

National Assembly for Wales

Economy, Infrastructure and Skills Committee

Post Legislative Scrutiny - Active Travel (Wales) Act 2013

Evidence from the National Assembly for Wales Cross Party Group on the Active Travel Act

Introduction

The Cross Party Group on the Active Travel Act (CPG) was established in October 2017. It has ten Assembly Members registered as members across three political parties. It is chaired by Lee Waters AM. This submission is based mainly on the discussions that took place at a meeting the CPG held with representatives of local active travel campaign groups and local authorities, along with the findings of a survey of local authorities on the implementation of the Integrated Network Map (INM) process.

The structure follows the headings and sub-headings of the original consultation document.

1 Assessment of the implementation and operation to date of the Act

1.1 How far the stated objectives of the Active Travel Act are being achieved

Insofar as the Explanatory Memorandum to the act set out an ambition that walking and cycling should become the “most natural and normal way of getting about” then the Act is clearly failing. The latest statistics show that cycling is declining in Wales. It was always understood that the main impact of the Act would be long term as the networks are mapped and developed but there is considerable concern that the constant delays in implementation and the excessive focus on process has been used as an excuse not to invest in active travel infrastructure. The Welsh Government’s approach appears to be that there may be investment once the INMs are in place. Yet we have been through an Existing Routes Map (ERM) process that highlighted inadequacies in existing infrastructure and that clearly merit investment.

The survey that the CPG conducted of the local authority officers charged with implementing the INM process has also revealed that the central mechanism of the legislation, the creation of ambitious long term plans for comprehensive active travel networks, is not being realised. There has been a reluctance on the part of local authorities to raise expectations by proposing complete networks when they had no indication that there would be funding available to develop the routes. Thus, instead of having plans in place that would allow all new developments to contribute to the creation of effective networks, we are generally left with a few new main routes that will not allow walkers and cyclists to make whole journeys safely and conveniently.

There is also concern about the level of promotion of the act and active travel in general. The consultations on the ERMs and INMs afforded an excellent opportunity to persuade new

people to take up active travel by raising awareness of the benefits and the availability of routes. Unfortunately our survey has shown that the level of public involvement in the consultations has generally been minimal and the consultations have frequently been process rather than outcome focussed.

1.2 The effectiveness of subordinate legislation and guidance made under the Act

Most of the views expressed at the CPG meeting were positive about the contents of the Design Guidance but there is considerable concern about the extent to which it is being enforced or adhered to. The Design Guidance's non statutory status has allowed flexibility but has also meant that it is too easily ignored, particularly as there has been little effort by Welsh Government to promote it. Respondents to our survey complained of the scarcity of training on the guidance - and this was amongst local government officers charged with implementing the Act. There is no evidence of attempts to make private contractors aware of either the design or the delivery guidance. Thus we are seeing little evidence of contractors giving due consideration to the need, embodied in the act, to enhance provision for walkers and cyclists when maintenance causes obstructions or when constructing new infrastructure.

It also seems to have gained little purchase amongst local government officers with our survey revealing that in most local authorities, only one or two officers have any familiarity with the guidance.

The fact that the revised edition of Planning Policy Wales gives greater prominence to the UK Manual for Streets than Welsh Government's own active travel design guidance is a further indication that the guidance has not achieved the status it requires in order to bring about the improvements in active travel infrastructure that the act envisaged.

1.3 What action should be taken to improve the effectiveness of the Act and its implementation?

The fundamental requirement is clearer leadership from Welsh Government and a positive commitment to fund the delivery of the infrastructure that the act aims to have developed.

Consideration also needs to be given to the status of the two sets of guidance with a view to significantly strengthening their impact. A review of the Design Guidance is currently underway, a review that is being undertaken by an external expert with involvement from stakeholders. Meanwhile it would appear that the Delivery Guidance is being reviewed internally within Welsh Government. Failing to review the two sets of guidance jointly is unlikely to provide the additional cohesion across Welsh Government's guidance on active travel that is so clearly needed.

1.4 How far has the Act represented, and will continue to represent, value for money?

Achieving value for money is dependent on a thoroughgoing approach to the implementation of the Act. Part of the intention behind the legislation was to put an end to the waste of public money that resulted from spending on active travel infrastructure that was not used because it was not designed to a safe standard or did not allow people to make a complete

journey on foot or by bike. If comprehensive plans of safe and continuous networks are developed then future investment should be far more effective.

The real potential for saving money will come from the development and active promotion of the networks, which will see a significant population level increase in physical activity levels. Physical inactivity places enormous cost burdens on the NHS, at least £35m per annum according to Public Health Wales (<http://www.wales.nhs.uk/sitesplus/888/news/46348>.) Investing just part of that sum in active travel could realise significant savings and, more importantly, enormous improvements in the quality of life of our citizens.

2 Assessment of the effectiveness of wider active travel policy in supporting delivery of the Active Travel (Wales) Act 2013

2.1 The effectiveness of the Active Travel Action Plan

It is very disappointing that there are still no real targets for active travel levels in Wales. It is noticeable that in the new Planning Policy Wales, Welsh Government's targets for renewable energy are clearly stated and will be a material consideration. The lack of targets for active travel is thus a significant missed opportunity.

2.2 Whether sufficient funding and capacity are available to support implementation of the Act itself and wider active travel policy

Our survey revealed that the funding for the INM process was at best adequate, but often insufficient. The lack of staff dedicated to active travel within Welsh Government has manifested itself on numerous occasions in the INM process from the inadequate training of local authority officials, to the glitches in the mapping system. This is not a reflection on the staff themselves but simply a result of there being too few officials dealing with active travel.

2.3 The operation of the Active Travel Board

When first established, the board had key departmental ministers as members. A major aim of the board then was to instil active travel policies across Welsh Government through the active involvement of ministers,, particularly in education and health. Ministerial involvement has now been degraded to the point where the minister directly responsible for active travel occasionally attends part of the meeting. The relationship between the board and the minister with responsibility and the budget for active travel is clearly crucial. This relationship needs to be direct rather than filtered through officials. Thus we would recommend that there be an independent chair of the board, who has clear expertise in the field and a guaranteed level of access to ministers.

2.4 Whether active travel is integrated effectively in wider Welsh Government and local government policy

The clearest example to demonstrate that this is not the case can be found in Welsh Government's Active Travel Annual Report for 2017 which states that some four years after the Act came into force, active travel to schools is finally to become an important

consideration in a draft of a guidance note for Welsh Government's own 21st Century Schools programme:

A draft update of the Business Case Guidance for 21st Century Schools has been prepared to ensure systematic consideration of how learners travel to schools and colleges funded under the programme. Walking and cycling access in particular will be an important consideration. The new Guidance is expected to be published later this year. (Active Travel Annual Report 2016/17, p10)

Further examples of the failure of active travel to reach beyond the transport department can be found in the way the new draft edition of Planning Policy Wales describes the act but fails to require effective action for its implementation.

A similar situation exists at local authority level with our survey showing that involvement in the INM process rarely reached beyond the department responsible for highways.

Conclusion

The CPG continues to believe that the Active Travel Act could be of enormous benefit to the people of Wales but for that to happen, Welsh Government needs to fundamentally renew its commitment to successfully implementing the act. The act is all about changing behaviour patterns that have been in place for decades. To be successful such change needs concerted action across all levels and departments of government.