

## Written Response by the Welsh Government to the post legislative scrutiny report of the Active Travel (Wales) Act 2013

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**Detailed Responses to the report's recommendations are set out below:**

### **Recommendation 1**

**The Committee recommends that:**

The Committee considers a lack of strategic leadership at both Welsh Government and local authority levels to be responsible for the lack of progress made to date. The ambition of the Act cannot be realised through the actions of a few dedicated cycling/transport officers alone. Leadership from the Welsh Government should be strengthened, and it's expectation of leadership at local level made clear.

**Response:** Accept in Principle

The Welsh Government has already shown leadership in the implementation of the Active Travel Act.. The important role of active travel in meeting the Welsh Government's objectives is enshrined within Prosperity for All and the Economic Action Plan. The Welsh Government has published guidance for all local authorities to support them in their statutory duties and provides significant funding for authorities.

The Cabinet Secretary for Economy and Transport will continue to champion this agenda as lead portfolio Minister , as also shown in his regular attendance at the Active Travel Board, which works across partners in Wales s to maximise the opportunities that Active Travel offers. Local Authorities also have a key role to play in delivering on the aspirations within the Act.

**Financial Implications** – None. Any additional costs will be drawn from existing programme budgets.

### **Recommendation 2**

**The Committee recommends that:**

The Welsh Government should lead a lessons learnt review of the mapping process to streamline processes and improve the approach where need is identified.

**Response:** Accept

The Welsh Government had engaged with local authorities following the first stage mapping for the Existing Routes Maps to identify any issues with the mapping system. The majority of these was addressed during a system overhaul which preceded the Integrated Network Mapping stage The Welsh Government will work

with local authorities to identify any further improvements that may be made before the start of the next major mapping phase.

**Financial Implications** – None. Costs will be staff time in Welsh Government and partner organisations and will be borne within existing DRC budgets.

### **Recommendation 3**

#### **The Committee recommends that:**

The Welsh Government should lead a lessons learned exercise on Active Travel consultation to seek best practice and capture innovative ways of reaching people who do not currently walk or cycle.

**Response:** Accept

Throughout the implementation of the Act, Welsh Government has emphasised the importance of effective consultation and engagement to ensure that the development of network plans, route options and scheme design reflects community needs. This is reflected in both the Delivery and Design Guidance, in letters to local authorities, and in advice notes for the Integrated Network Map process. WG has already worked with Guidedogs Cymru to draft specific advice on how to engage with blind people and people with sight loss and the topic has frequently been covered at the Annual Conferences.

The Welsh Government will continue to work with local authorities and other partners across Wales to identify and disseminate good examples of successful consultation and engagement, in particular where individuals and groups were targeted who do not readily engage on active travel.

**Financial Implications** – Costs will mainly be staff time in Welsh Government and partner organisations with minor additional costs such as translation, venues. These will be borne within existing DRC and programme budgets.

### **Recommendation 4**

#### **The Committee recommends that:**

In future consultations, local authorities should involve the Access groups that exist across Wales.

**Response:** Accept

Consultation with Local Access Fora is already included in the Delivery Guidance at para 3.47. Good examples of how this can be achieved can be included as part of the work linked to recommendation 3.

**Financial Implications** – None.

### **Recommendation 5**

#### **The Committee recommends that:**

The Welsh Government should revise its statutory guidance to include co-production as a minimum standard for the delivery of the Active Travel (Wales) Act 2013, involving stakeholders not only in the identification of an issue, but enabling them to be a part of the solution.

**Response:** Accept in principle

The Welsh Government sees co-production techniques as a highly valuable tool to develop good schemes that meet user needs. It is essential that co-production is based on trust and openness and a genuine desire to work together. We are of the view that making it mandatory may be counterproductive and undermine these key principles, acting instead as a barrier to the development of some schemes . We are already encouraging local authorities to adopt co-production, highlighting and disseminating these examples and the benefits the approach brings and supporting capital schemes that apply co-production principles . Schemes that can provide evidence of strong engagement, including co-production, are more likely to demonstrate a strong case for funding.

**Financial Implications** – Co-production techniques can increase scheme design costs, so overall costs may be 5-10% higher than for comparable schemes, meaning fewer schemes can be funded from the same budget. It is recognised however that co-production can lead to lower cost solutions being identified as preferable.

### **Recommendation 6**

#### **The Committee recommends that:**

The Welsh Government should work with professional bodies for developers and civil engineers, local authorities and the Welsh Government's own staff to tackle the cultural barriers to implementing active travel guidance, particularly through training and culture change management.

**Response:** Accept

When the Active Travel Design Guidance was first published, the Welsh Government ran training and awareness sessions for professional users. This will be repeated once the Design Guidance has been updated. We will be working with the professional bodies to ensure more regular discussion of active travel issues within those settings, including as part of CPD, covering wider active travel policy and technical matters.

**Financial Implications** – Costs will mainly be staff time in Welsh Government and partner organisations with minor additional costs such as translation, venues. These will be borne within existing DRC and programme budgets.

### **Recommendation 7**

**The Committee recommends that:**

The Welsh Government should use the current Planning Policy Wales review and the planning guidance review as an opportunity to strengthen support for active travel and restate the importance of considering active travel in all new infrastructure projects. Active travel should be considered a must have, not an option.

**Response:** Accept.

This recommendation reflects our approach in the recent consultation on a revised version of Planning Policy Wales. We are proposing to strengthen policy on active travel and further integrate the provisions of the Active Travel (Wales) Act 2013 with the planning system. We are also proposing to give greater emphasis to the transport hierarchy, which prioritises walking and cycling, and on the creation of well-designed, people orientated streets. We are currently reviewing the consultation responses and will be looking to further strengthen our support for active travel.

**Financial Implications** – None.

### **Recommendation 8**

**The Committee recommends that:**

The Welsh Government should amend its guidance to enable “associated Settlements” to be brought within the Act, enabling the development of active travel routes between smaller rural settlements.

**Response:** Reject

The Welsh Government is of the view that introducing a new category of settlement is unnecessary. The Active Travel Delivery Guidance already sets out that the designated localities are the places that must be covered by the mapping duties under the Act. It states also clearly that local authorities can map beyond the settlement boundaries and can plan and improve routes in other places (para 2.4 and 2.10).

Grant funding will be tied to the construction and improvement of active travel routes included on Integrated Network Maps, but this will not be limited to the designated localities, where INM have been prepared for other places..

**Financial Implications** – None.

**Recommendation 9**

**The Committee recommends that:**

In its review of the design guidance, the Welsh Government should take steps to ensure the audit tool matches the standards of the guidance.

**Response:** Accept

We will ensure that these inconsistencies are addressed in the new document.

**Financial Implications** – None. The update of the Design Guidance is already underway and this can be accommodated within this work.

**Recommendation 10**

**The Committee recommends that:**

The Welsh Government should consider making funding available to progress smaller rural walking and cycling schemes that do not necessarily deliver on active travel, but would be impactful for local communities who may otherwise miss out.

**Response:** Accept in principle

The emphasis of the Active Travel Act is on walking and cycling as a mode of transport. We want people to enjoy walking and cycling for leisure purposes and in many cases routes will serve both purposes. The funding made available under the Active Travel Fund will focus on the realisation of active travel routes included in the Integrated Network Maps. We will work across government and with external partners to identify opportunities to fund routes that are not included on Integrated Network Maps, where there is a good case for them. This may involve a range of sectors such as tourism, regeneration, rural economy.

**Financial Implications** – Not known. Whether and how much funding schemes receive will be dependent on funding criteria for individual programmes.

**Recommendation 11**

**The Committee recommends that:**

The Welsh Government should make it clear that in cases where the guidance can only be applied flexibly, co-production with diverse local groups should be undertaken to ensure that as far as possible the solutions being developed are

suitable for the needs of the community. Welsh Government funding for projects should be conditional on this expectation being met.

**Response:** Accept

The Welsh Government already highlights the importance of engagement and consultation, in particular with any user groups who may be particularly affected or who have protected characteristics and we will use the update of the Design Guidance and Active Travel Fund grant application guidance to clarify steps that need to be taken where significant deviation from the design guidance is thought to be necessary. This will need to include effective consultation and engagement with users and potential users.

**Financial Implications** – Costs will mainly be staff time in Welsh Government and local authorities. These will be borne within existing DRC budgets.

### **Recommendation 12**

**The Committee recommends that:**

The Welsh Government should reconstitute the Active Travel Board with an independent chair, and terms of reference that give it teeth and impact. The Board should be responsible for monitoring progress on the Action Plan, creating and agreeing targets for delivery with the Cabinet Secretary.

**Response:** Accept in Principle

The Active Travel Board membership was recently adjusted with strengthened local authority representation. The Board has considered this recommendation and is of the view that there was no pressing need to change the chairing arrangements, but that the Secretariat would continue to keep the issue under review

**Financial Implications** – None. Costs will mainly be staff time in Welsh Government. These will be borne within existing DRC budgets

### **Recommendation 13**

**The Committee recommends that:**

Membership of the Board should be reviewed to ensure the right people are present. The Committee recommends that as the Board should be monitoring progress on the Action Plan, membership should not include members of the Welsh Government, or their officials.

**Response:** Reject

The Active Travel Board discussed this recommendation. It was unanimous in its

view that the presence of the Cabinet Secretary and Welsh Government officials was essential for meaningful exchange and collaboration across partners to support implementation of the Active Travel Act and increase levels of active travel in Wales.

**Financial Implications** – None

#### **Recommendation 14**

**The Committee recommends that:**

The Welsh Government should include the identification and sharing of examples of good practice in the Action Plan, alongside a target date for delivery that gives time for local authorities to include the learning in the next INM cycle. Good practice should be included in the guidance and updated as designs develop.

**Response:** Accept in principle.

The Welsh Government is fully supportive of the Committee's recommendation to enable identification and sharing of good practice examples. We do not consider that there is a need to wait until this has been incorporated as an action in a revised version of the Action Plan. Identification and sharing of good practice should happen continuously and we will work with partners to identify the most appropriate methods to collate and disseminate such examples.

**Financial Implications** – Costs will mainly be staff time in Welsh Government and partner organisations with minor additional costs such as translation, venues. These will be borne within existing DRC and programme budgets.

#### **Recommendation 15**

**The Committee recommends that:**

The Welsh Government should use the infrastructure projects it is delivering to showcase the innovative active travel approaches it expects to see from local authorities.

**Response:** Accept.

The Welsh Government is committed to incorporating consideration of how active travel modes can best be strengthened from the outset in any new infrastructure projects. The new WelTAG process which all projects follow, is designed to ensure that active travel expertise is present at all stages and places a lot of emphasis on early engagement. For existing schemes, we will work with delivery partners and other stakeholders to identify opportunities for further improvement at key stages in the detailed design and construction process.

**Financial Implications** – Not known. Active travel elements are part of overall scheme costs and will be met from programme budgets.

### **Recommendation 16**

**The Committee recommends that:**

Obesity is a growing problem in the health sector. Active travel and active lifestyles are a relatively low cost way to tackle this problem. The Welsh Government should direct Public Health Wales to prioritise the promotion of active travel and behaviour change as one of its key aims for the remainder of this Assembly/next three years. As part of that role, Public Health Wales should be demonstrably intervening and holding stakeholders to account where they consider opportunities to progress the active travel agenda are at risk of being missed.

**Response: Accept in Principle**

Increasing levels of physical activity across Wales is a key commitment in our national strategy *Prosperity for All*. As part of this delivery Public Health Wales, Sport Wales and Natural Resources Wales have been tasked to work in collaboration to develop actions to increase levels of physical activity. This will include considering the role of active travel. The organisations will be reporting to Ministers in the autumn on progress.

The Cabinet Secretary for Health and Social Services will be launching a consultation on an obesity strategy in the autumn. This will aim to consider a number of collective actions to increase those who are a healthy weight across our life stages, which will include a specific theme on active communities. This will consider opportunities to drive behaviour change and to ensure there is clear leadership placed to increase the number of our population who are a healthy weight, which includes being more physically active.

The Welsh Government however recognise that Active travel has a key role to play in helping to address a wide range of public health issues which extend beyond obesity and can seek to promote wider wellbeing. Public Health Wales will continue to play a role to demonstrate leadership and support behaviour change, including in the area of Active Travel.

**Financial Implications** – None. Any additional costs will be drawn from existing programme budgets

### **Recommendation 17**

**The Committee recommends that:**

The Welsh Government should provide opportunities for people to try walking and cycling for the first time, including through the funding of walking initiatives such as Let's Walk Cymru.



**Response:** Accept

Welsh Government will continue to promote opportunities for walking and cycling through a range of mechanisms.

**Financial Implications** – None. Any additional costs will be drawn from existing programme budgets

### **Recommendation 18**

#### **The Committee recommends that:**

The Welsh Government should create a recurring budget line for active travel funding, to reassure local authorities of the long-term commitment to this agenda. Capital and resource funding combined should be set at £17-£20 per head per annum. If additional funding cannot be found, then this will necessarily have to come from other areas of the transport budget.

**Response:** Accept in principle.

The Welsh Government has established an Active Travel Fund with an initial capital allocation of £60m over three financial years. This is complemented by funding from the Safe Routes in Communities Grant, the Local Transport Fund and active travel elements inherent within our own network improvement projects. Together capital funding for Active Travel is expected to be around £90m over this and the next two financial years. Revenue funding from transport budgets varies from year to year, as the majority is paid as a grant to local authorities, but is typically around £1.8m.

**Financial Implications** – An additional £60m have been secured from central budgets for the period 2018/19-2020/21. To meet the Committee's full ambition an annual capital and revenue budget between £53m and £62m would need to be made available for active travel.

### **Recommendation 19**

#### **The Committee recommends that:**

The Welsh Government should work with professional bodies and the WLGA to develop, and deliver on a regional basis, training for professionals and elected members. Following an initial training programme, active travel training should be incorporated into the continuous development training programmes that are already in place.

**Response:** Accept in Principle

The Welsh Government continues to support the WLGA in the development of

briefing and information for Members Linking also to recommendation 6, we will work with the professional institutions and other partners to incorporate effective consideration of active travel as part of professional training programmes and events.

**Financial Implications** – Minor. The intention is to incorporate Active travel training and awareness raising as much as possible into existing programmes and events. Dedicated regional training and awareness sessions across Wales will incur some costs, which will be met from existing programme budgets.

### **Recommendation 20**

#### **The Committee recommends that:**

The Welsh Government should strictly apply active travel requirements when considering planning proposals for strategic programmes such as 21st Century Schools and the new Metro system, ensuring infrastructure and facilities are considered core outputs.

**Response:** Accept.

The Active Travel (Wales) Act 2013 seeks to increase the numbers of everyday journeys made on foot and by bike, such as the journey to school. As a result of the Act, local authorities need to plan and develop integrated active travel networks, connecting key trip generators, including schools. The Welsh Government expects any 21st Century School project to include provision of safe and convenient walking and cycling access.

**Financial Implications** – None. Any additional costs will be drawn from existing programme budgets.

### **Recommendation 21**

#### **The Committee recommends that:**

The Welsh Government should work regionally with police and local authorities to agree innovative ways to tackle pavement parking, including raising awareness of its impact to change driver behaviour. Community co-production should be used to identify locations to target and potential solutions to this issue.

**Response:** Accept in principle

Pavement parking can be dangerous and cause serious barriers to active travel and the Welsh Government is fully supportive of the Committee's recommendation to tackle it. Local authorities have the power to restrict parking and most have already taken on parking enforcement. There are good examples where local authorities work with the community to try to restrict pavement parking and make it socially unacceptable, particularly around schools, with some success.

Engagement and audits as part of their further development and completion of active travel networks offer the opportunity to identify areas where pavement parking causes particular problems to concentrate efforts effectively.

**Financial Implications** – None. Any additional costs will be drawn from existing programme budgets.

### **Recommendation 22**

**The Committee recommends that:**

The Welsh Government should lobby the UK Government to include provision for adapted cycles to be included in the Cycle to Work Scheme.

**Response:** Accept

There are many people who would benefit from the opportunity to obtain non-standard bicycles under the Cycle to Work scheme. This goes beyond adapted cycles and may include e-cycles and cycles that can carry children and other loads. All of these could enable people to cycle to work who are otherwise unable to. The cost of most of these cycles exceeds the current limit under the cycle to work scheme. We will continue to lobby the UK Government to raise the upper threshold under the scheme

**Financial Implications** – None.

### **Recommendation 23**

**The Committee recommends that:**

The Welsh Government should create incentives to encourage the recycling of former Cycle to Work Scheme equipment and other good quality cycles back in to the community at an affordable price.

**Response:** Accept in principle.

There are good examples of community bike recycle schemes that enable people to buy cycles at low cost. Such schemes can lower the barriers to cycling for people on lower incomes or those who are unsure if they will want to continue. We will work with partners on the Active Travel Board to explore the case for supporting schemes, including looking at how private sector incentive schemes have worked, where bike shops offer discounts when an old bike is handed in, that is then passed to a community bike recycling scheme.

**Financial Implications** – None.

**Recommendation 24**

**The Committee recommends that:**

The Welsh Government should encourage the provision of cycle maintenance classes in schools and communities across Wales.

**Response:** Accept in principle

The Welsh Government funds national standard cycle training across Wales. The UK wide national standard is currently being revised. Cycle maintenance is part of the draft new standard, but it is envisaged that this will remain an optional element with the main focus of training being on building the skills to cycle safely and confidently. Our Active Journeys programme includes bike/scooter maintenance skills training for participating schools. It is accompanied by guides that are available to all schools and cover ideas on how to incorporate cycle maintenance.

**Financial Implications** – None. Any additional costs will be drawn from existing programme budgets.