



**To/
Councillor Mark Thomas
Cabinet Member for Environment
Enhancement & Infrastructure
Management**

BY EMAIL

cc: Cabinet Members

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Scrutiny

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SPC/2020-21/5

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Summary: This is a letter from the Scrutiny Programme Committee to the Cabinet Member following the meeting of the Committee on 16 February 2021. It is about the Council's Active Travel Consultation Process. A formal response is required by 29 March 2021.

Dear Councillor Thomas,

Scrutiny of Active Travel Consultation Process

Thank you for attending the Scrutiny Programme Committee on 16 February 2021 and answering questions on the Council's Active Travel consultation process. It was important for the Committee to look at this because of public concerns brought to our attention concerning at least two specific active travel schemes being implemented, with questions about the extent of public consultation being a common theme.

We wanted our scrutiny session to shine a light on things and help us to understand what consultation processes the Council utilises and why; and whether, in light of experience, that could be improved, and any wider learning points for the future. The session was not about individual schemes and site-specific issues, but a look at the overall experience in the development, design and implementation of Active Travel schemes, and how we consult with those most impacted, as well as the public at large, and how that informs decisions and actions.

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Thanks also to Stuart Davies (Head of Highways & Transportation), Cath Swain (Integrated Transport Unit Manager), David Hughes (Principal Engineer, Highways & Transportation), and Chloe Lewis (Team Leader, Highways & Transportation) for their support, input and contributions to the meeting.

This letter reflects on what we learnt from the discussion and documentation provided to us, shares the views of the Committee, and highlights any outstanding issues / actions for your response.

Context

The Council has an ambitious Active Travel programme, supported by the Welsh Government, which has delivered year on year improvements to the active travel network and routes across the City and County of Swansea, since the Active Travel (Wales) Act came into force in 2014. The Council has to date secured more grant funding than any other local authority in Wales.

‘Active travel’ means walking and cycling as an alternative means to motorised transport for the purpose of making everyday journeys. The development of Active Travel across Wales supports local and national priorities around health, climate change, transport and contributes to the goals and ways of working set out in the Well-being of Future Generations (Wales) Act 2015.

The Council has received numerous emails and other contact from members of the public and councillors regarding current Active Travel schemes. A number of members of the public have contacted Scrutiny directly with concerns.

It is apparent that there is some confusion about the Active Travel process, including what formal consultation the Council is required to undertake to inform its decisions and actions. We have sought to clarify that and consider possible improvements in light of recent experiences.

Key Findings

The Council recognises that the implementation of active travel schemes, just like other developments and projects, impact on people and may not be universally welcomed. It recognises the challenge of ensuring community acceptance and balancing different considerations, some of which are conflicting. Overall, we heard that generally the Council has engaged with everyone who has expressed a view and made changes to schemes where it has been feasible to do so, in order to deliver the best possible active travel schemes.

The Council has a statutory duty to produce active travel maps, and plan and deliver improvements in active travel routes and facilities. The Welsh Government has issued both Delivery and Design Guidance for local authorities. Current guidance dates back to 2014, however the Welsh Government has been consulting on revised / updated guidance during 2020 the outcome of which is awaited.

The Act requires two maps to be produced: an Existing Routes Map (ERM) and an Integrated Network Map (INM). The ERM shows routes that are suitable and appropriate for making active travel journeys, primarily intended to inform the public of the safe and suitable routes for active travel and give pedestrians and cyclists the information that they require in order to make a decision about how and where to travel. The INM sets out the plans for the next 15 years, mainly a tool to enhance forward planning of active travel. It is primarily meant to be used to support infrastructure development planning, and include plans that may range from “shovel ready” schemes due for delivery in the next couple of years, to intentions to address the active travel infrastructure in the medium and long term. Schemes under active development should be depicted in detail within the INM.

In accordance with Welsh Government Guidance formal public consultation was carried out by the Council for a minimum of 12 weeks on both the ERM and INM, prior to their submission to Welsh Government for approval, as required by the Act. There is further information in the guidance about this consultation, to ensure a range of views are gathered and that consultation is accessible, but with discretion afforded to Councils on who they should consult, and consider the appropriate level of detail to be provided when consulting with the public. Consultation on the INM during 2017 was commissioned from an external provider, and included a mix of opportunities to engage online and via workshops and community engagement events. Accordingly, Swansea’s ERM and INM received approval in 2016 and 2018 respectively – both can be found published on the Council’s website: www.swansea.gov.uk/activetravelact.

Councils can then apply for Welsh Government grant funding on an annual basis to take forward specific Active Travel schemes that appear in the approved maps. Bidding for funding is typically open around December / January every year with the outcome announced around May / June. Successful schemes must then be delivered within that financial year to secure the approved funding. On 30 July 2020, Cabinet formally reported on the outcome of the bid for Active Travel Fund monies and approved expenditure on the associated projects in 2020/21. This means delivering these schemes and claiming grants by 31 March 2021. We heard that this was therefore considered to be a short window in which to deliver the approved schemes. It was noted that all schemes submitted to Welsh Government for active travel funding will have been assessed in detail prior to submission, including necessary feasibility studies.

The Council has secured £12.7million over the past three years leading to Swansea's active travel networks increasing by 25% over the past three years to a total length of 128km by the end of the current financial year. Swansea Council was awarded £5,117,500 from the Welsh Government's Active Travel Fund 2020/21, of which £773,000 was defined as 'core allocation' intended for feasibility, design and minor works projects.

Active Travel projects approved for 2020/21 included: Mayals Road, Townhill North (The Ravine), Townhill Road, St. Helens, Sketty Park, and Olchfa. Information about these projects appears on the Council website: www.swansea.gov.uk/activetravelschemes.

We noted that Swansea's ERM and INM is due to be refreshed during 2021 therefore formal public / stakeholder consultation will be carried out later this year as required by law.

There is no statutory requirement for formal consultation on individual schemes beyond production of the ERM and INM, and once funding is secured these are effectively agreed schemes. However, that does not preclude any further engagement with those affected, to ensure scheme delivery and success. Design Guidance from December 2014 encourages Councils to carry out consultation at different stages, from development of the network to individual schemes. The more opportunity people have to influence and shape walking and cycling schemes for their local area, the more likely they will be to use them. Guidance states that there should be an opportunity to get involved for everybody who is directly or indirectly affected, including potential users, in an accessible way with clear parameters. Early consultation will help to avoid poor decisions based on inaccurate or outdated information, and gain greater community support for any new scheme.

However, there is an issue around the time and resources available, after schemes have been approved, for consultation. Once schemes are approved this limits scope for changes as the Council needs to meet the criteria for active travel funding and protect the integrity of schemes, e.g. it would rule out stopping or any making significant alterations to routes. That is the crucial point and source of the problem that has surfaced regarding some of the current schemes. Effectively from this point on it is more accurate to say that there may be engagement with people, not consultation. However, views about implementation from communities and other stakeholders can still be taken on board, and adjustments made where possible. It was clear that any such contact is welcomed and that the Council is happy to listen.

Following Cabinet approval of expenditure in July 2020, you wrote to local ward councillors at the end of August to flag up the scheme(s) that will be delivered in their area, which was followed up in early September 2020 with correspondence from officers that was more detailed about the individual schemes. You also stated that a letter to local residents would have been sent out, informing them of works that would directly affect them e.g. properties adjacent to planned routes. Following a query at the meeting, and some challenge about the extent of resident notification, you have since clarified in an email to Mr Anderson, secretary of the Blackpill, Derwen Fawr and Mayals Residents' Association, that this did not happen with the Mayals Road scheme. You say that this was partly due to Officers working from home and restrictions in place at the time through Covid-19 restrictions, but also as a result of the Residents Association requesting a Zoom meeting with Officers. You added it was felt at the time that the Zoom meeting offered a better opportunity to engage with residents directly and address any concerns that residents of Mayals may have had. Information was also published on the Council's website for public awareness, including some FAQs about individual schemes. Whilst this was information, not consultation, any response from local councillors or residents would be duly considered.

It was noted that each Active Travel scheme will be different and affects the nature of community response and consultation or engagement necessary. For example, some virtual meetings took place between officers and local councillors / members of the public to provide more clarity about aspects of certain schemes. The pandemic of course has affected the ability to hold face-to-face or groups meetings in physical community locations over the past year, so an added difficulty. A number of examples were given where changes have been possible during the implementation / delivery phase in light of issues raised, including the scheme affecting Gors Avenue (Townhill). You referred to a 19-page report that was compiled following a remote meeting with local councillors / residents on the Mayals Road Scheme, which we would be grateful to receive copy of.

You assured the Committee that no concerns have been raised by the Welsh Government directly with the Council, at any level, about its approach to Active Travel and consultation, which has been consistent and in accordance with current guidance. It was noted that the approach has been the same for previous schemes, and all schemes have benefitted from local input along the way. All schemes generate interest and where the need arises the Council will engage with communities or individuals as ultimately it wants all of its schemes to meet objectives, be well used and successful. The Council, and everyone working on its active travel schemes have no interest in developing routes that are dangerous / unsafe, but instead wish to develop the best routes considering all options, relevant factors (including safety and biodiversity) and issues. Nevertheless, you were open to suggestions about how the Council could do more in relation to consultation, engagement and communication and improve processes that will help to take communities with

us and gain greater community support, within the constraints of the active travel process and available time and resources.

Committee Views

We had a full and frank discussion about the issue of consultation and hope that the meeting has helped to clarify the Council's position and highlight the key issues. We have sought to offer constructive suggestions that have the potential to help address some of the concerns that have been highlighted.

The report you presented to, and approved by Cabinet on 30 July 2020, aside from a short description, did not provide any detail (designs, new route maps, etc.) of each individual scheme. Therefore, unless privy to the Council's Active Travel Fund bidding documents, members of the public would not have been aware from this report of individual scheme details. We felt that had more detail been provided in the report, or elsewhere (e.g. the Council's website), it would have enabled the opportunity for people to engage with the Council and give any views about individual scheme design. That does not necessarily mean opposition but the potential for improvements.

This seems to be a gap that the Council should look to fill in future, particularly given policy direction towards more consultation and applying principles of co-production across the Council. Consultation early in a scheme's development or completion of outline design could provide opportunity for stakeholder involvement in refining the scheme design and influencing the final outcome before decisions are made. Committee Members felt that the Council should aim to go beyond the statutory minimum when it comes to consultation and engagement.

The Committee recognised that the timescales involved in the approval of active travel schemes are likely to hinder the ability to carry out meaningful public / community consultation. We acknowledged this difficulty but if consultation, in whatever form, took place at some point prior to submission of funding bids there may be more time and it may be helpful to the implementation of a scheme even if there is of course no guarantee of the scheme's approval or delivery. If we have confidence in our bids we should be confident of success, and history has shown significant support from Welsh Government for our Active Travel plans.

This is important because you told us that after Cabinet has approved expenditure, based on Welsh Government funding approval, it is effectively too late to consult. Consultation prior to decision-making may have avoided the concerns we have seen raised about the Olchfa and Mayals schemes, or at least addressed these issues at an earlier point, and save the additional work and effort responding to queries at a time when you want to focus on carrying out the works and completing the schemes.

We would also encourage greater and more pro-active public communication, which means people not having to seek out reports or other materials about Active Travel schemes and prompting community engagement and a public conversation. Communication from the Council via social media and press could support the active travel process and add value even in the absence of any formal / structured consultation. It would help if communication with local members could also be strengthened so that local councillors are better equipped to deal with queries from residents, and perhaps save you and officers time.

Your Response

We hope that you find the contents of this letter useful, and would welcome your comments on anything within. We would be grateful, however, if you could specifically consider and respond to the Committee about what you can take forward from our suggestions. You also agreed to clarify the extent of letters being sent to residents affected by individual schemes, and share a copy of the report referred to following remote meetings with local councillors / residents.

Please provide the response to this and any other comments about our letter by 29 March. We will then include both letters in the agenda of the next available Committee meeting.

Finally, the Committee was contacted by nine different members of the public with numerous questions and comments. The Committee covered some of the issues raised during the session, however we asked that you respond directly to each of those people as soon as possible. Please copy Scrutiny into your responses so that we are aware they have been dealt with.

Yours sincerely,



COUNCILLOR PETER BLACK

Chair, Scrutiny Programme Committee

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