

# **Welsh Government Response to Cross-Party Group on the Active Travel Act's Review of the Active Travel (Wales) Act 2013**

The Welsh Government welcomes the Cross-Party Group's report and appreciates its initiative in reviewing the Active Travel (Wales) Act 2013. The following is the Welsh Government's response.

## **Welsh Government response to each recommendation**

### **Delivery**

1. TfW should endeavour to streamline its active travel funding bidding and monitoring processes whilst maintaining the effectiveness of its audit function.

### **Response - Accept**

The Welsh Government and Transport for Wales (TfW) amended the application process for 2023-24 and further refined it for 2024-25. The processes for delivering the Active Travel Fund are regularly reviewed; for example, the Active Travel Board has scrutinised the management and delivery of the Active Travel Fund. Where improvements are identified that we agree can improve the delivery of the Active Travel Fund, these are implemented.

2. Welsh Government should find digital solutions that will enable greater use of the data compiled in ATNMs [Active Travel Network Maps] such as incorporating route information into services provided by platforms like Google Maps and linking more efficiently into the Street Gazetteer.

### **Response - Accept in principle**

The data is owned by the local authorities and can only be made available with their permission. We are in the process of putting permissions in place and addressing concerns of local authorities about how the data can be used.

3. All local authorities should develop an Active Travel Delivery Programme which should include: its approach to modal shift in favour of active travel; its priorities for the delivery of infrastructure; how it will promote active travel; how the various departments of the council will contribute to developing active travel; its approach to increasing active travel to school; and how it intends to monitor active travel levels. Transport for Wales should develop a model programme, in consultation with the Active Travel Board.

### **Response - Accept**

We have included this in the Active Travel Delivery Plan and accept that it can provide significant value if it has high level ownership within each authority and is concise and focused on actions and outcomes. We need to avoid this being regarded and treated as a hurdle that diverts staff time.

Corporate Joint Committees are currently developing Regional Transport Plans (RTPs). The RTPs will incorporate and apply our strategic national programmes to

regional and local priorities. The RTPs will provide a strategic framework for local authorities to deliver, including planning and prioritisation of strategic cross-boundary active travel routes.

4. An extensive workforce development package for active travel should be put in place. This should involve working with professional bodies, allocating increased funding to better resource active travel delivery units, and developing mechanisms for the effective sharing of best practice.

### **Response - Accept**

We are developing, with TfW, a leadership, training and professional development programme – Academi Teithio Llesol. This will provide a focus for training and development in active travel for leaders and practitioners across Wales. The first training courses and materials were made available in 2023.

5. The development of a small number of centrally funded, expert delivery units, that can be called upon by local authorities to deliver routes and associated services that will deliver high levels of modal shift. This to be accompanied by a new funding package to pay for such routes and measures aimed at addressing all the barriers to active travel likely to be encountered by the target group for the infrastructure. Part of the function of the package will be to demonstrate, with systematic monitoring, how effective active travel can be in bringing about modal shift. In establishing the units, Welsh Government should draw on the experience and best practice of the Burns Delivery Unit.

### **Response - Accept**

We will enhance the capacity and skill base in TfW to support the delivery of active travel schemes and programmes across Wales, in the form of the TfW Active Travel Design Hub and creating regional teams. This will build on TfW's existing roles and includes:

- a design team to develop and design complex and challenging high-impact schemes;
- enhanced programme management to support the delivery of complex and challenging schemes by partners;
- provide expert technical advice and guidance to local authorities on delivery of their active travel programmes;
- updating and developing the Active Travel Act Guidance;
- identifying and developing innovative technical and delivery solutions; and
- gathering and sharing best practice.

6. The new National Delivery Plan should set out priorities for infrastructure development and delivery based on maximising modal shift. These priorities will determine how the bulk of the Active Travel Fund is invested, though with increased weighting for projects in deprived areas, and utilising percentages rather than absolute numbers in rural areas. The ATNM compilation process should be amended to make it clear in consultations with the public which routes are being prioritised and indicating projected delivery dates.

### **Response - Accept in part**

The Active Travel Fund appraisal process already gives increased weighting for projects in deprived areas and looks at relative rather than absolute potential to account for schemes in rural areas.

The new prioritisation tool facilitates better provision of information to the public on the relative priority of schemes. Active Travel Act Guidance advises that the main prioritisation stage should take place following public consultation and take feedback received into account. Prioritisation can be iterative and take place before and after consultation.

Requiring local authorities to specify projected delivery dates during public consultation would be unfair when this will depend on how much funding is made available and the competing schemes from other local authorities.

7. The revised approach to WelTAG should reflect and emphasise the important role of the ATNM process in informing the early stages of development of active travel schemes and support a more streamlined approach to the development and delivery of active travel projects, focusing on the inclusion of key requirements and reducing the need for any unnecessary work.

### **Response - Accept**

The new WelTAG approach provides guidance on the appropriate level of appraisal required for schemes of different scales and at different stages of development.

8. Welsh Government should develop a dedicated procurement framework agreement for active travel related activities.

### **Response - Accept in principle**

As part of their remit, TfW are strengthening the public sector's ability to access a wider range of active travel goods and services. They review existing and in-development procurement routes, initially signposting local authorities on how to access and make more effective use of existing frameworks. TfW will also work to inform the development of future frameworks being developed by other organisations, to further widen access to active travel related services and activities. TfW will identify and address gaps in provision for specific active travel activities, such as cycle hire roll-out, to improve access for key partners, including local authorities, whilst ensuring that relevant frameworks also fulfil wider government objectives.

9. Welsh Government should move to a three-year funding allocation cycle for the Active Travel Fund, including the core funding element.

### **Response - Accept in principle**

In practice, multi-year funding can be allocated for construction schemes. If a scheme progresses as intended through the stage gates, there is a presumption in

favour of continued funding and local authorities only need to update the scheme information each year. This approach will continue to be subject to the processes by which the Senedd agrees Welsh Government budgets.

10. There is a need for a significant increase in revenue funding for active travel to develop behaviour change programmes and other measures designed to break down barriers to active travel.

#### **Response - Accept in principle**

Welsh Government accepts that an increase in behaviour change activities helps to overcome barriers to active travel and has consequently made additional funding available in 2023-24 and 2024-25. However, budgets, particularly for revenue, are extremely challenging and Welsh Government cannot currently commit to further increases in funding for behaviour change activities.

11. The Welsh Government should develop an active travel communications package for local authorities incorporating the publication of the long promised active travel promotional toolkit.

#### **Response - Accept**

TfW has developed a promotional toolkit to support local authorities in engaging with their communities on active travel developments and opportunities. This toolkit, published in Spring 2024, will be used to communicate the use of active travel for purposeful everyday journeys, helping to increase the impact of investment in active travel infrastructure.

The toolkit will support the preparation of high-quality promotional materials for specific schemes or developments, as well as audiences. It includes resources that encompass key information to generally promote active travel such as key statistics, key messaging on the benefits of active travel, case studies, inclusive images and other resources such as templates and designs. These resources can be used for general local campaigns or presented alongside scheme specific materials to reinforce the opportunities to change. The toolkit will be reviewed and updated regularly throughout the life of the plan.

12. The Welsh Government should produce a succinct and practical guide to active travel and the Act targeted at local authority members and officers in departments whose work impacts on the delivery of active travel.

#### **Response - Accept**

The Welsh Government will work with local authorities to develop guidance on the new duties, arising from the Environment (Air Quality and Soundscapes) (Wales) Act 2024, to promote active travel as a way of reducing or limiting air pollution. As part of this consultation, the Welsh Government will identify and target local authority members and officers in departments whose work impacts on the delivery of active travel and consider how best to support them to promote active travel.

**13.** The time taken, and inconvenience caused by the difficulty of crossing busy roads is a key barrier to increasing walking. Local authorities should be encouraged to review crossing timings to favour pedestrians and to increase crossing availability significantly. Active travel provision at junctions should facilitate the new priorities given to walkers and cyclists in the recent revision of the Highway Code.

#### **Response - Accept**

The Welsh Government was involved in developing the changes to the Highway Code and will, with the support of the TfW Design Hub, identify ways in which these can be best supported when the Active Travel Act Guidance is next updated, alongside guidance on other improvements to the walking and cycling environment.

**14.** The new National Delivery Plan should set out a series of measures for securing better integration of active travel with public transport.

#### **Response - Accept**

Through the Active Travel Delivery Plan, the Welsh Government will continue to improve the accessibility of bus and rail services by active travel through working with local authorities, TfW and other public transport providers. The Welsh Government will work with partners to enhance active travel routes to create a seamless, attractive and efficient transport system, building on and extending the existing station network plan and station travel plan programmes. These programmes will be enhanced by programmes to increase the provision of quality active travel facilities at bus and rail interchanges.

#### **Governance**

**15.** A new National Delivery Plan for Active Travel in Wales should be put in place by the end of 2022. The Plan should contain a clear statement that its aim is to help realise the Welsh Government's commitment in Llwybr Newydd to achieving significant levels of modal shift.

#### **Response - Accept in principle, but reject the timescale**

The National Transport Delivery Plan already includes 17 actions for improving active travel in Wales. The Welsh Government agrees that there is merit in supplementing this with a more detailed Active Travel Delivery Plan covering our priorities for 2024-2027, and reinforcing our commitment to achieving modal shift. This Plan needed to be developed in collaboration with delivery partners and had been shared in draft form with the Active Travel Board. The final version was published in Spring 2024.

**16.** The new National Delivery Plan should clarify and codify the role of TfW, local authorities, third sector bodies and Corporate Joint Committees in the delivery of active travel infrastructure and services. It should include a clear statement of who is responsible for doing what, and to whom they are accountable and how they work together.

## **Response - Accept in principle**

The Active Travel Delivery Plan clarifies the roles and responsibilities of organisations involved in delivering active travel. However, this will be a snapshot and will be kept under review as the roles of Corporate Joint Committees and TfW evolve.

- 17.** Local authorities, TfW and the Active Travel Board should be required to jointly produce ambitious but achievable national and local targets for outputs (such as metres of route brought to Guidance standards, number of schools enrolled in an active travel package) and outcomes (such as modal shift, number of people making at least one active travel journey each week, number of active travel journeys to school). These targets should be coupled with a standardisation of the monitoring of active travel across Wales. Baseline data, which can be used to assess impact on modal shift, should be put in place for all major active travel projects.

## **Response - Accept in principle**

The Welsh Government will commence the development of targets when we have baseline data from the first National Travel Survey; these will be developed in consultation with the Active Travel Board and delivery partners, supported by an appropriate accountability framework.

The Welsh Government is currently finalising the national monitoring framework with TfW.

- 18.** There should be a refreshed and restructured Active Travel Board with a small, dedicated and adequately resourced independent secretariat. The membership of the Board should be reviewed to ensure it has the degree of independence required to support its scrutiny function. The local authority presence and role on the Board should be enhanced. It should have clear terms of reference and defined powers that emphasise its role in scrutinising the Welsh Government and bodies that are charged with delivering active travel or are in receipt of active travel funding. It will have a remit to challenge the pace of change. It will advise on the development and implementation of the new Active Travel Delivery Plan. A key part of its role will be embedding active travel in relevant Welsh Government policies across all departments, with powers to access all relevant policy papers. It should have as an early priority the oversight of the implementation of the new active travel behaviour change programme. It will be a key monitor of compliance with the Act and its guidance, and will investigate and highlight instances of non-compliance. It will keep under review the effectiveness of the Welsh Government's targets for active travel. It will be required to publish an annual report containing enhanced monitoring data (see the Data and Monitoring section of this report) from local authorities and the Welsh Government; progress on the implementation of the Delivery Plan; and progress made, and obstacles encountered, in embedding active travel provision across the Welsh Government and local authorities.

## **Response - Accept in part**

We have reshaped the Active Travel Board with an independent chair, Dr Dafydd Trystan, and independent members to scrutinise and challenge the delivery by the Welsh Government, TfW and local authorities.

An independent secretariat was provided by the Design Commission for Wales on a trial basis. We are currently considering options for how the Board can be most effectively supported during 2024-25.

There is no non-legislative mechanism by which the Board can be given powers to access policy papers. However, where Welsh Government is aware of policy being developed that is relevant to active travel, this will be brought to the Board's attention.

**19.** The new National Delivery Plan for Active Travel should clearly state the importance and value of involving and engaging with local communities and local advocacy groups in all stages of the development of active travel. This must include serious efforts to engage with marginalised groups.

## **Response - Accept**

This is already stated very clearly in the Active Travel Act Guidance and all application documentation. This has also been subject of Ministerial letters to local authority leaders.

**20.** Local authorities are the key bodies for delivering active travel. They should be supported and guided more to deliver Welsh Government policies on active travel. They should be incentivised further to deliver; and face the possibility of sanctions if they fail to do so.

## **Response - Accept in principle**

The Cabinet is committed to treating local authorities as trusted partners in the context of Welsh Government funding of policy priorities, and this will continue to guide our approach.

Strengthening of local authority support functions is underway within TfW, as stated above. There has also been strengthening of guidance on active travel in relation to other policy areas, such as education and health. Welsh Government will also work with Local Authorities to develop its guidance in relation to the new duties arising from the Environment (Air Quality and Soundscapes) (Wales) Act 2024.

Where local authorities fall short of expectations, this almost always translates into failure to secure funding for schemes through the competitive allocation process. Further sanctions will be considered as a last resort and may be explored should support and guidance prove unsuccessful.

**21.** TfW's role as a centre of excellence and provider of expertise should be built on to deliver the Welsh Government's Active Travel Delivery Plan. TfW's role and

responsibilities in relation to active travel should be clarified and made public by the Welsh Government. Active travel should be built in to TfW's transport integration, including in its brand and publicity.

### **Response - Accept**

TfW has a key role to play as a public transport guiding mind that integrates bus, rail and active travel. Their [remit letter](#) requires the TfW Board to lead the change to a multi-modal organisation.

The Active Travel Delivery Plan clarifies the roles and responsibilities of TfW in delivering active travel.

Active travel features heavily in TfW's brand and publicity. There are dedicated TfW active travel officers to ensure integration into the organisation's wider programme of work.

**22.** Should the restructured Active Travel Board fail to enthuse and change practice in local authorities, and to hold the Welsh Government to account over active travel progress, such that there is insufficient progress in achieving the aims of the Act, then the position should be reviewed within three years. Consideration should then be given to appointing a Commissioner, as in Manchester and England.

### **Response - Accept in principle**

There are opportunities to consider the Board's work and provide support and make improvements on an on-going basis, rather than wait for a formal review. The success of the restructured board will be reviewed in 2026.

### **Behaviour Change**

**23.** Welsh Government should establish a centre of expertise on behaviour change within Transport for Wales.

### **Response - Accept**

The Welsh Government recognises the importance of behaviour change in delivering mode shift in Wales. TfW have been growing their capacity in behaviour change and now have staff with dedicated expertise. They have also undertaken extensive research to inform behaviour change and communication activity and this will also be incorporated into the active travel promotional toolkit.

Behaviour change must be informed by reliable insight. We will use data to understand trends and provide information to support the removal of barriers and to influence behaviour change.

**24.** The new National Delivery Plan should set out the structure for a coordinated behaviour change programme that contains a range of hard and soft measures, which should include a clear role for Public Health Wales. Parallel to this, there

should be a culture change programme to promote the benefits of active travel amongst the general public and to improve driver behaviour around pedestrians and cyclists.

### **Response - Accept in principle**

The Welsh Government supports behaviour change across a number of schemes and portfolios both within and outside of transport. Each scheme has a different focus and will therefore approach behaviour change in different ways and adapt approaches to their specific context or locality. Climate Action Wales is our public facing communication hub to encourage uptake of climate friendly behaviours, including active travel.

The Active Travel Delivery Plan highlights the role Public Health Wales can play in supporting active travel and we will strengthen collaboration between the different delivery partners working in this field to increase synergy and avoid duplication.

### **Equalities**

**25.** Training in equalities issues for officials and contractors involved in the delivery of active travel, to form an integral part of the training programme advocated elsewhere in this report.

### **Response - Accept**

This will be incorporated into the training programme as well as through dedicated inclusive design reviews.

**26.** Review the effectiveness and use of Equality Impact Assessments.

### **Response - Accept in principle**

The Welsh Government is of the view that the first priority should be to offer additional training and support on use of EQIA and to identify schemes that would benefit from more detailed inclusive design review, as has been started in 2023-24 and carry these out to improve scheme design. As part of the application process for the Active Travel Fund TfW are already gathering more general information on EQIA, which can form the basis of a wider review.

**27.** There should be a targeted marketing campaign demonstrating the benefits of active travel and the Act to excluded groups.

## **Response - Accept in principle**

The promotional toolkit provides resources to support local authorities to promote active travel, including specific messaging and resources to target underrepresented groups. The content of the toolkit will grow over time and additional resources will be developed to cover the widest breadth of audiences. The Welsh Government will also consider how best to promote the benefits of active travel, especially in relation to reducing or limiting air pollution. Consideration will also be given to how to best reach excluded groups. This may not necessarily be through a marketing campaign.

**28.** There should be encouragement and support for third sector enterprises providing access to low cost, quality bikes, and training in riding and maintaining bikes, particularly in areas of deprivation. Bike libraries could be a solution to the need to buy multiple replacement bikes as children grow out of them.

## **Response - Accept**

The Welsh Government has already supported such schemes including E-move, See Cycling Differently, and Beics Ogwen. We will explore the most appropriate mechanism to provide easy-to-access support for not-for-profit schemes across Wales. The Welsh Government funded active travel promotion in schools programme often includes bike maintenance and repair sessions in schools. The Welsh Government also funds cycle training, instructor training and school bike fleets.

We will build on our existing support to not-for-profit organisations that provide access to lower cost second-hand bikes, bike repair and maintenance schemes, with a view to set up a new small volume grant scheme for such and related purposes.

**29.** Barriers that impede access for people using adapted bikes or trikes should be removed from all active travel routes in Wales.

## **Response - Accept**

We recognise the importance of barrier free routes and fund barrier removal through the core grant to local authorities as well as on the National Cycle Network through Sustrans. As a result, according to Sustrans' own data, we have made quicker progress in barrier removal than elsewhere in the UK.

**30.** Ensure inclusive messaging in the promotion of active travel. Consideration to be given to the creation of a pooled bank of positive, inclusive active travel images across the sector.

## **Response - Accept**

Inclusive messaging and images are part of the image bank that is being made freely available by TfW as part of the promotional toolkit described above. The content will be further expanded in response to gaps identified and requests from local authorities.

**31.** Many people have missed out on the opportunity to learn to ride earlier in life, therefore there needs to be widespread provision for adult cycle training, particularly for people with disabilities.

#### **Response - Accept**

Guidance for current funding for cycle training already highlights the increased emphasis to offer adult training as well as that aimed at children. Whenever we are able to, we offer additional funding to local authorities to deliver more cycle training, and in particular inclusive, adult and family cycle training. We allocated over £100k to this in 2023-24 in addition to our regular annual funding for cycle training from the Road Safety Grant.

**32.** To ensure greater equality of access to the benefits of active travel, a package of actions should be put in place aimed at providing better pathways into active travel for groups with currently low levels of participation in active travel, including women, the elderly, deprived communities, disabled people and ethnic minorities. Catering for the needs of these groups will improve active travel provision for all of us. Active travel monitoring data should capture information about these groups.

#### **Response - Accept in principle**

Inclusivity is a cross-cutting theme for our actions. Our e-move pilot included gender budgeting and, as mentioned above, inclusivity will be an important part of active travel promotion.

A specific survey commissioned in 2022 included questions about active travel and will provide data on active travel behaviour and attitudes amongst groups with currently low levels of active travel. This data will be published during 2024.

#### **Active Travel to School**

**33.** All local authorities should be encouraged and supported to deliver an extensive School Streets programme.

#### **Response - Accept**

The Welsh Government has prioritised School Streets schemes as part of the Safe Routes in Communities Grant since 2021-22. For 2023-24, we offered funding to all local authorities to undertake pre-work to identify suitable schools for the introduction of school streets, where they are not yet ready to implement schemes. School streets guidance will be published in Spring 2024.

**34.** The Welsh Government and local authorities should work together with Public Health Wales in promoting active travel to schools utilising the opportunities offered by the Travel to Schools Hands Up Survey and the School Health Research Network, Student Health and Wellbeing Survey.

## **Response - Accept**

The Welsh Government is working with a wide range of partners to promote active travel in schools. The Hand Up Survey outputs will become a key way of measuring success and supporting action.

**35.** All central funding for new and re-developed schools should be dependent on the incorporation of an effective package of measures to increase active travel to school.

## **Response - Accept in principle**

The Business Case guidance for Sustainable Communities of Learning has been revised and a new checklist developed that sets out clearly the expectation of prioritised active travel access. Schemes are amended regularly as a result of this scrutiny process, however there is currently no effective mechanism to mandate embedding ongoing promotion of active travel to school into the schools' operation.

**36.** Local authorities should be encouraged to apply for the powers that at present only Cardiff has, to issue Fixed Penalty Notices for moving traffic offences, under the Traffic Management Act - which makes it easier to implement Low Traffic Neighbourhoods and school zones. The forthcoming Regulations on pavement parking might provide a suitable opportunity to implement this recommendation.

## **Response - Accept**

We have already facilitated several knowledge sharing webinars to support local authorities' decisions on how to enforce school streets and the practicalities of using Moving Traffic Offence enforcement. The school streets guidance will also cover this topic. The individual decision will be a matter for local authorities.

**37.** All active travel related activities in schools should be refocused on increasing active travel to school. The encouragement of parents to take up active travel themselves should be seen as a central part of all the packages.

## **Response - Accept**

The Welsh Government's Active Journeys Programme is already focused on promoting and enabling walking and cycling to school in a way that reaches the wider school community. This requirement is also included in the specification for the procurement of the successor programme which will commence in 2024. We are providing funding to Sustrans to develop resources and provide support for introducing active travel school plans. When we review and update child pedestrian training we will seek to strengthen the focus on encouraging walking.

**38.** Schools should be encouraged to incorporate active travel elements into their new curriculum.

## **Response - Accept**

Active travel curriculum resources have been prepared to support the new curriculum and are being disseminated alongside other interventions. The ethos of the new curriculum is to give greater autonomy to teachers, so this cannot be mandated.

**39.** Estyn should be required to comment on schools' promotion of active travel.

## **Response - Accept in principle**

A discussion between education and transport policy leads on this is planned.

## **Monitoring and Data**

**40.** Active travel monitoring systems should be designed, whenever practicable, to capture meaningful information about people with protected characteristics.

## **Response - Accept in principle**

Most automated monitoring systems (counters and camera-based analysis) are not able to distinguish user groups by characteristics, and gathering data on the characteristics of users relies on surveys and the willingness of users to share this information. Many local authorities are supplementing counts with user surveys for this reason, but these are labour intensive. For national programmes the Welsh Government is committed to gather and evaluate data on how these impact on different groups. For example, monitoring for the e-move pilot captured detailed information about people with protected characteristics.

**41.** If an opportunity to amend the Act arises then the reporting section should be broadened to include a wider range of indicators. Alternatively, the detail could be delegated to a new power for Welsh Ministers to make statutory guidance on reporting. In the interim, an effective solution, and one that should ensure compliance, would be to make complying with revised guidance on standardised monitoring requirements a condition of receiving Welsh Government funding for transport schemes.

## **Response - Accept**

If the opportunity for amendments to the Act arises, this will be consulted on. Work on improving monitoring at the local level by providing detailed guidance is at an advanced stage by Transport for Wales and monitoring and evaluation plans are a requirement of funding.

**42.** Welsh Government and local authorities must adopt a standard approach to monitoring active travel development and usage in order for the reporting to be meaningful. It should be a requirement that all such reports are published, and in a manner that makes them easily accessible to the public.

## **Response - Accept in principle**

Work on improving monitoring at the local and national level is at an advanced stage by TfW. It is likely that this will recommend a differential approach recognising that monitoring needs to be tailored to the circumstances. The aim is however to have consistent high quality monitoring data.

## **Legislative Change**

**43.** Change the cycle of ATNM submission from three to five years.

## **Response - Accept**

If the opportunity for amendments to the Act arises, we propose to include this change. In the interim, the timescale for the third iteration has been extended until 1 December 2026 by Ministerial Direction. It is also expected that future reviews of the maps will be significantly less labour intensive than the first two iterations, given the extent of network coverage achieved in the latest cycle.

**44.** Revise the definition of active travel routes so that it is not dependent on whether a route is located inside or outside of a designated locality.

## **Response - Accept in principle**

If the opportunity for amendments to the Act arises, this will be consulted on. In practice, this has been addressed in the Active Travel Act Guidance and the approved Active Travel Network Maps already include a large number of routes outside the designated localities, which are eligible for funding.

**45.** Make the design standards of the AT Act Guidance statutory so that they apply to all active travel infrastructure in Wales, however funded and include provisions empowering Welsh Government to make statutory guidance for all sections of the Act.

## **Response - Accept in principle**

If the opportunity for amendments to the Act arises, this will be considered and consulted on.

**46.** The Act should be amended to strengthen and widen the duty to promote active travel. The current wording of the duty to promote, restricts its application to when Welsh Government and local authorities are 'exercis(ing) their functions under this Act'. The duty to promote active travel should be a general requirement on the public sector, not confined to when they are fulfilling their other duties under the Act.

## **Response - Accept**

The Environment (Air Quality and Soundscapes) (Wales) Act 2024 contains provisions amending the Active Travel (Wales) Act 2013, including new duties on the

Welsh Ministers and local authorities to promote active travel as a way of reducing or limiting air pollution. During 2024, the Welsh Government, working with local authorities, will develop statutory guidance on the exercise of this duty. The Welsh Government will also issue a statement at the end of 2024 on how it intends to carry out its duty to promote active travel.

**47.** The duty to continually improve the network should be quantified using such indicators as an annual percentage increase in the size of the network meeting design guidance standards.

#### **Response - Accept in principle**

If the opportunity for amendments to the Act arises, this will be considered. However, it is unlikely that mandating a specific annual percentage increase in legislation will be advisable or practicable, and this may be better considered as part of the performance framework for local authorities, or local targets.

**48.** Ensure that the wording of the highways duties in section 9 of the Act are enforceable in law.

#### **Response - Accept in principle**

If the opportunity for amendments to the Act arises, this will be considered and consulted on. In the interim, the Welsh Government will work with other partners to significantly raise awareness of these duties and, through the training programme, offer training to improve compliance without the need for legislation.

**49.** Amendment of the UK contractors' Red Book to bring it in line with Welsh Government's guidance on providing for active travellers at street works.

#### **Response - Accept in principle**

Welsh Government does not have responsibility for the UK contractors' Red Book. We will continue to raise this matter with UK Government's Department for Transport and work with partners to increase awareness among contractors of the Welsh Government guidance where it applies.

**50.** Compliance with the requirements of the Active Travel Act and its guidance should be a condition for the receipt of any Welsh Government transport funding.

#### **Response - Accept in principle**

This is already partially the case in so far that eligibility to apply for the Active Travel Fund is linked to inclusion on the approved Active Travel Network Map. In respect of the other duties under the Act, there is currently no mechanism to effectively assess compliance without imposing additional administrative burdens on local authorities (which would not be in line with our Programme for Government commitment to reduce such burdens) and TfW. However, this could be taken forward as part of the scrutiny of local authorities by the Active Travel Board and the development of a wider performance assessment framework for local authorities.

**51.** Renew the requirement for a review of the Act every five years.

**Response - Accept in principle**

If the opportunity for amendments to the Act arises, this will be considered and consulted on.