

Report of the Director of Place

To Rights of Way and Commons Sub-Committee – 22 April 2014

ACTIVE TRAVEL (WALES) ACT PROGRESS REPORT

Purpose:	To provide an update on the works associated with the Active Travel (Wales) Act.
Policy Framework:	Active Travel (Wales) Act
Reason for Decision:	To inform the Sub-Committee of progress.
Consultation:	Legal, Finance
Recommendation(s):	1. To note the progress being made with the Active Travel (Wales) Act

1. Introduction

- 1.1 The Active Travel (Wales) Act received royal ascent in November 2013. The Act, which is considered to be a world first, 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. It creates new duties for highways authorities to consider the needs of walkers and cyclists and make better provision for them. It also requires both the Welsh Government and local authorities to promote walking and cycling as a mode of transport.
- 1.2 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.¹

2. Requirements

- 2.1 The legislation contains three principal requirements to which Local Authorities must conform.
- 2.2 First, that the Local Authority will provide a map of currently available Active Travel Routes. The routes contained in the map must either conform to the Active Travel Standard (discussed below), or where it does not provide a link to a key service such as schools, hospitals, places of employment and/or retail. The maps will cover all communities with a population of 2,000 or greater and the communities considered to conform to this threshold have been identified by the Welsh Government in a Consultation document published in November 2013. Whilst the Local

¹ Welsh Government, November 2013. "Active Travel Wales Act"

Authorities are now awaiting the outcome of this consultation and the formal list of communities, it is expected that largely the whole of the City & County of Swansea area will be included, with the possible exclusion of Gower.

- 2.3 This map is to be published as a hard copy and distributed to the public.
- 2.4 The second element of the legislation requires that the local authority will prepare a second map which sets out all of the programmed and anticipated Active Travel schemes which may be delivered over the next five years (2014 – 2018). These routes also need to be publically accessible, but does not need to be published in hard form and can therefore be presented electronically if appropriate.
- 2.5 The final element of the Act is to make good progress against realising the elements defined in the second map to ensure that the routes are continually improved and built upon. This does not therefore require simply that new routes will be constructed each year, but that the network will be improved in some way.
- 2.6 Whilst these are the principle requirements of the Act there is a further significant implication. The Active Travel (Wales) Act also interfaces directly with the Highways Act and principally with sections 3, 4, 9 and 12. These sections deal with the 'Creation', 'Improvement', 'Maintenance' and 'Interference' of the Highway and require that when any works are undertaken that consideration be given as to how measures which promote Active Travel could be incorporated.

3. Guidance

- 3.1 The Welsh Government is currently preparing a draft guidance document to advise on the Active Travel (Wales) Act standard infrastructure. The guidance will therefore describe best practice and the forms of route which are required in order to conform to the expectations of the Act. This draft guidance document is due to be published in May 2014 and will be subject to a 12 week public consultation prior to being revised and formally published in the autumn of 2014.

4. Financial Implications

- 4.1 The Welsh Government has allocated funds to each Local Authority in Wales to aid with the development of the Network Maps in 2014/15. The City & County of Swansea has therefore been allocated £26,000 for the production of "*Existing route maps as per the requirement of Sections 3 of the Active Travel (Wales) Act 2013.*"
- 4.2 Work is yet to commence on this item, as the precise form will depend upon the outcome of further guidance from the Welsh Government but it is expected that it is likely that Local Authorities will collaborate either

nationally or regionally on the production of the maps and therefore will pool the available funds.

5. Legal Implications

- 5.1 The Local Authority will need to ensure compliance with the Active Travel Wales Act. Whilst there are no defined punitive sanctions against non-compliant local authorities, it is expected that it would lead to public challenge and potential legal challenge if compliance cannot be evidenced.

6. Recommendations

- 6.1 The Rights of Way and Commons sub-committee is asked to note emerging requirements of the Active Travel (Wales) Act.

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