead to a shift in existing resources towards implementing walking and cycling network improvements.

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

16. As referred to above in Q1, the key factors in the successful approach to cycling in Holland included:

- integrated transport planning, linked to spatial planning; and
- provision and maintenance of extensive, good quality cycling networks and associated facilities

17. The integration of LTPs with planning for walking and cycling improvements is important and therefore welcomed. However, we think that the requirement ‘...to have regard to...’ should be strengthened so that local authorities are required to take account of such maps in the LTP process; also that the provision should be extended to require authorities to take account of the ‘existing routes [network] map’.

18. In the CCW consultation response to the Bill we suggested that the duty should be part of the LTP duty. We think that such an approach would strengthen the process by formally integrating planning for walking and cycling with other transport planning in Wales. However, we would wish it to be clear that the purposes should include recreational as well as utilitarian use of route networks.

19. To reflect the evidence about the importance of ‘route networks’, we think that the Bill’s terminology should consistently refer to “networks of routes” for walking and cycling e.g. in relation to the 2 types of maps. At the moment one is described as an ‘integrated network map’ and the other as an ‘existing routes map’. This terminology change would help ensure that the importance of walking and cycling networks and their connectivity is consistent on the face of the Bill; it would also need to be followed through in the associated guidance.

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

20. We support the requirement for authorities to make ‘continuous improvement in the range and quality of the active routes and related facilities in their area’. However, for the reasons stated above, in our view the Bill should be consistently worded so as to refer to active travel ‘*route networks*’ for walking and cycling.

21. We would expect the Government to set out in Guidance what is meant by making continuous improvement in the range and quality of the active travel [network of] routes and facilities. We would expect monitoring requirements to be defined in the Guidance and to do so in a way that provides quantifiable measures for improvements to infrastructure and facilities within an authority's area. In addition, to secure the benefits sought by the Welsh Government, authorities should also have to ensure there are increased levels of walking and cycling in their area and this should also be part of the requirement for continuous improvement and its monitoring defined in the Guidance arising from the Bill.

22. If, as we propose above in Q2 (i), the duties also include the requirement for a 'statement' alongside the maps (including aims, objectives, assessed needs, improvement actions etc), the statement could include summaries of the actions proposed along with measurable milestones and a timetable for their implementation.

23. Guidance should set out a requirement to set out specific [quantifiable] targets for improvements and define how monitoring of the progress should be carried out.

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

24. We would wish to see the needs of pedestrians and cyclists assessed as part of a wider process of identifying the improvements that are required in an authority's area.

25. The measure strengthened and extended so that, wherever reasonably practicable to do so, improvements to meet the needs of pedestrians and cyclists are considered when creating and improving new and existing roads and infrastructure. We would also wish to strengthen the provisions to ensure that identified improvements should be implemented [wherever reasonably practicable]. Guidance would be needed to support the implementation of the provision. We believe that paragraph 1d of the Bill therefore needs to be strengthened if the aims of the Bill are to be delivered.

26. While such a broad approach to improving highways may occasionally result in some unconnected walking and cycling facilities in the short term. However, if implemented strategically, over time such improvements will become increasingly joined up (e.g. in the way that improvements to accessibility (such as dropped kerbs) have become ubiquitous following sustained action over several years).

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.

27. As stated above, NRW legacy bodies supported the proposal that the Welsh Government take forward measures to increase walking and cycling through the improved management of routes and networks. We advocated a long term approach to such work and this is reflected in the Bill. We supported and therefore welcome: the mapping of routes; the requirement for LAs to make continuous improvement; the inclusion of measures for WG to ensure the duties are carried out and for them to produce guidance as to how the implementation of the new duties.

28. We support that the wording of the Bill has been amended to remove that requirements for walking and cycling provision to be subject to budgetary requirements, as Environment Agency Wales advised in its response of August 2012.

Regarding matters we advocated that are not within the Bill:

29. The Bill in many cases focuses on 'routes' in its wording. We advocated an approach that focused on networks. Evidence³ strongly indicates that the connectivity of networks for walking and cycling is an important factor in people wanting and being able to use them. The Bill could be more consistent in referring to 'networks of routes' in relation to the measures put forward in the Bill.

30. As referred to above we also proposed that the scope of the Bill should include improving both utilitarian and recreational walking and cycling across Wales. We feel this is important to ensure integrated approaches to the planning and management of walking and cycling (and provision for other non-motorised users where appropriate). This recognises that non-motorised networks are frequently used for recreation and utilitarian purposes and that the benefits being sought can be best achieved through joined up planning and management. It could also allow benefits for non-motorised users other than walkers and cyclists in many places (e.g. horse riders).

31. We also suggested that the approach taken should be based on assessments of the public's needs for walking and cycling (along the lines used for ROWIPs) and that these assessments should be published together with a 'statement' setting out the strategic aims and objectives for the proposed improvements within an area. A map would help to set out such proposals to the public. We also take the view that the Bill would be strengthened if authorities were required to include in such a statement the actions the authority will take for providing information about, and promotion of, walking and cycling in their area [i.e. in addition to the provision of the existing route [networks] map and the integrated networks map].

³ For example: Cyclists and Pedestrians – attitudes to shared-use facilities, CTC (2000)

32. We also suggested that government look to integrate their approach with the LTP [RTP] process by making the duties a defined part of the same process.

33. The provision of information and the promotion of walking and cycling are critical to raising levels of walking and cycling. We suggested therefore that these should be a part of the duties for local authorities.

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

34. See our responses above to Question 3.

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

35. The provision and sustaining of financial and staff resources to carry out the key provisions and to implement improvements will be vital if the Bill is to be a success. In the current financial situation we assume that it will require financial provision to be identified from within existing transport and related funding. However, the scale of resources required for walking and cycling infrastructure and associated soft measures are relatively modest compared to other transport investment⁴. The experience of the statutory ROWIP process is that the requirement to produce the plans was very positively affected by the provision of dedicated funding by the Welsh Government to implement them. The WG's funding has also been vital to LAs' ability to progress with the implementation of the Plans.

36. Co-ordinated effort by local and central government (and its agencies) will be important to support the effective implementation of the Bill's provisions providing a national framework within which local action is taken forward. This framework will need to include ensuring co-ordination with other work areas, notably: road safety (including cycling training), planning, transport, sustainability, health and well-being and recreational access.

37. The application of good practice will be important to ensure that good quality plans are both developed and that they are effectively implemented. Provision in the Bill for statutory guidance, including the proposed design guidance, will provide a

⁴ For example, in CCW's survey of PROW in Wales we estimated that it would take around £8.37 million per year to fully maintain the **whole** of the 33,000 km network of PROW in Wales [@ 2002 prices] once the network had been improved.

means for WG to steer and support good working practices. Such guidance will also provide opportunities to include measures to support Sustainable Development Schemes and to support habitat management and creation for biodiversity. As well as provision of guidance there will also be a need to ensure that networks for staff training and the dissemination of good practice also support the implementation of improvements.

38. Combining walking and cycling with other transport modes, notably public transport provision, is important in improving the viability of walking and cycling as practical travel options. Integration of planning for both is envisaged within the Bill but, as explained above, could be strengthened in our view.

39. Planning related matters affect the feasibility of providing for journeys on foot and by bike both in terms of requiring walking and cycling facilities to be provided and in terms of the journeys people need to make.

40. The long term vision set out in the Bill is vital to bring about change. This consistent, incremental approach to providing for walkers and cyclists over the long term is widely noted as a key factor in the higher levels of walking and cycling in a number of European countries.

41. There should also be consideration to providing information about how much money individuals and councils could save through more active travel, rather than just focus how much the duty will cost to implement. This could take into account the economic benefits of health, environmental and wellbeing improvements that would arise as a result of increased active travel.

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.

42. We already incorporate footpaths and cycle ways into our flood defences wherever practicable. In some cases such provision is not appropriate or feasible. As there is no duty in the Bill for NRW to make such provision, it appears there are therefore no obligatory costs to NRW arising from the Bill.

43. However, as we raised in Environment Agency Wales' response in August 2012, we seek reassurance that the proposed duty will not inhibit our (and Local Authorities') abilities to carry our flood risk and coastal erosion management duties, and that there should not be any future requirement for Local Authorities (or other organisations) to install walking and/or cycling routes along flood defences. Often,

routes will be appropriate, but we would seek to ensure they do not compromise the integrity of the structure or NRW's ability to access and maintain the flood defence structure. Routes would also have to be designed with Health and Safety in mind. We would seek clarity on who is liable if someone has a travel/recreation related accident on a path atop our defence. If appropriate, we would request that such matters be covered in the proposed guidance (as referred to in Section 9 of the Bill).

44. We also believe that there may be opportunities for us to work with LAs, as they design their route maps, to maximise the potential of features such as rivers and flood defences as travel routes. Again, we believe this could be done via the proposed guidance.

45. As well as routes on flood defences, NRW will also seek to ensure that access provision within the WG Woodland Estate supports existing active travel networks/routes and local authorities' plans for walking and cycling improvements where appropriate. We believe there will be opportunities to contribute to such improvements as part of our day to day management of access on the Woodland Estate. However, there is limited capacity and resources at this time to meet demands for new route provision or improvement of existing routes on NRW land other than those already planned.

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?

46. We support the Government's approach to provide a statutory framework using primary legislation with additional provision through statutory and non-statutory guidance.

47. We consider that enhancing walking and cycling routes present the opportunity to deliver multiple benefits, such as for: society, people's health and well being, the economy, green infrastructure, habitat creation, sustainable drainage systems and traffic calming. We do not believe that this needs to be included in the wording of the Bill itself. However, we advise that it be included in the supporting guidance.

48. In addition we would expect other policies and programmes to be co-ordinated in support of the work. Development of a programme and associated processes to co-ordinate the range of work that needs to be taken forward would help to support wider implementation.

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

49. As part of an integrated approach to natural resource management, there is an opportunity when informing people about walking and cycling route networks, and alongside the routes themselves, to connect people with their local environment through the provision of information about its history, landscape, cultural and natural heritage.

50. The proposals in the Bill will also benefit our activities as an employer supporting active travel to and within work. As an employer we have found a provision led approach (e.g. providing showers, secure bike storage and changing facilities) has been successful in increasing walking and cycling levels amongst employees of NRW. (Improving facilities at train and bus stations and park and ride facilities may be similarly beneficial.)

51. We have found that the location of offices close to urban centres and public transport has also significantly affected the levels of walking and cycling amongst employees. Centrally located offices have higher levels of walking and cycling compared to our out of town locations.

52. To provide a supportive culture NRW have (amongst other things) set up Bike User Groups, have folding bikes available to staff to use to travel to meetings, operated 'Cycle to Work' schemes and promoted cycling and walking to work as part of Green Transport Week. Such actions go some way to demonstrate what measures can help encourage behaviour changes and to encourage a culture of active travel.

53. We would welcome the opportunity to make comments on the route networks and Guidance that will arise from the implementation of the Bill.

18 April 2013