



## Written evidence to Enterprise & Business Committee on Active Travel (Wales) Bill

Play Wales is the national charity for children's play. We work to raise awareness of children and young people's need and right to play and to promote good practice at every level of decision making and in every place where children might play.

We are the charity that provides advice, support and guidance for all those in Wales who have a concern or responsibility for any environment where children and young people might play. We uphold children's right to play. Freely chosen play is critically important in the healthy development of all children and young people. All children are entitled to quality play provision within their communities and we work strategically to achieve this goal on their behalf.

Play Wales welcomes the opportunity to respond to this call for evidence. The response is set out against the questions that have the most relevance for playing children.

### 1. 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.

1.1 In 2007, Play Wales supported a petition submitted by Sustrans to the National Assembly calling for a legal duty on highways authorities to develop and maintain a network of routes for walking and cycling.

1.2 In 2008, we provided written and oral evidence to the Enterprise and Learning Committee of the National Assembly for Wales at a hearing on the Committees' draft proposed Legislative Competence Order on Traffic Free Routes.

1.3 We supported the petition and provided evidence because of growing evidence that suggests that our dependency on cars and prioritisation of the needs of drivers and car owners within communities has a significant knock on effect on safety and feelings of safety of people who use streets.

Feelings of insecurity make people even more dependent on their cars – for instance, parents drive their children to school for convenience but also because they perceive the amount and speed of traffic as a danger to their children, they then add to the problem and a cycle is established.

1.4 We believe a duty to develop provision for walking and cycling is an important symbolic statement to Highways Authorities in Wales that their remit is not simply to provide roads for cars, but to provide for people to travel on foot or by bike too.

One day Wales will be a place where we recognise and provide for every child's play needs

Un dydd bydd Cymru'n wlad ble y byddwn yn cydnabod ac yn darparu ar gyfer anghenion chwarae pob plentyn

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Welsh Government

## **2. 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);**

2.1 Preparing and publishing maps will play an important role, helping Local Authorities across Wales understand the network that currently exists. Crucially, it will also draw attention to the gaps in the network that, if completed, could enable an increased number of local journeys to be made actively. If the integrated network map is fully consulted on and comprehensive, it will ensure that future funding for active travel is spent in a more strategic way and in-turn offer better value.

2.2 For new walking and cycling routes to achieve their full potential, it is essential that local authorities take into account the need to raise awareness of new routes, particularly to children and young people, and their parents and carers.

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

2.3 The Bill requires authorities to take into account ‘the location, nature and condition’ of a route when determining the most appropriate. We believe the criteria should be widened to create routes that are “continuous, direct, safe and comfortable for walking and cycling”.

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

2.4 Children are often the hidden members of our society when it comes to considering general policy matters and it is often the case that their needs are considered last when thought is being given to matters such as planning and traffic management. In fact it is clear that policy and strategy related to transport is currently determined by technical experts who, whilst no doubt ‘good at their jobs’, are in a mind set that simply does not accommodate the needs of children as pedestrian and cycling users of public space.

2.5 Every opportunity to advance walking and cycling infrastructure should be seized and local authorities implementing new road developments should seek to identify how the development could link new communities/facilities into existing parts of the network. Demonstrating the demand for better walking and cycling is challenging especially where opportunities for such do not exist at present and so are not part of a local child’s experience. Highway authorities should be encouraged to liaise closely with play services/local play associations, which will have gathered the views of children and young people and, in particular, will have evidence of what barriers prevent children from accessing play opportunities in their local communities.

## **3. 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.**

3.1 Play Wales provided an official response to the consultation on the White Paper and also attended a conference organised by Sustrans in June 2012.

3.2 The issues of most relevance for our constituency is the importance of 20 mph limits, the need for meaningful engagement with users and the need for best practice design standards. It is likely that these issues are likely to be addressed in the guidance accompanying the Bill. We advise that any design standards which accompany the Bill be mandatory and not advisory. There is already ample guidance regarding good practice design that appears to be largely ignored.

3.3 Local authorities have the power to implement 20mph limits and zones in their local communities but the complications they face in exercising this power often discourage them from doing so. To support them in implementing this duty, greater guidance is needed.

3.4 Importantly, local authorities should be encouraged to implement area-wide 20mph limits as opposed to just isolated streets. This will ensure that through-traffic is displaced to arterial roads (designed to handle

it) and not simply shifted from one residential street to another, to the detriment of other walkers, cyclists and residents.

3.5 Whilst we recognise that the Welsh Government does not have powers to impose area wide 20mph, local authorities can, and would like to see explicit reference to 20mph as one of the suite of solutions councils can apply in developing an effective network.

## **5. What are the potential barriers to the implementation of the key provisions and does the Bill take account of them?**

5.1 The main barriers to delivering the key provisions outlined in the Bill will be availability of funding, the skill-set and capacity in local authority transport departments, including the willingness to move away from traditional highways engineering.

5.2 Local authority transport departments are largely staffed by experienced highways engineers with limited knowledge of best practice designs and desirability for encouraging people to use active travel for everyday journeys. This presents a potential issue in particular in the production of the integrated network maps and analysing which are likely to be the most suitable and desired routes for active travel. As this is an additional duty on local authorities, there are also likely to be capacity issues.

## **8. Are there any other comments you wish to make on the Bill that have not been covered in your response?**

8.1 The Welsh Government has adopted the UN Convention on the Rights of the Child as the basis of all its work for children and young people. This is expressed in 7 Core Aims that all children and young people.

8.2 Of particular pertinence in this instance is the fourth Core Aim which makes a commitment to ensure children and young people 'have access to play, leisure, sporting and cultural activities'; the third Core Aim 'enjoy the best possible health and are free from abuse, victimisation and exploitation'; and the sixth Core Aim 'have a safe home and a community which supports physical and emotional wellbeing'.

8.3 The facility that it is proposed be conferred by the Active Travel (Wales) Bill has the potential to enable the Assembly Government to further contribute to the commitments made under these 3 Core Aims.

8.4 We understand that in successive consultations undertaken by the Children's Commissioner and others, children have identified the lack of opportunities to play out as one of their top issues. This encompasses both the issue of travel to areas where they might play, for example parks, and also the opportunity for them to play on highways and pavements in much the same way that many of us did as children in the past.

8.5 During the summer of 2009, the National Assembly for Wales Children and Young People Committee carried out a participation project called 'It's all about you'. Children and young people were asked to complete a ballot paper outlining the issues they thought the Committee should be investigating in the future.

8.6 A top concern for the young voters was safe places to play and hang out. The Children and Young People Committee held an inquiry into the provision of safe places to play and hang out in Wales in order to make recommendations about how the Welsh Government might improve provision.

8.7 The Committee published its Recommendations following the inquiry in November 2010.<sup>1</sup> The report contains a list of 26 recommendations covering areas such as the strategic priority of play, transport and road safety, urban planning and the needs of particular groups of children and young people.

8.8 Section 11 of the Children and Families (Wales) Measure 2010 places a statutory duty on Local Authorities to assess and secure sufficient play opportunities for children in their area in line with Statutory

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<sup>1</sup> National Assembly for Wales (2010) *National Assembly for Wales Children and Young People's Committee Provision of Safe Places to Play and Hang Out* <http://www.assemblywales.org/bus-home/bus-third-assembly/bus-guide-docs-pub/bus-business-documents/bus-business-documents-doc-laid.htm?act=dis&id=203585&ds=11/2010>

Guidance,<sup>2</sup> The duty was commenced on 1 November 2012 and the deadline for the completion of Assessments and Action Plans was 1 March 2013

8.9 The Play Sufficiency Duty comes as part of the Welsh Government's anti-poverty agenda which recognises that children can have a poverty of experience, opportunity and aspiration, and that this kind of poverty can affect children from all social, cultural and economic backgrounds across Wales.

8.10 Matter F of the Statutory Guidance specifies that local authorities should take account all factors that contribute to children's access to play or moving around their communities including safe walking and cycling routes.

8.11 In consultation exercises to support the Play Sufficiency Assessments, parents report significant concerns about safety linked to the attitudes and actions of others, and traffic. In some cases these concerns are so severe that they stop parents allowing their children out to play, despite some parents recognising that the consequence of their actions as damaging for their children.

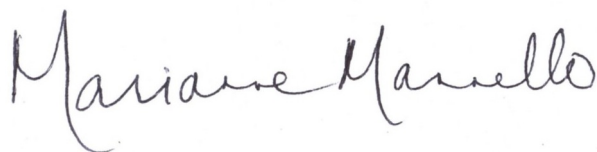
8.12 Furthermore, we understand that some Play Sufficiency Assessments indicate that in some communities the presence of children outside is not regarded as a legitimate activity. That is to say, if they are neither accompanied by a responsible adult and engaged in some meaningful and 'safe' activity, that they are either at risk or present an unnecessary risk for road users, that is to say drivers.

8.13 Play Wales believes that is for the Assembly Government to address this perception and provide a strategic lead in providing an environment where the presence of our children outside, playing in their communities is celebrated rather than criticised.

8.14 The Active Travel (Wales) Bill has the potential to significantly add synergy to Section 11 of the Children and Families (Wales) Measure 2010 and will go some way in supporting '*Welsh Government wishes to create an environment in Wales where children have excellent opportunities to play and enjoy their recreation time.*'

Play Wales would be pleased to be contacted regarding the information provided.

Kind regards,



Marianne Mannello  
Assistant Director

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<sup>2</sup> Welsh Government (2012) *Creating a Play Friendly Wales – Statutory Guidance to Local Authorities on assessing for sufficient play opportunities for children in their areas* <http://www.assemblywales.org/bus-home/bus-business-fourth-assembly-laid-docs.htm?act=dis&id=239348&ds=10/2012>