

## BRIDGEND COUNTY BOROUGH COUNCIL

### REPORT TO CABINET

#### REPORT OF THE CORPORATE DIRECTOR - COMMUNITIES

12 MAY 2015

#### ACTIVE TRAVEL (WALES) ACT 2013

##### 1. Purpose of Report.

- 1.1 To provide Cabinet with an update on the Active Travel (Wales) Act 2013 and the implications this will have for Bridgend County Borough Council, and to seek approval to undertake a public consultation in line with Welsh Government guidance.

##### 2. Connection to Corporate Improvement Plan / Other Corporate Priority.

- 2.1 The duties placed on the Council through the Active Travel (Wales) Act will help to deliver the following Council Corporate Priorities as identified in the Corporate Plan 2013 – 2017:

- Priority One - Working Together to Develop the Local Economy

The Act will contribute to the identification and delivery of improved transport links within the county borough, specifically walking and cycling (active travel) routes which can provide alternatives to car-use and public transport. The promotion of active travel routes and networks can also be used to continue to attract tourists to the area to sustain the economy.

- Priority Five - Working Together to Tackle Health Issues and Encourage Healthy Lifestyles

Discharging the duties of the Act will assist the Council in addressing priority issues such as childhood obesity and mental wellbeing, encouraging and promoting life-long physical activity and promoting low-cost and accessible activities such as walking and cycling.

- 2.2 The continuous improvement in provision of facilities for pedestrians and cyclists required by the Act will also contribute to the development of the cycle tracks network which is identified in the Communities Directorate and Highway Services Business Plans. It is also a major element in both the Council's Walking and Cycling Strategy and its Rights of Way Improvement Plan (RoWIP). Both the RoWIP and the Walking and Cycling Strategy have been designed to complement the Council's other policies as well as wider national and regional policies.

##### 3. Background.

- 3.1 Welsh Government has recognised the important role that active travel will play in their ambition to build a healthier, stronger and wealthier Wales. In order to achieve

the modal shift needed to realise this ambition, the Welsh Government has introduced the Active Travel (Wales) Act 2013 which came into force on 25<sup>th</sup> September 2014. A copy of the Active Travel (Wales) Act is available here: [http://www.legislation.gov.uk/anaw/2013/7/pdfs/anaw\\_20130007\\_en.pdf](http://www.legislation.gov.uk/anaw/2013/7/pdfs/anaw_20130007_en.pdf).

- 3.2 The Act makes it a legal requirement for local authorities in Wales to map and plan for suitable routes for active travel, and to build and improve their infrastructure for walking and cycling every year. The Act also creates new duties for highways authorities to consider the needs of walkers and cyclists and make better provision for them, and requires both the Welsh Government and local authorities to promote walking and cycling as a mode of transport. By connecting key sites such as workplaces, hospitals, schools and shopping areas with active travel routes, the Act will encourage people to rely less on their cars when making short journeys.
- 3.3 The provisions of the Act will only apply to certain areas, as designated by the Welsh Government, where it is believed that there is potential for active travel. The direction designating localities can be found here: <http://wales.gov.uk/docs/det/publications/141002geographicalapplicabilityoftheactivetravelacten.pdf>. There are nine designated settlements within the county borough.
- 3.4 To assist local authorities in meeting their duties under the Act, the Welsh Government has issued two sets of guidance documents to support the Act. The Delivery Guidance was published on 5<sup>th</sup> November 2014, and the Design Guidance was published on 9<sup>th</sup> December 2014.
- 3.5 The Delivery Guidance explains what the duties of the Act mean in practice and sets out the processes and procedures which local authorities should follow to meet the duties of the Act, as well as confirming the location of the designated settlements. A copy of the delivery guidance is available here: <http://wales.gov.uk/docs/det/policy/141105guidanceen.pdf>.
- 3.6 The Design Guidance contains technical information to provide a consistent standard for local authorities to work to when planning, designing, constructing and maintaining networks and routes for walking and cycling. The design guidance contains two audit tools which will be essential for helping local authorities to decide whether a route is appropriate for active travel, and what steps should be taken for improving their routes. A copy of the design guidance is available here: <http://wales.gov.uk/docs/det/publications/141209-active-travel-design-guidance-en.pdf>.

#### **4. Current Situation / Proposal.**

- 4.1 The Council is required to prepare a map showing the existing active travel routes and related facilities in the county borough, and to produce an integrated network map which identifies the new active travel routes and facilities, as well as improvements to existing routes and facilities, that are needed to develop or enhance an integrated active travel network over the next 15 years.
- 4.2 The existing routes map has to be produced, and submitted for Ministerial approval, within 1 year of the Act coming into force, by 24<sup>th</sup> September 2014. The integrated network map needs to be produced in line with the methodology outlined in the

Design Guidance and submitted for Ministerial approval within 3 years of the Act coming into force, by September 24<sup>th</sup> 2017.

- 4.3 The existing routes map will need to be kept under review and re-submitted together with the integrated network map within 3 years of the day it was last approved. A consultation should be undertaken each time the maps are re-submitted to ensure accuracy. At the same time as the maps are submitted, local authorities will also have to produce a report indicating how the level of use of the routes has changed since submission of the previous map, as well as an annual report specifying the costs incurred in making year on year improvements to active travel routes and facilities in the most recent financial year.

#### Existing Routes Maps

- 4.4 In preparing the existing routes map, the Council will need to verify data provided by Sustrans as part of a national mapping and surveying contract. It will then be necessary to use the audit tools contained within the design guidance to assess whether the identified routes and facilities within each of the nine designated settlements in the county borough meet the relevant standards, and can therefore be included on the existing routes map.
- 4.5 Routes that are useful and suitable for active travel, but do not meet the standards set out in the guidance, can be included on the maps if they are clearly marked as not meeting the standards. In addition, the Council will be required to prepare a statement detailing which routes do not meet the standards, together with an explanation of why they are still considered suitable for active travel.
- 4.6 Once the draft existing routes map and statement have been prepared, these will form the basis of a minimum 12-week public consultation. The consultation should be carried out in line with the guidance issued by Welsh Ministers and should specifically seek to engage with groups with protected characteristics under the Equalities Act 2010, children and young people, and those who do not currently travel actively. Local authorities are required to submit evidence of the consultation undertaken alongside the maps.
- 4.7 The timescale for preparation of the existing route maps is set out below:

**Late April/May:** Estimated date for provision of mapping data by Sustrans, to allow officers to review the data and commence the "audit" process.

**Early May:** Use of Welsh Government "Audit Tool" to audit identified routes within the nine settlements.

**Late May:** Creation of appropriate public consultation documents, to include existing route maps and accompanying statement/explanation of where routes do not meet the standards as outlined in the Guidance.

**June to August:** 12-week (minimum) public consultation period

- Early September:** Approximately 3/4 weeks to incorporate feedback from consultation on maps and statement prior to submission.
- 24<sup>th</sup> September 2015** – Submission of existing route maps  
**24<sup>th</sup> September 2017** – Submission of the integrated network map and resubmission of the existing route map  
**24<sup>th</sup> September 2020** - Resubmission of the existing route map and the integrated network map

#### Publication of the Maps

- 4.18 The Council must publish the maps, any statement and explanation of routes that do not meet the design standards, and any report on how the level of use of active travel routes and related facilities in their area has changed. This must be done in an appropriate manner and in line with the guidance from the Welsh Government, including the production of electronic copies on the Council's website as well as hard copies, bilingual versions and versions in any other language deemed appropriate.
- 4.19 For existing route maps, free hard copies will also need to be made available in public areas such as libraries, leisure centers, tourist information centers, health and educational establishments and transport interchanges.

#### Other Provisions

- 4.20 Local authorities are also required to make year on year improvements in the range and quality of active travel routes and facilities, and to take reasonable steps to enhance provision for walkers and cyclists when in the exercise of certain functions. This includes the creation, maintenance and improvement of highways, and the presumption is that enhancements will be made in new schemes or during maintenance when it is practicable to do so.
- 4.21 There is an additional duty on local authorities to exercise their functions under the Act in a manner designed to promote active travel journeys and secure new active travel routes and related facilities, and improvements to existing active travel routes and related facilities. The Council must submit a report to Welsh Ministers summarising what they have done in each financial year to satisfy that duty, this should detail the activity to promote active travel *undertaken by any departments in the Council*, not just in transport.

### **5. Effect upon Policy Framework & Procedure Rules.**

- 5.1 There is no effect upon Policy Framework or Procedure Rules.

### **6. Equalities Impact Assessment**

- 6.1 An Equality Impact Assessment screening form has been completed, and a full EIA will be produced within six months.
- 6.2 The screening indicated that there is a risk that the preparation of the maps, including the consultation, may not be accessible to all potential respondents, and that some groups may be affected by the design of active travel routes and facilities.

These issues will be mitigated through the use of appropriate consultation methods and by taking account of the needs of all highway users during the infrastructure design process.

## **7. Financial Implications.**

- 7.1 In 2014/15, the Welsh Government allocated £16,000 to the Council under its Local Transport Fund programme to contribute towards the cost of preparing and consulting on the maps. The allocation has been calculated based on the population and area covered by designated settlements. The remaining balance of £15,300 will be available for the Council to spend in 2015/16.
- 7.2 Notwithstanding the above, given the requirement for local authorities to audit the identified infrastructure within their designated localities, and to carry out a minimum 12-week public consultation, significant resources will be required, the allocation of funds will not be sufficient to allow the Council to solely secure external resources to deliver the maps. A mix of internal staff time and external agent support will be required to consult, audit routes and draft maps within the £15,300 budget.

## **8. Recommendation.**

- 8.1 It is recommended that Cabinet:
- (a) note the report;
  - (b) approve a 12-week public consultation in line with Welsh Government guidance as set out in Section 4;
  - (c) note that a further report will be presented to Cabinet after the consultation exercise

### **MARK SHEPHARD CORPORATE DIRECTOR - COMMUNITIES**

**Contact Officer:** Kevin Mulcahy  
Group Manager, Highways Services

**Telephone:** (01656) 642535

**E-mail:** [Kevin.Mulcahy@bridgend.gov.uk](mailto:Kevin.Mulcahy@bridgend.gov.uk)

**Postal Address:** Bridgend County Borough Council, Communities Directorate, Angel Street,  
BRIDGEND, CF31 4WB

### **Background documents**

Active Travel (Wales) Act 2013

Statutory Guidance for the Delivery of the Active Travel (Wales) Act 2013

Design Guidance: Active Travel (Wales) Act 2013

Direction designating localities under the Active Travel Act

Equalities Impact Assessment Toolkit

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