



## **Response to the consultation on Active Travel (Wales) Bill from CTC Cymru**

CTC Cymru is part of CTC, the national cycling charity, with over 2,000 members across Wales. CTC has 70,000 members and supporters, provides a range of information and legal services to cyclists, organises cycling events, and represents the interests of cyclists and cycling on issues of public policy.

### **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?**

The proposals are likely to be extremely helpful, particularly the requirements placed upon local authorities to identify, map and plan routes and improvements. Routes that are planned must be subject to strict criteria for clarity, directness, convenience, comfort and safety, with regard to land use strategies and the need to link with existing and future public transport interchanges.

However, without national priority given through dedicated funding to support these programmes – and a commitment to support schemes where they intersect with the national road network – such programmes are likely to prove little more than desktop exercises. Furthermore, the duty must also reflect the long-term targets as stated in the Walking and Cycling Action Plan – planned routes must be designed to accommodate a substantial increase in levels of cycling and walking.

In particular, the final point – “consider the potential for enhancing walking and cycling provision in the development of new road schemes”, is an extremely weak statement. New road schemes should *always* include provision for



enhanced walking and cycling; a duty to “consider the potential” is hardly an arduous duty to discharge.

Improving the existing national networks to make them fit for cycling is also extremely important – in many cases busy roads act as a major barrier for cyclists and pedestrians, yet local authorities seldom have the resources available to overcome these barriers. The weakness of this statement suggests that the Welsh Government is telling the local authorities of Wales to: “do as we say, not as we do.”

A stronger duty is therefore required both on local authorities and the Welsh Government itself to overcome the severance caused by all major roads and junctions – the key barriers to cycling (and walking) in both urban and rural areas.

## **2. How do you think the duty should be enforced?**

CTC believe that the duty is best enforced through two mechanisms:

- 1) The establishment of a national support team with the expertise to assist local authorities in the drawing up of their plans, their associated maps and the implementation of proposed schemes. Such a support team could also publish analysis on the progress of local authorities, thereby placing pressure on under-performing local authorities.
- 2) The provision of dedicated funding to support its objectives, and its withdrawal if local authorities fail to achieve progress.

## **3. Do you think the type of routes and facilities that Local Authorities be required to map should be specified in guidance or regulation?**

This level of detail is best explained at the level of guidance rather than 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?**

We accept that there is no easy answer to the dilemma of providing more space for cycling, but authorising the use of footpaths for cycling has more benefits than disbenefits associated with it.

While the National Parks and Access to the Countryside Act 1949 has provided us with an enviable public path network, the needs of the 21<sup>st</sup> Century user



means that the use of this network should be re-assessed to allow use of all appropriate paths by cyclist, equestrian and walker irrespective of the historic status of the path.

The Scottish Land Reform Act 2003 has demonstrated that such shared use of paths is not only possible - but actually works well in practice, particularly when users are encouraged to use suitable paths as a result of the implementation of the core paths network, and good practice by both user and landowner is encouraged through a comprehensive access code.

The right to cycle on public footpaths would require legislative change to the 1949 Act.

There are a number of options, but two basic options can be considered.

**Option i.** To change the definition of public footpath from "...right of way on foot only" to "...right of way on foot and bicycle".

**Option ii.** To change from the current four categories of right of way to just two:

1. Paths, for all non motorised users, and
2. Byways for all users including motorised.

Consequential changes to other legislation would also be required, including regulations in the Countryside Act 1968, the Highways Act 1980, the Wildlife and Countryside Act 1981, the Countryside & Rights of Way Act 2000, and the Natural Environment & Rural Communities Act 2006.

It is recognised that not all footpaths are suitable for cycling. They may be too narrow, poor sightlines, have sandy or muddy surfaces, be overgrown, and have inadequate bridges. However, such constraints are identical to those found on bridleways and byways over which cyclists do have legal access.

In addition, stiles would provide added obstacles. It is recognised that it would not be realistic to expect all stiles to be replaced by gates, and cyclists would have to accept the need to lift cycles over stiles. However, providing a core path network is established similar to that in Scotland, specific routes could be targeted for improvements including replacement of stiles with gates, and prioritised for vegetation clearance, drainage and surface improvements. Such improvements would also benefit other users with disabilities. By identifying the best routes for cyclists, other less suitable paths would be ridden on an infrequent basis and on the understanding that there may be many impediments to the cycle journey.



Where a Highway Authority regarded a path as hazardous for use by cycle, then this could be closed to cyclists through the use of a traffic regulation order.

It would be hoped that Local Access Forums would assist in identifying paths which could be identified for priority maintenance or improvements as part of a core path network.

Substantial numbers of paths will, however, be regarded by cyclists as being unsuitable for their use, and will as a result have little or no cycle activity on them. No improvements for the benefits of cycling would be appropriate or expected on such paths.

The net result would be a more comprehensive network of linear and circular routes available for cycling, suitable not only for experienced mountain bikers, but for all who wish to enjoy the countryside away from the hazards of motor traffic.

## **5. What are your views of the proposal for new design guidance?**

Many of the problems with poor quality design do not stem from inadequate guidance, rather it is the failure of the providers of infrastructure to follow that guidance. Poor quality design of cycling facilities includes:

- inadequate, substandard widths and junction treatments;
- low quality surfacing, either unsealed or a highly irregular surface;
- inadequate winter and summer maintenance, leading to unusable routes that quickly become inaccessible due to overgrown vegetation

Any design guidance needs to explain not just the problems in the first of these, it must also ensure that surface quality and maintenance are enhanced in the provision, or upgrade, of new routes.

Furthermore, any design guidance must take into account whether dedicated infrastructure is the appropriate intervention. While busy roads with high traffic levels require dedicated facilities for cycling, the vast majority of streets can be made fit for cycling through speed and traffic volume reduction, such as 20 mph or point closures. The importance of overall traffic reduction (through road pricing, parking restrictions combined with provision of alternatives) should also be part of guidance on providing for walking and cycling.

The proposal to incorporate existing guidance into a new, single piece of guidance is commendable, but unfortunately slightly naïve. Many pieces of guidance are produced with similar aims that they will encompass all previous attempts on the subject and make others redundant. However, unless the



alternatives are formally withdrawn by their sponsoring organisations, an additional piece of guidance is not going to be of immediate value.

Nevertheless, a stronger, central piece of guidance – to which formal recognition is granted and a recommendation to ignore alternatives - will help.

**6. What would the costs and the benefits of these proposals be to you or your organisation (or the people your organisation represents)?**

As representatives of cyclists, CTC expects to be consulted at all stages of the development of the plans. CTC would greatly benefit from these proposals if the end result was an improvement in the network of cycle-friendly routes, encouraging a wider range of people to cycle more.

There will be costs in the form of volunteer and staff time involved in contributing the mapping at a local authority level. These efforts will not be worthwhile if the exercise remains a desk-based exercise which fails to result in improvements on the ground.

**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?**

CTC has concerns about the combining of the needs of pedestrians and cyclists within a single approach to design of routes. We fully appreciate that in many places well designed routes can be shared by cyclists and pedestrians, however, in general, provision for cyclists is very different from that required by pedestrians. While high speed and heavily trafficked roads require dedicated off-road infrastructure, the vast majority of streets and roads that connect people with their destinations can be improved simply by reducing traffic volumes and speeds.

Introducing 20 mph limits, which now make up over 90% of the road network of cities like Portsmouth, Oxford and Newcastle, can enable most cyclists to use the road network, while also improving conditions for pedestrians. When combined with measures to deter motor traffic, cycling and walking trips can be made the obvious choice without the need for dedicated infrastructure.

However, we also strongly support the view taken in the Bill that promotion of cycling is not solely a result of improved infrastructure. A higher quality, safer-feeling environment is critical to increasing levels of cycling, however, increasing cycle use can also be achieved in the shorter term by employing behaviour



change measures. A combination of both of these approaches is likely to have the greatest lasting effect on increasing cycling levels.

One approach would be to turn the guidance on design for cycling into a wider, all encompassing manual for increasing cycle use, similar to the recently reproduced Danish Collection of Cycle Concepts, which explains the role of good infrastructure alongside the need to promote and support. (<http://www.cycling-embassy.dk/2012/05/10/cycle-concepts2012/>)

Finally, we believe that even if the actions specified need mainly to be pursued by local authorities there does need still to be a national statement of policy, setting an overall framework and ambition for cycle use, such as the Walking and Cycling Action Plan. This is particularly important for any longer term planning statements, which set the standard for provision of cycle parking and routes in and through new developments.

CTC Cymru  
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