

# Petitions Committee

## PET(3)-07-07 paper 2

### **Petition ref P-03-077: "Sustrans Call on The National Assembly for Wales to Develop and Maintain a Network of Traffic Free Shared Use Paths" - Paper from The Guide Dogs for the Blind Association (Guide Dogs) and Disability Wales/Anabledd Cymru**

**The following briefing explains the concerns of The Guide Dogs for the Blind Association, (Guide Dogs) and Disability Wales, with regard to SUSTRANS petition,**

**PET(3)05-07 (p2): 8 November 2007**

#### **Petition: "Sustrans Call on The National Assembly for Wales to Develop and Maintain a Network of Traffic Free Shared Use Paths"**

"The objective of this Petition is to encourage the Welsh Assembly to seek powers to develop and maintain a network of traffic free shared use paths for walkers, cyclists and the disabled across Wales."

#### **Introduction**

Guide Dogs and Disability Wales support in principle the development and maintenance of paths for pedestrians and the development of safe routes for cyclists, but we do not support their combined use. There are important considerations about the independent mobility of blind and partially sighted people, and other disabled people, which must be taken into account. .

The requirements of cyclists are foremost in this Petition, and in the details of the Legislative Competence Order which has been drafted by SUSTRANS to outline the legal framework required.

The usual hierarchy applied to cycle routes states that these should wherever possible be provided on the carriageway and off road shared use cycle paths regarded as a last resort. Appropriate segregation between the pedestrian and cyclist sections should be provided where shared use paths are necessary.

The list of supporters for SUSTRANS petition does not include Guide Dogs, Disability Wales or any organisation working on behalf of or representing the views of blind and partially sighted people and other disabled people. A clear indication of the lack of understanding of disability equality demonstrated in the language of the petition is its failure to reflect the Assembly's commitment to the Social Model of Disability. The phrase "the disabled" should be removed. Disabled people are not one homogenous group; we are individuals whose access requirements vary as do those of all members of our society.

In Wales there are 100,000 people with significant sight loss, of whom 20,000 are registered, (which means that they are known to Social Services and have received a needs assessment). One aspect of their rehabilitation will focus on how they learn to deal with the external environment, cope with traffic, cyclists, public transport and getting around their community without sighted assistance. It is significant, therefore, that when we asked our survey group in Wales to identify the single issue which would bring about meaningful improvement in their lives they said greater public awareness and understanding. (ref Guide Dogs Functionality and Needs Survey, Guide Dogs, 2006)

The key to successful independent mobility for Blind and Partially sighted people is confidence: Going out alone with a Guide Dog or a Long Cane demands a level of experience and resourcefulness which has to be developed, learned and practiced, and accidents, trips and falls, as well as the fear of being knocked over or hit by a cyclist erodes self belief and resilience. The less predictable the environment, the more likely it is that blind and partially sighted people will avoid it, forcing them to find help they didn't previously need or to abandon the route completely. This will also be the case for the many people with significant sight loss who have received no mobility training.

#### **The legislative context**

The Welsh Assembly Government is committed to social inclusion, and access to goods, facilities and services for all disabled people through the

Disability Discrimination Act 1995, as amended in 2005. It is now unlawful for a public authority to discriminate against a disabled person in carrying out its functions. The public sector duty to promote disability equality in such areas as pedestrian environments requires Local Authorities to engage with disabled people at the local level, and to assess the impact of changes to the environment.

Guide Dogs and Disability Wales already have extensive evidence of a failure to engage and consult, and we are working with a number of Welsh Local Authorities to try to ensure that the voice of blind and partially sighted people, who cannot read public notices or access newspapers, is heard.

As mentioned above, the National Assembly for Wales has formally adopted the Social Model of Disability as policy, and has funded a Disability Wales project to assist the Government to put the Social Model into practice across all its departments.

## **The pedestrian environment**

We believe that the pedestrian environment needs to be improved and would support a petition calling for the development and maintenance of improved pedestrian paths, as long as those improvements are inclusive for all users.

DPTAC, the government's advisory committee on access in transport and the built environment, commissioned a MORI survey into the attitudes of disabled people to public transport (2002). The research findings show that the poor condition of the pedestrian environment is the major cause of concern to disabled people, and that disabled people did not consider that those responsible for providing and operating the pedestrian environment sufficiently understand their requirements. It is also notable that the research showed that visually impaired respondents are significantly more likely to rate streets and pavements poorly than other disabled people.

For blind, deafblind and partially sighted people the walking environment is fundamental to independent mobility, both for complete local journeys and for accessing and interchange with public transport services. Independent mobility of blind and partially sighted people is more restricted than that of the general disabled population. Guide Dogs "Functionality and Needs Survey" (2006), showed that in Wales only 1 in 4 blind and partially sighted people go out alone. Guide Dogs research on street design demonstrated that shared surface streets where pedestrians are expected to share the street with cyclists and vehicles affect the safety, confidence and mobility of blind and partially sighted people and thus may reduce this figure. Our report of focus groups published in September 2006 (Shared Surface Street Design Research Project, The Issues: Report of Focus Groups' Guide Dogs, 2006) showed that cyclists are a significant concern.

## **Our specific concerns with shared use paths for pedestrians and cyclists**

Shared use paths do not cater for blind and partially sighted people who cannot see cyclists approaching, and if they hear them may be unsure exactly where the cyclists are and thus which way to move to avoid them.

Discussions with pan disability access groups show that there are also implications for other disabled people. Deaf and hard of hearing people are unable to hear cyclists approaching and when cyclists approach from behind thus cannot see or hear them in order to move out of their way. People with walking difficulties or who are unsteady may find it difficult, and unnerving, to move out of the way of cyclists. Older people who may have reduced sight and hearing, and walking difficulty, will be affected, and people with learning difficulties need the benefits of a safe and predictable environment.

Most cyclists will attempt to behave appropriately on a path where there are pedestrians present. However, as stated in the recent consultation document from the Department for Transport on Cycling Infrastructure "Occasional inconsiderate cycling by a minority of users is likely to persist whatever restrictions exist." Even the most conscientious cyclist may have difficulty avoiding someone who steps directly in front of them, because they did not see or did not hear the cyclist approaching. The extent of the problem of collisions between cyclists and pedestrians has not been subject to a detailed research study; however, it only takes one accident or near miss to shake the confidence of a disabled person to the extent that they no longer feel able to use that route. Both Guide Dogs and Disability Wales have amassed considerable anecdotal evidence that collisions and near-misses between cyclists and disabled people are a daily occurrence.

Most accidents, and certainly most near misses, are likely to be unreported. People prefer to go home when they have been shaken like this. If this affects their confidence they are then unlikely to use the path again. Even the fear of being hit can result in avoiding these routes. In this way the most vulnerable pedestrians simply disappear from any auditing exercises.

With regards to evidencing the extent of the problem, monitoring exercises on shared use paths carried out by Sustrans and others appear to show that there are no problems. However this reflects the views of the cyclists and pedestrians using the route. Guide Dogs research on shared surfaces (September 2006) has shown that where there is potential conflict, blind and partially sighted people will avoid an area. Audits based on those who use the scheme will not address this and simply reinforce it.

## **Further information**

The Joint Committee on the Mobility of Blind and Partially Sighted People (JCMBPS) is an independent committee comprising

representatives of the principle organisations representing blind, deafblind and partially sighted people. JCMBPS has published a policy statement on 'Adjacent facilities for pedestrians and cyclists' which provides further information on this issue. A copy of the policy statement is attached.

## **Conclusion**

Guide Dogs and Disability Wales were approached by Sustrans to support the petition but are unable to do so because of the focus on shared use paths. We have sought a meeting with Sustrans to discuss our concerns and to request that they change the aims of their petition by taking out the shared use aspect. We would urge the Welsh Assembly Government to support us in this.

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