



Purpose – to provide evidence for the National Assembly for Wales Enterprise and Business Committee on the general principles of the *Active Travel (Wales) Bill*.

1. Disability Wales is the national association of disabled people's organisations in Wales. Disability Wales strives to achieve rights, equality and independence for all disabled people, regardless of physical, sensory or neurological impairment, learning difficulty or mental health condition. We recognise that many disabled people have different identities and can face multiple discrimination.

Q1) Is there a need for a Bill aimed at enabling more people to walk and cycle and generally travel by non-motorised transport? Please explain your answer.

2. Disability Wales welcomes the Bill as it promotes healthier lifestyles for all. However the Bill must recognise that private car use is absolutely essential for many disabled people to enable them to live independently in the community.
3. Yes there is a need for the Bill; a possible benefit would be that disabled people can choose to be more physically active. But this would only happen if all foot / cycle paths were fully accessible and safety measures were in place to ensure disabled people felt confident and comfortable using the cycle / footpaths.

Q2) What are your views on the key provisions in the Bill, namely –

the requirement on local authorities to prepare and publish maps identifying current and potential future routes for the use of pedestrians and cyclists (known as “existing routes maps” and “integrated network maps”) (sections 3 to 5);

4. Maps are a good idea. However, any map that is published by Local Authorities has to be made available in accessible formats for example, large print or tactile versions etc. It is worth noting that there is not a need to

‘reinvent the wheel’; making use of maps already in existence could assist in allaying Local Authority fear of publishing costs. Such maps include: Google maps; Street View in particular and other maps are already available such as Ordnance Survey (OS) maps. Local Authorities could modify these existing Map formats accordingly. Google maps or Ordnance Survey maps however do not provide accessible information other than, perhaps, OS path gradient. Creation of foot path / cycle path accessibility maps is something that could be developed, possibly in conjunction with Accessible Wales.

5. Active engagement with disabled people’s groups and organizations at the very beginning of the mapping and proposed enhancements is of paramount importance. Local disabled people are best placed to give advice on access issues and barrier removal of paths in their local area.
6. Accessible advertisement of routes affording access to disabled people should be a priority. It is worth noting that one of the three main access barriers disabled people face is communication barriers. Advertising online should not be the only method of promotion, as not all disabled people have access to the internet, and not all internet sites are accessible for disabled people. Offline promotion should also be carried out.

the requirement on local authorities to have regard to integrated network maps in the local transport planning process (section 6);

7. Integrated accessible transport is the key to providing real possible alternatives to private car travel for disabled people who can use public transport. Integrated network maps showing transitional ease of access between transport modes e.g. cycle routes and train stations would greatly benefit disabled people when planning their journeys. Footpath and cycle paths should be planned to ensure that they pass local amenities such as GPs, shops and recreational facilities to facilitate ease of access to the local community.

the requirement on local authorities to continuously improve routes and facilities for pedestrians and cyclists (section 7);

8. Route improvements are vital to sustainability of shared foot / cycle paths. Access improvements and maintenance of shared cycle and footpaths should

be carried out at regular intervals to ensure that disabled people's access is not hindered by wear and tear and footfall damage. Periodic monitoring would be useful. As set out in the Local Government (Wales) Measure 2009 which requires Local Authorities to secure continuous improvement in the exercise of their functions. These improvements will be in terms of strategic effectiveness; service quality; service availability; fairness; sustainability; efficiency and innovation. One of these functions is shared cycle and footpaths.

9. The varying quality of the shared cycle and footpaths from the outset may put many disabled people off walking or cycling. A disabled person may start to cycle / walk on a path but then the terrain becomes less smooth or the gradient too steep which prevents disabled people from continuing their journey due to health and safety concerns.
10. Local Authorities should adopt a unified approach and standard disability access requirements for different types of path and facilities throughout Wales, thus ensuring minimum standards are adhered to, although good practice standards would be preferred.
11. There are safety concerns over proposed shared foot and cycle path space. Also in rural areas cycle paths could be open to horse riders; safety has to be in the forefront of any proposed changes.

the requirement on highway authorities to consider the needs of pedestrians and cyclists when creating and improving new roads (section 8)

12. The safety of all pedestrians is of paramount importance. Active engagement with disabled people and older people is a must to ensure their views are taken into account. Local Authorities should liaise with local access groups / disability groups to identify and address any barriers to disabled people using shared cycle paths and footpaths in their local areas.
13. When creating new roads The Highways Authority should have a duty to take into account access requirements of disabled pedestrians. For example; when separating pavements for walkers and cyclists the Highways Authority must ensure that there is a clear distinction between cycle and pedestrian lane markings.

14. Disabled people with mobility and or sensory impairments could find sharing footpaths with cyclists difficult or dangerous.
15. Eye contact is critical to establish who has right of way when a cyclist and pedestrian meet on paths. However establishing eye contact may not be possible for all e.g. people with visual impairments or conditions such as Autism. The speeds of which some cyclists travel on the cycle / footpath is of particular concern.
16. Speeding cyclists can injure mobility or intellectually impaired pedestrians because they cannot move out of the way quickly enough. Deaf and hearing impaired individuals would also be in danger as they cannot hear cyclists approaching from behind them; this could result in them being unable to move out of the way quickly enough leading to collisions and potentially very serious injuries.
17. If the paths are divided into two, one side for cyclists and the other for pedestrians, people with visual impairments may not be able to distinguish between the different paths. Visually impaired individuals need to be able to distinguish between the two designated sides for safety reasons; otherwise they could walk on the cyclists' side and injure themselves and their guide dogs if applicable. Because of this there needs to be clear colour contrasted and tactile delineator on adjacent routes.

**Q3) Have the provisions of the Bill taken account of any response you made to the Welsh Government's consultation on its White Paper?
Please explain your answer.**

18. To some extent, however, the views and experiences of disabled people could be covered in greater detail. The safety of disabled pedestrians is a very real concern. The requirements of disabled cyclists who use tricycles and hand-cycles which have dimensions wider than a standard bike have to be considered when determining the widths of lanes on the shared cycle and footpaths.
19. Transport (Wales) Act 2006 – section 1 – requires Welsh Ministers to develop policies and encourage safe, integrated, sustainable, efficient and economic facilities and services for pedestrians and cyclists. Safe is the key word in this

paragraph. 'Disabled pedestrians and cyclists should be fully considered when shared cycle and footpaths are being deliberated at Local Authority level. Active engagement with these groups who are very often underrepresented is important.

20. There must be a reinforcement of the crucial importance of disability legislation such as the Equality Act 2010, Wales Specific Duties, UN Convention on the Rights of Persons with Disabilities etc in relation to accessibility of footpaths and cycle paths etc.

Q4) To what extent are the key provisions the most appropriate way of delivering the aim of the Bill?

21. One key provision that could be explored in more detail is the provision for disabled pedestrians, disabled and older cyclists. Provisions should seek to address access barriers to ensure active travel can be enjoyed by all who wish to take part.

Q5) What are the potential barriers to the implementation of the key provisions and does the Bill take account of them?

22. The cost of designing and implementing fully inclusive, accessible shared cycle and footpaths could be a barrier. However it is a statutory requirement to provide access to disabled people as a reasonable adjustment under the Equality Act 2010 regardless of budget availability. However the type of reasonable adjustments made could depend on finance available.
23. One barrier could be that Local Authorities have different priorities when it comes to funding for the upkeep of the shared cycle / footpaths.
24. There could be a concern as to upkeep of construction and path maintenance. Cycle and footpaths are maintained to varying standards; shared use could mean more regular upkeep becomes essential. Changes to right of way legislation that do not include requirements to amend footpath furniture, signage or surfacing could be counterproductive as these are the very cause of many access barriers for disabled pedestrians.
25. There is often a lack of knowledge of disability access specific measurements and many follow what guidance exists to the letter as the bare minimum

criteria as opposed to 'Good Practice' which is often more generous in measurements than the bare minimum guidance. This will become a bigger barrier due to increase in size of wheelchairs and motor scooters whereby the minimum guidance is not suitable for larger mobility aides.

26. New design guidance is necessary to ensure a uniform approach is taken throughout Wales and that access requirement criteria is met to the same standard throughout the networks. Guidance should mean that disjointed notions of accessibility that varies according to location will, in theory, be prevented. Adherence to additional disability related guidance such as Technical Advice Note 12: Design (TAN 12) is important.

27. For more detailed information see the Sensory Trust website:
http://www.sensorytrust.org.uk/information/factsheets/outdoor_ip.html

Q6) What are your views on the financial implications of the Bill (this could be for your organisation, or more generally)? *In answering this question you may wish to consider Part 2 of the Explanatory Memorandum (the Impact Assessment), which estimates the costs and benefits of implementation of the Bill.*

28. The costs for Disability Wales' members could be serious risk of injury and even fatalities. Disabled people could be put in danger if shared cycle and footpaths are not adequately thought through. Although many disabled people do enjoy outdoor activities, some are deterred because of their fear of an impact with other path users. Access should be the key consideration at the design stage of footpath / cycle path design.

29. The financial impact of designing a shared path without considering disabled people's access from the outset could be damaging to Local Authority funds in the long term. Ensuring accessibility once the path has already been built may add extra costs to the project which could easily have been avoided if Local Authorities engaged with disabled people at the start. Active Travel (Wales) Bill guidance should help Local Authorities avoid expensive mistakes if the importance of engagement with vulnerable pedestrians and cyclists are given weight in the Bill.

30. Costs and funding allocations are very often determined by population thresholds – many disabled people do not feature within population thresholds due to inaccessibility of their environment; such as physical barriers

communication barriers and attitudinal barriers therefore their needs are in danger of being ignored.

Q7) To what extent has the correct balance been achieved between the level of detail provided on the face of the Bill and that which will be contained in guidance given by the Welsh Ministers?

31. Information in the Bill itself is succinct. The explanatory memorandum is essential to understand the complexities, content and scope of the Bill.

Q8) Are there any other comments you wish to make on the Bill that have not been covered in your response?

32. Disabled people could be put in danger by ill thought out plans of sharing space on cycle paths and footpaths. The health and safety of disabled pedestrians should not be overlooked in favour of active travel.
33. It is not always possible for disabled people to access more active forms of travel. Therefore access requirements of those who cannot cycle or walk due to their impairment should not be forgotten or demonised as 'gas guzzlers'.
34. The purpose of the Bill – to enable more people to walk and cycle and generally travel by non motorised transport is fine, however perhaps the sentence could specifically mention those who cannot walk and cycle.
35. The statement 'the Welsh Government wants to make cycling and walking the most natural and normal way of getting about' concerns us. It sounds like disabled people who cannot walk or cycle are not normal or are unnatural – it is rather a sweeping statement; the connotations of the statement can be misinterpreted.
36. Another statement that could be misinterpreted is 'the Bill will reinforce the idea of active travel as a viable mode of transport and suitable alternative to motorised transport for shorter journeys.' As we mention above, this is not true for many disabled people who rely on a private cars even for short journeys.

37. We would like to draw attention to the fact that there is a need for further research into how existing cycle paths and footpaths are used and how pedestrians and cyclists currently interact with each other on the paths.

38. One member's comment illustrates concerns about the path width.

“while these paths can be a good thing, if they are not wide enough for the purpose for which they are being built, then I do not think they provide a safe route for either walkers or cyclists.”

39. Research should also be carried out into good practice e.g. case studies. These positive examples could then be used to inform further guidance.