



*Wheelrights*  
the Swansea Bay cycle  
campaign group



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Enterprise and Business Committee,  
National Assembly for Wales  
Cardiff CF99 1NA

2 April 2013

To whom it may concern

**Comments on the Active Travel (Wales) Bill**

The comments below reply to the questions in Nick Ramsay's 22 February letter. They represent Wheelrights position and, as I am a CTC Right to Ride representative for the Swansea area, are intended also to represent the CTC's. (I must however take responsibility should they fail to do so.)

In essence while welcoming the intentions of the Bill we are concerned that it does not adequately reflect the White Paper which we strongly supported. We recommend significant changes to both the Bill and the Explanatory Memorandum.

Yours faithfully

A handwritten signature in black ink that reads "D Naylor". The signature is stylized and cursive.

David Naylor (Wheelrights secretary)

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## Active Travel (Wales) Bill

The following comments respond to the questions posed in Annexe 1 of Mr Ramsay's 22 Feb. 2013 letter, and are numbered accordingly. The headings in *italics* are the questions abbreviated. "LA" means "Local Authority". "Sections" refer to sections in the Bill. Two examples which illustrate the types of problem an Active Travel Bill should address are included in an appendix.

### 1. *Is the Bill necessary?*

Yes. It is needed to counter the current bias in favour of motorised transport and to enable the long sought after modal shift from car to bicycle and foot.

### 2. *What are your views on the key provisions?*

*On the requirement that:*

#### (a) *LAs provide maps.* (Sections 3-5)

We support the requirement to prepare two separate sets of maps showing respectively existing Active Travel routes and related facilities, and Integrated network maps.

While it is clear that the maps must identify routes and rights of way clearer guidance is needed on how much detail should be included, particularly on the Integrated network maps. eg clarification of the terms in the Bill 4(2)(b): "related guidance", in 4(3)(c&d) "the matters shown to be on it" and "its form". This could be provided in the Explanatory Notes.

#### (b) *LAs consider integrated maps in transport plans.* (Section 6)

Indeed they should.

#### (c) *LAs to continuously improve routes and facilities.* (Sections 7)

Indeed they should.

#### (d) *Highway authorities to consider pedestrians and cyclists in new work.* (Section 8)

Indeed they should. This is particularly important as retrofitting is invariably more expensive and in some situations not possible.

### 3. *Has the Bill taken account of your consultation on the White Paper?*

Partly, but the Bill fails to incorporate various measures in the White Paper which we thought appropriate. Links to the White Paper itself and our consultation are provided in the section "Welsh Government Active Travel Bill: consultation" on Wheelrights website. The link is: <http://www.wheelrights.org.uk/campaigns.htm>. The extent to which the Bill incorporates or fails to incorporate our recommendations is as follows. The relevant sections in Wheelrights consultation document are shown in [ ]. The following abbreviations are used: WR for Wheelrights; w&c for walking and cycling; EM for Explanatory Memorandum.

#### *Measures recommended by WR and at least mentioned in the Bill.*

WR drew attention to the need to provide for non-motorised traffic in the design of new roads [1] and are pleased to see this incorporated. (In the Bill: sections 1d and 8, and EM: para. 56.)

WR also mentioned the need for maintenance. [1] This is not explicit in the Bill. It is mentioned in the EM, para. 101, but there is nothing about how it would be paid for.

WR drew attention to the need to re-designate some walking routes as suitable for cyclists. [4] This is mentioned in Section 8 but a stronger statement is needed. (See Appendix, Ex. 1.)

#### *Measures recommended by WR and not incorporated in the Bill.*

WR noted that a distinction was needed between the provision for w&c. eg maps for walkers are not needed in built up areas where footways are provided whereas they are for cyclists. [1] This has not been included.

WR insist that strict quality criteria be applied to the infrastructure. [1] This is missing from the Bill. A requirement that routes should be constructed in accordance with best practice and a mention of specific standards such as LTN2/08 and *Manual for Streets* is needed. [5] The mention in EM para. 20 of the lack of clear standards is not enough. (See Appendix, Ex. 2.)

Furthermore the reference to a design *hierarchy* (in which pedestrians come first and cars last) [5] which appeared in the White Paper is not mentioned in the Bill.

The need for cycle training such as offered by the Bikeability scheme [1] is not covered.

Nor is the need for the training of highway engineers to which WR also drew attention. [2]

**4. To what extent are the key provisions appropriate?**

The arrangements for the maps are appropriate. What is lacking is clear guidance both on what the maps should show (See 2a above.) and standards for the Active Travel infrastructure. (3 above.)

**5. What are the barriers to implementation?**

The barriers to cycling, namely the perception that it is dangerous to cycle on roads, lack of facilities at the work place and lack of a cycling culture, are covered in para.s 16, 17 & 43 in the Explanatory Memo. However the key to overcoming these barriers is the funding to build the necessary infrastructure. Lack of this is the main barrier to implementation.

**6. What are your views on the financing? (Re. Part 2 of the Explanatory Memo.)**

That the Welsh Government needs to give Local Authorities assurances that the necessary funding will be made available. The Explanatory Memo. provides a lot of information on what the various measures will cost, but it is not clear either in the Bill itself or in the Explanatory Memo. how LAs will be funded. The “expectation” in para 96 that a proportion of ... [the existing £14.3 million] will be focussed on ... integrated networks.” is not enough. The White Paper indicated that if proposals met Active Travel criteria funding would be provided. A similar assurance is needed in the Bill.

**7. Is the balance between the detail in the Bill and guidance from Ministers correct?**

We are not in a position to comment.

**8. Other comments**

The proposed Bill and associated Explanatory Memo. do not adequately reflect the White Paper they are meant to implement. A number of important points in the White Paper are not included in the Bill.

For a start it lacks the clear statement of the intentions of the legislation contained in the White Paper. Compare the *Overview* in the two documents: that in the White Paper clearly states what is required; that in the Bill, other than requiring the maps to be provided, ends with the weak requirement that LA’s “... have regard to the desirability of enhancing the provision made for walking and cycling “. In fairness the statement of aims in para.s 1 & 14 of the Explanatory Memo. is appropriate. This should however appear in the Bill.

While the plans for the maps seem appropriate the Bill fails to mention or put adequate emphasis on a number of important points as detailed above. The key points are as follows:

Training. This is needed for both highway design engineers and cyclists. (2, 3 above)

Standards. Criteria for providing quality infrastructure are essential. (2, 3, 4 above)

Hierarchy. This should be spelt out, if not in the Bill then in the Explanatory Memo. (3 above)

Funding. Criteria for obtaining this need to be spelt out. (6 above)

The Explanatory Memo. is too long. Drastic application of *Occam’s Razor* is needed. It could be cut from the current 47 pages to probably about a dozen without loss of content *and* include our recommendations. Such a shortening would focus attention on the more important parts, in particular the statement of aims (Para. 14), the assessment of the options in Section 7 (Para. 44-56) which led to the selection of option 2d, and the costings in Section 8 (Para. 57-157).

In conclusion: we are recommending significant redrafting of both the Bill and the Explanatory Memorandum.

Prepared by David Naylor (Wheelrights Secretary)

[www.wheelrights.org.uk](http://www.wheelrights.org.uk)

## APPENDIX

### Cases which would have benefited from an Active Travel Bill

#### Example 1.

##### A path which on which cycling should be allowed

This footpath provides a key link for walkers and cyclists between south and mid Gower. It is 2km in length and is occasionally used by access vehicles. The northerly 200m, shown in the photo, is privately owned and 'no cycling' signs are posted at either end of this stretch. There is no good reason why cycling should not be allowed on it. The cyclists in the picture are technically breaking the law as footpath legislation does not even allow a bike to be pushed unless the land owner gives permission. This is a good example of the need for a change in the law.



#### Example 2.

##### Dangerous junctions

This is where the National Cycle Route 4 crosses the Amazon Roundabout, the large roundabout on the A483 four miles east of Swansea.

The first picture is looking east and the arrow shows the first crossing (travelling from Swansea) of the five slip roads which the route crosses. Because of the large radius of curvature of this slip road traffic exiting the roundabout is often travelling fast. An eastbound cyclist seeking to cross it, even if dismounting, has to crane their neck to see approaching traffic, and even then because of the restricted visibility due to the railings and the speed of the traffic has difficulty in crossing safely.

The other picture, also looking east, is immediately east of the roundabout and shows the equally dangerous crossing of the access road to this petrol station. Traffic sweeps into it at speed, again requiring an eastbound cyclist to look out of the back of their head to make a safe crossing.

