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Welsh Government

# White Paper

# Consultation on Active Travel (Wales) Bill

Date of issue: 09 May 2012

Action required: Responses by 14 August 2012

# **Overview**

The purpose of this consultation is to seek views on whether local authorities should have a duty to:

- Identify and map the network of routes within 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;
- Consider the potential for enhancing walking and cycling provision in the development of new road schemes.

The consultation is also seeking views on whether the definitions of rights of way in Wales should be amended.

# How to respond

Please respond to this consultation by answering all or any of the questions highlighted in bold throughout the document and listed at the end of the document. You are also welcome to submit a general view or opinion on the question of walking and cycling routes.

When answering the questions in this consultation paper, please provide reasons for your answers, with particular reference to what you think might be the consequences, advantages and disadvantages of walking and cycling routes.

# **Further information and related documents** Large print, Braille and alternate language versions of this document are available on request.

# **Contact Details**

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# **Data Protection**

How the views and information you give us will be used.

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

The Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

# **Ministerial Foreword**



I am clear about my ambitions for Wales. I want to see a Wales where people are healthier and more active. A Wales with lower greenhouse gas emissions. A Wales where poverty and disadvantage are tackled. I want to see a Wales where businesses can flourish, the economy can grow and where communities are strengthened. All these reflect our commitment to sustainable development in Wales.

One of the ways I am working to make this happen is enabling people to get out of their cars and travel in healthier and more sustainable ways. This Bill is aimed at tackling some of the major barriers that are preventing more people from walking and cycling.

Getting from where we are now to the Wales I want to see is going to need more than just new cycle paths and footways. We are looking at a cultural change similar to that of smoking. In 1962, before the dangers of smoking were known, around 70% of men and 40% of women smoked. Now only 23% of adults in Wales smoke. This was not achieved overnight, but a combination of law, education, and culture change has brought us here.

This Bill is not a short term quick fix. This is aiming to shift attitudes and change minds so that we all think about travel in a different way. This Bill is starting a long term programme to continually improve the provision for walking and cycling. It is the next step on the journey to building a healthier, stronger and wealthier Wales, and by no means the last.

Carl Sargeant, Minister for Local Government and Communities

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# **Executive Summary**

- 1. We want to enable more people to walk and cycle and generally travel by more active methods. We want to make walking and cycling the most natural and normal way of getting about. We want to do this so that more people can experience the health benefits; we can reduce our greenhouse gas emissions; and we can help address poverty and disadvantage. At the same time, we want to help our economy to grow, and take steps to unlock sustainable economic growth.
- 2. There has been a lot of work over previous years to promote walking and cycling. The Walking and Cycling Strategy, published in December 2003, aimed to maximise the opportunities afforded by walking and cycling and to point out the disadvantages of using private cars, particularly for short journeys. The subsequent Action Plan, published in December 2008, set out the initiatives which the Welsh Government and key partners are undertaking or planning to undertake to support more people to walk and cycle safely and more often. Though the Walking and Cycling Action Plan Annual Report 2009-10 did show an increase in the number of people walking and cycling to work in Wales, this was not the significant growth that we had hoped to deliver.
- 3. Research indicates that for many people the biggest barrier to walking and cycling is concern for their safety. These concerns relate mainly to the existing infrastructure, the speed and proximity of traffic, and concerns for personal safety. After safety, the practical difficulties of walking and cycling are the biggest barriers. These are issues such as storing bikes and outdoor clothing, both at home and at the destination; the logistics of transporting bags, children and so on by foot or by bike; and time constraints.
- 4. The third significant barrier is the lack of a walking and cycling culture, where walking and cycling is seen as the most natural and obvious way of making shorter journeys. The absence of this culture leads to a perception that walking and cycling is something abnormal, done by eccentrics and enthusiasts only.
- 5. What this shows is that when it comes to actually changing the way people travel we need to be doing things differently. We need to think more broadly about how we encourage people to change their behaviour, and in doing so change the culture surrounding walking and cycling.
- 6. Behaviour change means far more than just enabling people to use active travel by providing safe routes. People need to be able to engage with the idea of walking and cycling and feel encouraged to give it a go. Finally, as a Government we need to set the example for the kind of culture change we wish to see through

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<sup>&</sup>lt;sup>1</sup> Throughout the White Paper, "walking" and "pedestrian" describes not only those who travel by foot, but also users of wheelchairs or other mobility aids. We would consider somebody using an electric wheelchair, mobility scooter or similar as a pedestrian rather than a motorised travel user, as even though their mode of travel has an engine these are exempt from the definition of motorised vehicles under current highways regulations. "Cycling" and "cyclist" refers specifically to using pedal bikes, as opposed to motorbikes. However, we would consider electrically assisted pedal bikes to be non-motorised vehicles.

consistent and clear messages and activity, for example using the "Four E" model of behaviour change: Enabling, Engaging, Exemplifying and Encouraging.

- 5. We propose that Local Authorities in Wales have a duty to:
  - identify and map the network of routes within 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;
  - consider the potential for enhancing walking and cycling provision in the development of new road schemes.
- 8. We propose that under this Bill, Local Authorities would have a duty to identify the routes within their areas that are safe and appropriate for walking and cycling. These routes would consist of a combination of traffic-free routes, on-road provision and access through public spaces such as parks. Where pedestrians or cyclists would be in proximity with motorised traffic, there should be provisions in place to make these routes safe for pedestrians and cyclists, for example through traffic calming, 20mph zones or through segregated routes. Local Authorities would also have a duty to identify the facilities that are publically available to enable active journeys by foot or bike, such as cycle storage, toucan crossings and wash facilities.
- 9. Once the current routes and facilities were identified, Local Authorities would have a duty to mark them on to a map that would be publically available and promoted as appropriate. This would be an advisory map, aimed at informing the public of the location of suitable routes for walking or cycling, and the facilities they might use while making active journeys. The map would need to be updated on a regular basis to reflect the improvements that have been made to the infrastructure for pedestrians and cyclists.
- 10. Local Authorities would then be required to identify where routes do not join up within their areas and across their boundaries, and where there is a lack of facilities along those routes to support walking and cycling. Local Authorities would also be required to identify where significant numbers of shorter journeys are being made and there is no safe route for pedestrians or cyclists. They would then need to identify what enhancements, upgrades and new infrastructure would be required to enable people to make continuous and safe journeys by foot or by bike.
- 11. Local Authorities will also have a duty to create a second map, showing these proposed upgrades and enhancements. This map should set out an integrated network which will allow the majority of shorter journeys made in Wales to be made by walking or cycling. This map will be an ambitious vision that will take a long term view, setting out what Local Authorities feel could be achieved over decades, rather than the next few years. Local Authorities will then be expected to deliver continuous improvements to their integrated network, subject to due process.

- 12. When new road schemes are planned, Local Authorities will have a duty to consider the potential these schemes could have for enhancing walking and cycling infrastructure. It is more efficient and cost effective to incorporate walking and cycling provision into a design than to retro-fit this provision into a completed scheme. Incorporating walking and cycling provision into new road schemes could help Local Authorities to deliver the maps, or could present new opportunities for connecting existing infrastructure. We recognise that this may not always be the case, and we want to avoid creating isolated pieces of infrastructure for walking and cycling that do not form part of a network. However, at the same time we do not want the opportunities that new construction presents to be overlooked.
- 13. Throughout the development of the White Paper, many groups have raised the complexity of the legislation surrounding rights of way and cycle tracks as a major barrier to the provision of new routes. As part of this White Paper consultation, we are seeking view on whether some of the definitions of rights of way should be amended in Wales. Many of the footpaths regularly used by walkers, particularly in urban and semi-urban areas are of a quality and type which would allow for use by cyclists. There are also a number, particularly in more rural settings, which may be sensibly utilised by other users such as horse riders or carriage drivers.
- 14. This Bill is just one tool for delivering an increase in walking and cycling and will be supported by a range of activity by central and local government. Alongside the Bill, we intend to produce new design guidance and standards for pedestrian and cycling routes (on-road and traffic-free) and for street design to enforce the hierarchy of road users, prioritising non-motorised transport users over cars. We also intend to review activities and targets set out in the Walking and Cycling Action Plan to support the delivery of the Bill. We will be consulting separately about these activities in due course.
- 15. We want to hear your views about the proposals for the Active Travel (Wales) Bill and about the broader proposals included in this White Paper. The consultation period runs until the 14<sup>th</sup> August. All consultation responses will be taken into consideration when drafting the Bill, before it is introduced in the National Assembly for Wales in spring 2013.

#### **Our Aims**

- We want to enable more people to walk and cycle and generally travel by more active means. We want to make walking and cycling the most natural and normal way of getting about. We want to do this so that more people can experience the health benefits; we can reduce our greenhouse gas emissions; and we can help address poverty and disadvantage. At the same time, we want to help our economy to grow, and take steps to unlock sustainable economic growth.
- 17. The Programme for Government set out the overall aims of the Welsh Government for this term. Increasing rates of walking and cycling will directly contribute to the Government's aims, and will reflect how we have put sustainable development, as our central organising principle, at the heart of government specifically:
  - better health for all with reduced inequalities;
  - reducing poverty, especially persistent poverty amongst some of the poorest people and communities, and reducing the likelihood that people will become poor:
  - to become a "One Planet Nation", putting sustainable development at the heart of government;
  - to strengthen the conditions that will enable businesses to create jobs and sustainable economic growth.

#### **Better Health for All**

- This Bill has been described as "a public health bill with transport in the title".2 18. The most convincing justification for spending public money on enabling people to walk and cycle is the benefits for public health.
- The World Health Report (2002) estimated that physical inactivity is responsible for 10% of strokes in developed countries, 20% of coronary heart disease, 10% of all non-smoker cancer deaths and 3% of all diseases. Recent quidelines suggested that adults should have 30 minutes of exercise five days per week; and only three in ten adults reported meeting these guidelines in Wales. Three in five adults are overweight or obese, with around one in five in the obese category. Only around half of all children in Wales were reported to do an hour of exercise five days a week, with only a third doing so every day.
- 20. For many, the barrier to achieving the recommended level of physical activity is the time it requires to incorporate this extra activity into a busy life. The real benefit of enabling active travel is that it allows people to make walking or cycling part of their daily lives by substituting these modes of travel for motorised travel. If the

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<sup>&</sup>lt;sup>2</sup>The Highways and Transport (Wales) Bill: One of the most significant public health initiatives to be undertaken in this term of the Assembly...? Summary of roundtable discussion, facilitated by Sustrans, January 2011 <sup>3</sup> Wales Health Survey, Welsh Government, 2010

facilities are in place, it enables people to be active without significantly changing their lifestyles or routines.

21. Enabling people to walk and cycle more frequently does not just benefit the individual, it benefits wider society. It is estimated that the NHS in Wales spends £1.4m a week (£73m a year) on treating diseases resulting from obesity.<sup>5</sup> A healthier, more active, population would reduce this requirement considerably, allowing for funding to be used to improve services. Analysis of the English Cycling Demonstration Towns Programme<sup>6</sup> confirms the results from other case studies which suggest that the health impacts are typically the largest single benefit of cycling schemes. In the case of the cycle demonstration towns, the reduced mortality rates alone accounted for £2.50 of benefit for every £1 spent on the scheme.

# **Reducing Poverty**

- There is not a formal definition of "transport poverty" as a percentage of someone's income in the same way that there is a definition of fuel poverty, but it is seems clear that private transport is becoming more unaffordable for those on low incomes.<sup>8</sup> In the past five years, the cost of petrol has increased by more than 50%, from 86.9p per litre in January 2007 to 133.3p per litre in January 2012.9 Other motoring costs have risen even more steeply, with the costs of vehicle tax and motor insurance rising by 85% over the same period. 10 Anti-discrimination rulings have the potential to cause more severe increases in car insurance costs for female motorists in the coming few years. This can then lead to people on lower incomes being increasingly marginalised, finding it harder to access services.
- 23. Active travel offers a more affordable means of travel for most people. 46% of households already own a bicycle, 11 and walking does not require any specialist equipment beyond a pair of sensible shoes. The provision of suitable routes for walking and for cycling can provide a low cost and attractive method of getting around.
- It is accepted that the most sustainable way out of poverty is work. The 24. provision of suitable routes and facilities for more active travel can help tackle deprivation, as lack of access to work is a significant factor in worklessness.<sup>12</sup>

<sup>8</sup> "Transport Poverty" is usually defined in terms of transport provision rather than affordability to the individual transport user. Therefore it is often determined by where people live, rather than by their income. An affluent person living in an isolated area would therefore be in greater transport poverty than somebody on a low income living in an inner-city area.

<sup>&</sup>lt;sup>5</sup> Assessing the costs to the NHS of Alcohol and Obesity in Wales, Ceri J. Phillips, Christie Harper,

Jaynie Rance, Angela Farr, Swansea University, March 2011 <sup>6</sup> Cycling Demonstration Towns, Development of Benefit –Cost Ratios, Department for Transport, February 2010

Energy price statistics, Department of Energy and Climate Change

<sup>&</sup>lt;sup>10</sup>Retail Prices Index: motoring expenditure, vehicle tax & insurance, series DOCV, Office of National Statistics

11 National Travel Survey: Table 2.17, Welsh Transport Statistics

<sup>&</sup>lt;sup>12</sup>Understanding Workless People and Communities: A Literature Review, Ritchie H, Casebourne J, Rick J for Department for Work and Pensions, June 2005

# **Becoming a "One Planet Nation"**

- 25. The Climate Change Strategy for Wales set a target for Wales to reduce greenhouse gas emissions by 3% per year in areas of devolved competence. The transport sector is responsible for approximately one fifth of the emissions covered by the 3% target.
- 26. The most obvious environmental benefit of more people choosing walking and cycling over motorised transport is a reduction in greenhouse gas emissions. The European Cyclists Federation recently carried out a study of the relative carbon emissions of cycling compared to motorised transport. This included consideration of the carbon costs of production, maintenance, the fuel consumption of a car making a similar journey to one that might be made by bike, even the carbon costs of the additional calories that cyclists would be expected to eat as a result of being more active. The study concluded that a passenger car emits about 271gm CO<sub>2</sub> per passenger-kilometre, compared to just 21gm CO<sub>2</sub> per passenger-kilometre for a cyclist. <sup>13</sup>
- 27. This means that a cyclist would need to make a journey of 12.5km to equal the carbon emissions of just one km by car. In the UK the average cycling distance is 42 miles (67.6km) per person per year. <sup>14</sup> If we conservatively estimate that half of these journeys would otherwise have been made by car that makes for an annual saving of 15kg of CO<sub>2</sub> equivalent per person per year.
- 28. The environmental benefits of walking and cycling go beyond carbon emission savings. Active travel in all its forms generates less air pollution, particularly in terms of nitrogen dioxide and sulphur dioxide which are found in fossil fuel exhausts. Both walking and cycling are far quieter than motorised transport and so create less noise pollution. This can greatly enhance the health and well-being of those who live and work nearby, particularly the very young or vulnerable.
- 29. It is estimated that one in five cars on the road at 8:50 a.m. on a weekday is doing the school run. The average journey to school for primary aged pupils is just 1.6 miles, and for secondary school 4.9 miles. <sup>15</sup> Congestion in towns will decrease if the number of young people walking or cycling to school increases. In addition by introducing a culture of walking and cycling at an early age, it is more likely that young people will continue to travel in these ways into adulthood and therefore continue to keep themselves healthy and congestion levels low.

#### **Sustainable Economic Growth**

30. As well as supporting access to work, walking and cycling can contribute to the economy. A study by the London School of Economics shows that the gross cycling contribution to the UK economy in 2010 was £2.9 billion. The study took

<sup>15</sup> Statistical Bulletin – Learner Travel in Wales 2010, SB 85/2010

<sup>&</sup>lt;sup>13</sup> Cycle More Often 2 Cool Down the Planet: Quantifying CO2 Savings of Cycling, Benoit Blondel, Chloe Mispelon, Julian Ferguson, European Cyclists Federation, November 2011

<sup>&</sup>lt;sup>14</sup> National Travel Survey 2010, Department for Transport.

<sup>&</sup>lt;sup>16</sup> The British Cycling Economy, the Gross Cycling Product Report, Dr Alexander Grous, LSE, August 2011

into account factors such as bicycle manufacturing, retail and cycle related employment. This equates to £230 per cyclist, per year. An increase in cycling rates might generate more jobs in manufacturing bikes, and would generate more local jobs in the cycling industry in retail and in bike maintenance.

- 31. While this Bill is mainly focused on enabling people to walk and cycle as part of their daily lives, the existence of a large range of integrated walking and cycling networks in Wales could have benefits for tourism. Wales already has world class mountain bike facilities and extensive national trails for walking and cycling, including the Wales Coast Path which was a key reason for the Lonely Planet naming Coastal Wales as "the best region on earth" to visit in 2012. The Routes that are safe for pedestrians and cyclists might also be suitable for use by equestrians, especially in more rural areas. These networks could also present more opportunities for riding and carriage driving, which are popular leisure activities domestically and internationally. This could have significant benefits for tourism, and we would encourage Local Authorities to consider if their local tourism or leisure industries would benefit if parts of their network were accessible for equestrians.
- 32. Enhanced infrastructure for active travel would help strengthen the conditions for businesses that offer walking or cycling holidays in Wales to expand sustainably. Accommodation providers will also benefit from this, as will many employed in businesses such as cafes. In more urban areas, reduced congestion and a greater ability to explore our towns and cities by foot would create a better experience for tourists as well as for residents. The easy availability of maps for planning walking or cycling trips will be of great benefit to tourists, who might previously have found it harder than residents to work out the easiest ways to get about on foot or bike.
- 33. As well as benefiting tourism businesses directly, higher rates of walking and cycling can generate real savings to the wider economy. A 20% increase in cycling levels by 2015 could save the UK £207m in reduced congestion and £71m in reduced pollution levels each year. 18
- 34. Higher rates of walking and cycling would also lead to a healthier workforce, which would benefit the economy of Wales. A recent study by the London School of Economics identified that regular cyclists take one sick day fewer each year than non-cyclists. Increasing rates of frequent cycling by just 1% per year would save the UK economy £128m per year in reduced absenteeism costs. <sup>19</sup>

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<sup>&</sup>lt;sup>17</sup> Best in Travel, Lonely Planet, 2012

<sup>&</sup>lt;sup>18</sup> The British Cycling Economy, the Gross Cycling Product Report, Dr Alexander Grous, LSE, August 2011

<sup>19</sup> ibid

# The Barriers to Achieving these Aims

- 35. Activity has been undertaken over previous years to encourage more people to walk and cycle. The Welsh Government's Walking and Cycling Strategy (December 2003) aimed to maximise opportunities to walk and cycle and to point out the disadvantages of using private cars, particularly for short journeys. The subsequent Action Plan, published in December 2008, set out the initiatives which the Welsh Government and key partners are undertaking or planning to undertake in support of ensuring that more people walk and cycle safely and more often.
- 36. The Walking and Cycling Action Plan Update Report in August 2011 showed an increase in the number of people walking to work in Wales, 11.3% compared to the 2007 baseline figure of 10.3%. The Report also showed a smaller change in the percentage of people for whom the main mode of travel to work is cycling, 1.6% compared to the 2007 baseline figure of 1.4%. While this is clearly a move in the right direction, it is not on the scale that we had hoped to achieve.
- 37. There is clear evidence that higher rates of walking and cycling would have significant benefits. 60% of urban journeys less than 5 miles long are made by car,<sup>20</sup> which indicates that walking and cycling should in theory be a practical alternative for a significant proportion of car journeys. So the question remains, why aren't more people walking and cycling as part of their daily lives?

# Safety

38. Research indicates that for many people, the biggest barrier to walking and cycling is concern for their safety. Poor safety was the reason given for not cycling more by 80% of respondents to the Understanding Walking and Cycling Study. These concerns relate mainly to the existing infrastructure, such as difficult road junctions. The speed and proximity of traffic is frequently cited as a safety concern for cyclists in a range of studies, journals, articles and blogs. Pedestrians tend to be more concerned about personal safety. Places that are dark or deserted can deter pedestrians who feel that they would be more at risk from assault or robbery. Some pedestrians also cite the risk of a collision with a cyclist as a safety concern that would deter them from walking. This is of particular concern for some pedestrians with visual impairments. <sup>23</sup>

# **Practicality**

39. The practical difficulties of walking and cycling present another significant barrier. These are issues such as storing bikes and outdoor clothing, both at home and at the destination. Many Welsh homes lack the storage space to keep bikes for all the family, particularly in apartment blocks. Many people are attracted to the idea of walking or cycling to work, but have nowhere to change and wash when they

<sup>20</sup> National Travel Survey, Department for Transport, 2010

<sup>&</sup>lt;sup>21</sup> Understanding Walking and Cycling: summary of key findings and recommendations, Colin G Pooley, Lancaster University, September 2011
<sup>22</sup> Ibid.

Written evidence provided by Guide Dogs for the Blind to the Enterprise and Learning Committee in the development of the Highways and Transport Legislative Competency Order, October 2008.

arrive. The logistics of transporting bags, children and so on by foot or by bike are another practical barrier. 40% of people surveyed said that the presence of children sometimes or often prevented them from travelling by foot or by bike, and 25-30% said the presence of either an elderly person or someone else they cared for placed the same restrictions on their travel. Time constraints are another practical barrier. A 3 mile journey could take over an hour by foot with young children, but less than 10 minutes by car. Many people feel that they just could not make enough time in their normal lives to travel without their car.

# **Culture**

40. The third significant barrier is the lack of a walking and cycling culture, where walking and cycling is seen as the most natural and obvious way of making shorter journeys. The absence of this culture leads to a perception that walking and cycling is something abnormal, done mainly by eccentrics and enthusiasts.<sup>25</sup> This partially reflects the small numbers of people who do walk and cycle on a regular basis; it is not the most common way of making journeys.

# **Tackling these Barriers – the Bill**

- 41. Clearly, we need to think differently about what we are doing to get more people to walk and cycle. Looking at these barriers shows that when it comes to actually changing the way people travel it is not a case of "build a path and they will come". More of the same will not deliver the step change that we are looking for. We instead need to think more broadly about how we encourage people to change their behaviour, and in doing so change the culture surrounding walking, cycling and active travel.
- 42. Behaviour change needs far more than just enabling people to walk and cycle by providing safe routes. People need to be able to engage with the idea of walking and cycling and they need to be encouraged to give it a go. As a Government need to set the example for the kind of culture change we wish to see, through consistent and clear messages and activity. This is called the "Four E" model of behaviour change: Enabling, Engaging, Exemplifying and Encouraging.
- 43. We propose that Local Authorities in Wales will have a duty to:
  - identify and map the routes within 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;

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<sup>&</sup>lt;sup>24</sup> Understanding Walking and Cycling: summary of key findings and recommendations, Colin G Pooley, Lancaster University, September 2011
<sup>25</sup> ibid.

• consider the potential for enhancing walking and cycling provision in the development of new road schemes.

#### The Routes

- 44. We propose that Local Authorities will have a duty to identify the routes within their areas that are safe and appropriate for walking and cycling. These routes would consist of a combination of traffic-free routes, on-road provision and access through public spaces such as parks. Where pedestrians and cyclists would be in proximity with motorised traffic, there should be provisions in place to make these routes safe for walking and cycling, for example through traffic calming, 20mph zones or through segregated routes. Local Authorities will also have a duty to identify the facilities that are publically available to enable active travel such as cycle storage, toucan crossings and wash facilities.
- 45. Local Authorities will be required to identify where their existing routes do not join up within their area and across their boundaries and where there is a lack of facilities along those routes to support walking and cycling. Local Authorities would also be required to identify where significant numbers of shorter journeys are being made and there is no safe route to walk or cycle. This will mean identifying the places that people frequently travel to access services and the routes they take to get there. These will be journeys such as the school run, trips to the shops, commuting, leisure trips and other social visits. Some stretches of walking and cycling routes will be destinations in their own right, for example the Wales Coast Path attracts tourists and encourages day trips. Transport hubs such as park and ride sites and train stations are likely to be destinations too, even though people continue their journeys by motorised transport.
- 46. Local Authorities will then need to identify what enhancements, upgrades and new infrastructure would be required to enable people to make continuous and safe journeys by foot or bike. This would effectively be a fully integrated network of provision that allows people to make the majority of their shorter journeys actively, by walking or cycling.
- 47. Identifying both the journeys currently being made and the enhancements required to their infrastructure will require Local Authorities to work with their neighbouring authorities within Wales. We want to ensure that the routes do not stop at authority boundaries, but are part of a wider, interconnected route. We strongly encourage early engagement (at pre-design stage) with local communities and representative groups to engage people and to fully understand the routes and facilities that people would prefer.

# Enabling

48. If safe, appropriate and accessible routes are not in place to begin with then only the extremely committed will ever take up walking and cycling. This proposal aims to enable behaviour change through the provision of safe and sustainable routes and facilities. This is the main contribution that the Bill can make in the broader picture of behaviour change.

# The Maps

- 49. Once the current network and facilities were identified, Local Authorities would have a duty to present them in the form of a map. This would be publically available and promoted as appropriate. The map is aimed at informing the public of the location of suitable routes for active travel, and the facilities they might access while making journeys. The map will identify a network which takes into account trip generators such as public transport hubs, residential centres, and one which provides the most direct routes to join them together. The map will need to be updated on a regular basis to reflect improvements that have been made to the infrastructure and to keep it current and relevant.
- 50. Local Authorities will also have a duty to create a second map, showing an integrated network which would allow the majority of shorter journeys made in Wales to be made by walking or cycling. The second map is likely to be similar to the first, but would contain the enhancements, upgrades and new routes and facilities that the Local Authority has identified as necessary to create a fully integrated network. The map would also be useful for conveying the standard of the route, for example whether it was suitable only for experienced and confident cyclists, or whether it contained barriers such as stiles or steps, making it suitable for able-bodied pedestrians only.
- 51. These would be advisory, rather than definitive, maps. The first map will reflect what is already in place for the public. It is a visual suggestion for how people might make journeys by foot or by bike, and would not automatically create new rights of access, or automatically prevent people travelling by routes that are not marked on the map. Existing definitive maps of public rights of way, as well as documents such as the Highways Register ("List of Streets") and local development plans, might help Local Authorities identify their routes. However, we do not propose that the maps just reproduce these documents as they are likely to be different. We propose that the second map be an advisory map as we want to avoid a situation where a proposed route on the second map would prevent a development from taking place. Where development takes place, we would expect the second map to change to reflect this, rather than dictate the location of the development. However, the map showing future aspirations might also help inform developments, so they can contribute towards this agenda.
- 52. Clear, visual representations of the Local Authority's aspiration for a fully integrated route should help build a shared strategic vision for better routes and facilities for pedestrians and cyclists. As the routes will consist of a mix of different provisions (such as traffic free routes, on-road provision, tow paths, paths through parks, crossings that prioritise pedestrians and cyclists and much more) a wide range of groups within government and outside of government will contribute to its delivery. The maps will be a useful tool for encouraging all parties to work towards the same aims.
- 53. Both maps would need to be updated at regular intervals, for example every three years. The future vision map will need to change to reflect new developments, improved standards or where people's journeys have changed due to sites or services moving, and with a duty to make continuous improvements the map of

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current infrastructure is likely to be out of date fairly quickly. Updating the map of current infrastructure will mean that it retains its usefulness as a tool for promoting active travel and engaging people. It will also demonstrate the progress that has been made in delivering better provision for pedestrians and cyclists.

# Engaging

- 54. This proposal is about engaging people in the concept of active travel. The maps will also be useful tools for engaging with those who could help provide cycle routes, including landowners, voluntary organisations and businesses. It will also provide a valuable resource for both residents and tourists who will be able to plan their journeys much more easily.
- 55. Walking and cycling routes that are clearly mapped will help people engage with the idea that they can make their usual journeys without their car. Implementing the provisions will require Local Authorities to consult widely, but most especially with the people who are travelling within and across their boundaries. This will engage more people with walking and cycling in their area, and will give an opportunity for more people to feel an ownership over routes in their area. As people get more used to using the routes, they engage more with the programme and bring friends, family and colleagues into the process too.

# Delivering an integrated network

- 56. Local Authorities will be expected to make continuous improvements to their provision for pedestrians and cyclists, working towards delivering an integrated network of continuous, direct and comfortable routes which encourage people to travel sustainably for short journeys, subject to following due process and the availability of funds. Delivering an integrated network will mainly require making enhancements to the existing infrastructure to make it safe and appropriate for active travel, and to allow uninterrupted journeys. The enhancements made to routes and facilities will need to have due regard to the proposed improvements marked on the second map.
- 57. We propose that a statutory link is created between the proposed maps and the Regional Transport Plans. This would be the mechanism for creating the prioritised list of schemes. This would require Local Authorities to put forward the schemes that will be delivered in the period of that plan. It will also enable the Welsh Government to align our funding streams to the delivery of these plans. It should also support Local Authorities in ensuring that their routes continue seamlessly across Local Authority boundaries, as the Regional Transport Plans extend across Regional Transport Consortia areas and therefore require Local Authorities to collaborate on a regional basis.
- 58. Delivering these improvements will require the involvement of many parts of local government, as well as central government, voluntary organisations, businesses and private individuals. Our intention is that the second map, showing the desired enhancements and improvements to infrastructure, can be used to help all these groups make the improvements part of their future plans. In this way, continually improving provision for walking and cycling becomes an important part of

many people's work programmes, rather than being seen as a stand alone project delivered in isolation.

- 59. We are not proposing to set a fixed timescale for the delivery of an integrated network. We want to create a culture of making continuous improvement to provision for pedestrians and cyclists, with sustained investment intended for decades. Setting a fixed timescale runs counter to this principle as it implies that there is a level of provision which is "good enough" and there is no longer a need for improvement.
- 60. We would encourage Local Authorities to develop ambitious proposals for an integrated network to be delivered over a significant period of time. We do not want these ambitions to be constrained by expectations of what could reasonably be delivered within the coming few years, especially during times of budget constraint and austerity. These improvements are the start of a process that will last for decades, similar to the way that programmes to develop the motorised road network are planned for many years ahead.
- 61. This is the key reason why we need legislation to deliver this programme. Strategies, policies and work programmes change when governments change, and as a result will often last only five to ten years. This is often sufficient to achieve the outcomes we are seeking, but not in this case where we are setting a vision that stretches decades into the future. Enshrining this commitment in primary legislation will mean that it remains in place until it is deliberately overturned by new legislation. This means the proposals for an integrated network are most likely to remain current for the timescales we are proposing.
- 62. Local Authorities will not be expected to develop a large network of new traffic-free routes to deliver this Bill. We would expect in many cases any new traffic-free routes would focus on connecting routes that already exist. Not only are the resources lacking to deliver an extensive network of traffic-free routes, it would also be counter-productive to the main aim of changing culture. We want people to be seen to be walking and cycling to encourage more people to travel in that way. We want motorists to be more aware of other road users, so that it is safer for pedestrians and cyclists to travel even when they are not using one of the routes marked on the proposed maps. Traffic-free routes would not be the most effective way of achieving this aim.
- 63. The routes identified on the maps will be adopted by the Local Authorities so we are also not proposing a new duty to maintain the infrastructure that will be put in place, as this would be covered by the Highways Act 1980. This covers highways maintainable at public expense, including footpaths and cycleways. We feel that this duty will provide the outcomes we wish to see, particularly when combined with new design standards as proposed below.

# Exemplifying

64. This provision is about exemplifying the behaviours we wish to see. As a Government, we need to set the example and lead the way in getting more people to travel in more active ways. Bringing forward this Bill is part of this exemplifying behaviour. However, delivering continuous improvements to provision for in routes

and facilities for pedestrians and cyclists is carrying this commitment through to its conclusion. This is not just about getting local government to place greater importance on active travel, this is about getting everyone to give a greater priority to active travel and lead by example.

- 1. What are your views on the proposals for Local Authorities to have a duty to:
  - identify and map the routes within 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;
  - consider the potential for enhancing walking and cycling provision in the development of new road schemes?
- 2. How do you think the duty should be enforced?
- 3. Do you think the type of routes and facilities that Local Authorities be required to map should be specified in guidance or regulation?

# **Rights of Way Revisions**

- 65. The development of the White Paper, many groups have raised the complexity of the legislation surrounding rights of way and cycle tracks as a major barrier to the provision of new routes. The current rights of way legislation contains some inconsistencies, for example allowing cyclists to use bridle paths but forbidding equestrians from cycle paths, or allowing pedestrians to use cycle paths but forbidding cyclists from footpaths.
- 66. There are currently provisions under section 3 of the Cycle Tracks Act 1984 that enable Local Authorities to convert footpaths into cycle tracks. These provisions do not seem to have been extensively used by Local Authorities because they are convoluted and resource intensive. Cycle tracks are not included on definitive maps and statements, even though the footpath rights originally associated with the route were recorded. Additionally, routes often fall between the responsibilities of departments in Local Authorities which can cause difficulties in maintaining routes.
- 67. Some footpaths will be too busy or will not have sufficient lines of sight for cyclists to use without risking injury to pedestrians. Some routes, such as cliff-top paths, could also be dangerous for cyclists. However, many of the footpaths regularly used by walkers, particularly in urban and semi-urban areas are of a quality and type which would allow cyclists to use them safely. There are also a number, particularly in more rural settings, which may be sensibly utilised by other users such as horse riders or carriage drivers.

- 68. As part of this White Paper consultation, we are seeking views on whether some of the definitions of rights of way should be amended in Wales. Widening access to footpaths might be an appropriate way of expanding the number of suitable routes for cyclists and in some cases equestrians. We recognise the potential risk to both pedestrians and other path users, and in making any changes we would seek to ensure that Local Authorities retained powers to keep certain routes for pedestrian use only. We also recognise that footpaths, cycle paths and bridle ways are often constructed and maintained to different standards. Any changes to public rights of way legislation would not include retrospective requirements to amend footpath furniture, including signage or surfacing.
- 4. What are your views about revising rights of way definitions, for example allowing cyclists to use footpaths, or equestrians to use cycle paths?

# **Beyond the Bill**

69. The proposals for this Bill are just one tool for delivery and will be supported by the full range of activity that national and local government is carrying out to deliver an increase in rates of active travel. Alongside the Bill, there are other activities that we propose to take forward to help more people walk and cycle.

# **Encouraging**

70. There needs to be incentives to encourage people to get out of their cars and travel by foot or bike. Some of these will come about as a direct result of having an integrated network, as for some journeys it might be quicker and easier, as well as cheaper, to go by bike than by car. When it becomes a choice between driving through a network of traffic-calmed roads or taking the shortcut through the park, the existence of a route would be an encouragement to walk and cycle. However, in many cases, more is required than just providing a suitable route or showing people a map.

# **Revised Policies and Plans**

- 71. The Bill is mainly focused on delivering infrastructure, but behaviour change requires far more than just new routes. Similarly, helping people to walk and cycle more safely requires more than just safe routes and new facilities. Getting people to use the new routes safely might involve cycle training, or promotions linked to national or local sports events, or schemes to help low income families afford bikes, or establishing "school walking buses". All these kinds of interventions might be activities that the Welsh Government and our partners could deliver to encourage people to leave their cars at home.
- 72. The duties of the Bill are designed specifically so that there is not a requirement to have a separate "walking and cycling plan", and even the prioritised list of schemes for delivery will form part of the Regional Transport Plans, which are already required under the Transport (Wales) Act 2006. Delivering a network of the scale that is envisaged goes beyond transport planning; it would need to consider land-use, housing, educational programmes, commercial developments, regeneration schemes, historic buildings and tourism schemes among many other

things. Delivering continuous improvements to the infrastructure might be best delivered by reflecting the future vision appropriately in a range of plans, rather than entirely in a separate "walking and cycling plan". Having a clear visual tool that shows intentions in an unambiguous way should assist Local Authorities in incorporating this vision into their plans in this way.

- 73. There will be a public consultation later this year on proposals to strengthen the Welsh Government's approach to sustainable development in the public sector in Wales in legislation. Also consideration is being given to whether the new Auditor General for Wales (as proposed in the draft Public Audit (Wales) Bill) should have an express duty to examine sustainable development in the Welsh public sector, and whether such a duty should be included in that Bill or in later legislation relating to sustainable development. These duties and powers are likely to provide an additional incentive to Local Authorities to deliver greater provision for pedestrians and cyclists.
- 74. The Welsh Government will also consider how our policies could support Local Authorities in delivering continuous improvements to their infrastructure for pedestrians and cyclists. This will be an important part of enforcing the meaningful delivery of continuous improvement to the infrastructure for walking and cycling. Under existing planning legislation, national (Welsh Government) policy is a material consideration for Local Authorities when carrying out their planning duties. The Welsh Government and the Regional Transport Consortia already provide significant amounts of funding to Local Authorities to deliver walking and cycling schemes. In future, access to funding will require a demonstration of how the funding sought will contribute towards delivering their integrated network.
- 75. The Walking and Cycling Action Plan contains actions for 2009-2013, and the end of this period coincides with our intention to introduce the Bill to the National Assembly for Wales. This gives us an opportunity to reconsider the activities we are carrying out to encourage more people to walk and cycle, and to shape our activities to support the delivery of the Local Authorities plans for improving their networks. This will also be an opportunity to ensure that we are being consistent in how we are promoting, supporting and monitoring walking and cycling.
- 76. This will be important for measuring how successful the Bill has been in making a difference to people's travel behaviours. Ultimately, this Bill will be a success if it leads to more people walking and cycling, and we propose to monitor this rather than measuring the physical improvements made to the infrastructure. We want Local Authorities to focus their efforts on the infrastructure improvements that will make the most significant difference for enabling more people to walk and cycle. This kind of enhancement could potentially be quite small scale, for example amending a local by-law to permit cycling in a previously pedestrian only area. Monitoring the outcomes we wish to achieve will incentivise Local Authorities to deliver the most effective changes to infrastructure, rather than encourage them to build large amounts of infrastructure where it will not necessarily have the most benefit.

# **Design Standards for Wales**

- 77. All routes mapped must be safe and appropriate for walking and cycling, and having robust standards is vital to creating a safe network. We propose mirroring the approach to design standards that are used for the motorised road network: the creation of a single set of national design standards for walking and cycling routes which local highway authorities adopt as their standards.
- 78. This approach has led to a high quality road network with some of the lowest rates of motor accidents in the world. It is an approach that balances high-quality provision with flexibility to meet local circumstances, whilst at the same time having sufficient statutory weight to enforce these standards. Under section 41 of the Highways Act 1980, highway authorities must maintain highways as long as they are maintainable at the public expense (including footways and cycle paths). The Act does not prescribe a standard of repair, although the duty has been interpreted by the courts as one of keeping the highway in such a state as to be safe and fit for ordinary traffic.
- 79. Achieving this high standard of routes for motorised users has been possible because there are robust, detailed and technical standards for motorised routes, as set out in the Design Manual for Roads and Bridges. There is a wealth of excellent design guidance in Wales, including the Manual for Streets. Some Local Authorities have produced design guidance for cycle routes and traffic free routes, and even the Design Manual for Roads and Bridges has some guidance for non-motorised travel, even though it is concerned with motorised provision. However, there is no commonly recognised design standard for non-motorised routes. The range of guidance can lead to a range of standards for walking and cycling routes, and in some cases the resulting provision is not of high enough quality to be safe for the majority of users.
- 80. We are intending to bring together the best of all the existing guidance into a single document. This will represent recognised best practice and provide a single set of standards that we expect the integrated routes to reach. These will become the design standards that the Welsh Government will apply as the trunk road authority, and we will work with the other highway authorities in Wales to have these adopted as their standards. In this way, we can bring forwards new design standards for Wales which will enable more people to walk and cycle.
- 81. The development of new design standards is taking place independently of the Active Travel (Wales) Bill, as it does not require new legislation for this to be delivered. The Welsh Government will be consulting on the content of the proposed standards in due course.
- 5. What are your views of the proposal for new design guidance?

# **Next Steps**

# From White Paper to Legislation

- 82. We want to hear your views about the proposals for the Active Travel (Wales) Bill and about the broader proposals included in this White Paper. The consultation period runs until the 14<sup>th</sup> August. All consultation responses will be taken into consideration when drafting the Bill, before it is introduced in the National Assembly for Wales in spring 2013.
- 83. The consultation document and response form are available free to download. If you would like a copy of the consultation and/or response form in a different format (e.g. in hard copy, Braille, large print) please contact us at the addresses below or call us on 02920 826358.
- 84. A response form is attached at Annex A, which you may find convenient to use. We welcome responses in both hard copy and by email:

Active Travel Bill Team
Transport Policy and Legislation
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

LGCTransportMailbox@wales.gsi.gov.uk

#### Questions:

- 1. What are your views on the proposals for Local Authorities to have a duty to:
  - identify and map the routes within 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;
  - consider the potential for enhancing walking and cycling provision in the development of new road schemes?
- 2. How do you think the duty should be enforced?
- 3. Do you think the type of routes and facilities that Local Authorities be required to map should be specified in guidance or regulation?
- 4. What are your views about revising rights of way definitions, for example allowing cyclists to use footpaths, or equestrians to use cycle paths?
- 5. What are your views of the proposal for new design guidance?
- 6. What would the costs and the benefits of these proposals be to you or your organisation (or the people your organisation represents)?
- 7. We have asked a series of specific questions. Is there anything else that you would like us to consider as part of the development of the Active Travel Bill, or wider activity to encourage walking and cycling?

# **Annex A – Consultation Response Form**

Please send completed copies to:

Active Travel Bill Team Transport Policy and Legislation Welsh Government Cathays Park 2 Cardiff CF10 3NQ

LGCTransportMailbox@wales.gsi.gov.uk

The consultation is running until the 14th August, and responses are accepted up until that date. Responses are welcome in electronic or hard-copy.

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Respons		Organisation (if applicable):		
		Email / telephone number:		
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Question 5: What are your views of the proposal for new o	design guidance?
Question 6: What would the costs and the benefits be to y organisation (or the people your organisation represents)	
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Question 7: We have asked a series of specific questions. Is there anything else that you would like us to consider as part of the development of the active Travel Bill, or wider active travel activity?"			

Responses to consultations may be made public – on the internet or in a report. If you would prefer your response to be kept confidential, please tick here:

# Annex B – Organisations who have been involved in the development of the White Paper

The following organisations were represented at initial engagement events held in January 2012:

**Bridgend County Borough Council** 

The British Horse Society

**British Waterways** 

Caerphilly County Borough Council

**Cardiff Council** 

The Countryside Council for Wales

The Cyclists Touring Club (CTC)

Flintshire County Council

Guide Dogs for the Blind

**Gwynedd Council** 

Isle of Anglesey County Council

Neath Port Talbot County Borough Council

North Wales Police

One Voice Wales

Play Wales

**Powys County Council** 

The Ramblers

**SEWTA** 

Sustrans

Swansea Council

**SWWITCH** 

**TRACC** 

Vale of Glamorgan Council

Welsh Local Government Association

Wrexham County Borough Council

Written submissions were also made by:

The British Horse Society
Cardiff Council
The Countryside Council for Wales
Disability Wales
Guide Dogs for the Blind

# **Evidence List**

- Initial Findings Report for the Climate Change Commission for Wales Position Paper: Climate Change and Transport in Wales – meeting the challenge, CAG Consultants, February 2012
- The Highways and Transport (Wales) Bill: One of the most significant public health initiatives to be undertaken in this term of the Assembly...? Summary of roundtable discussion, facilitated by Sustrans, January 2012
- Delivery of Walking and Cycling Schemes in Wales: Barriers and Solutions, Sustrans, December 2011
- Cycle More Often 2 Cool Down the Planet: Quantifying CO2 Savings of Cycling, Benoit Blondel, Chloe Mispelon, Julian Ferguson, European Cyclists Federation, November 2011
- Understanding Walking and Cycling: summary of key findings and recommendations, Colin G Pooley, Lancaster University, September 2011
- Outcomes of research by the AA /Populus on impact of rising costs of fuel on travel habits, August 2011
- Walking and Cycling Action Plan, Monitoring Report, 2009-2013: Update 2011, Welsh Government, August 2011
- The British Cycling Economy, the Gross Cycling Product Report, Dr Alexander Grous, LSE, August 2011
- RAC report on Motoring, RAC, June 2011
- Outcomes of research by breakdown provider Green Flag on impact of rising costs of motoring on travel habits, June 2011
- Assessing the costs to the NHS of Alcohol and Obesity in Wales, Ceri J. Phillips, Christie Harper, Jaynie Rance, Angela Farr, Swansea University, March 2011
- The Charter of Seville, European Cyclists Federation and the City of Seville, March 2011
- Public records of evidence provided to the National Assembly of Wales in the development and scrutiny of the Highways and Transport Legislative Competency Order 2007-2011
- Planning Policy Wales, Welsh Government, February 2011

- Evaluation of the Cycling City and Towns Programme, Interim Report, Department for Transport, January 2011
- Infrastructure and Cyclist Safety, S. Reid and S. Adams, Transport Research Laboratory, December 2010
- Promotion of Cycling: Note, Directorate General for Internal Policies, Policy Department B: Structural and Cohesion Policies -Transport And Tourism, the European Parliament, April 2010
- Value for Money: An Economic Assessment of Investment in Walking and Cycling, Dr Adrian Davis, Bristol City Council and Bristol NHS, March 2010
- Cycling Demonstration Towns, Development of Benefit –Cost Ratios, Department for Transport, February 2010
- The Effects of Smarter Choice Programmes in the Sustainable Travel Towns, Department for Transport, February 2010
- Wales Health Survey, Welsh Government, 2010
- Cycling Action Plan for Scotland, the Scottish Government, 2010
- Designing Streets, a Policy Statement for Scotland, the Scottish Government, 2010
- Safety in Numbers, halving the risk of cycling; CTC, 2009
- Making Cycling Irresistible: Lessons from the Netherlands, Denmark and Germany, John Pulcher and Ralph Buehler, Rutgers University, July 2008
- The Economic Impact of Cycling and Walking on the Celtic and Taff Trails, University of Central Lancashire, March 2008
- The Health Economic Assessment Tool for Walking and Cycling, the World Health Organisation, 2008
- The National Cycle Network, Route User Monitoring Report, to end of 2008, Sustrans, 2008
- Road Safety Data presented by the European Road Safety Observatory, 2007.
- Manual for Streets, Department for Transport, 2007
- Sustainable Urban Transport and Deprived Urban Areas: Good Practice Examples in Europe, Michael Lehmbrock, Merja Spott,

- Klaus J. Beckmann, German Institute of Urban Affairs (Difu), March 2007
- Understanding Workless People and Communities: A Literature Review, Ritchie H, Casebourne J, Rick J for Department for Work and Pensions, June 2005
- Design Manual for Roads and Bridges, February 2005
- Welsh Government Statistical data on walking and cycling, available through Stats Wales.
- The Health Benefits of Horse Riding, British Horse Society
- The NICE Physical Activity and Environmental Guidance
- Creating an Active Wales, Welsh Government
- Barclays Cycle Superhighways FAQ, Transport for London
- The AA Fuel Price Database, the AA, updated monthly
- Various publications by the Bicycle Helmet Research Foundation
- Department for Transport Statistical Releases on road safety and traffic accidents, including THINK! research.