

## Screening Assessment Template

You should refer to the general and specific equality duties contained in the legislative framework when completing the screening assessment.

Proposed Policy, Practice or Function .....Active Travel (Wales) Bill.....

Equality Strand	Summary of evidence identified and gathered	Weighting [ <i>Credibility of evidence</i> ] Tick appropriate box			Relevance of <b>evidence</b>  [ <i>Equality issues raised by evidence</i> ]	Policy or practice relevance <b>to equality strand</b> Tick appropriate box			
		Unsatisfactory	Satisfactory	Strong		No relevance	Low	Medium	High
Disability	Written consultation responses and evidence presented at consultation sessions from Diverse Cymru, Disability Wales, Royal National Institute for the Blind and Guide Dogs for the Blind. The Guide Dogs for the Blind Functionality and Needs Survey (2006) and TNS-BMRB report JN:197367 March 201 - The impact of shared surface streets and shared use pedestrian/cycle paths on the mobility and independence of blind and partially sighted people. The			X	People with visual impairments will not be able to use maps, as they are by their nature visual. All consultation on the maps will need to reflect this.  Disabled people are vulnerable road users, and are at greater risk of harm from collisions with cyclists and/or traffic, with potentially less opportunity to avoid collisions. Potentially disabled people have the most to gain from			X	

	Merits of Segregated and Non-Segregated Traffic-Free Paths, August 2011, Phil Jones Associates, Ltd, and “Share of the Action – merits of traffic free shared paths for disabled and older persons” presented by Sustrans. Public records of evidence submitted to the National Assembly for Wales in the Development and Scrutiny of the Highways and Transport Legislative Competency Order 2007-2011.				safer active travel routes (in terms of safety, access and social integration), but also they may be at highest risk of harm if their needs are not appropriately considered in the design of infrastructure.				
Race	Written consultation responses and evidence presented at consultation sessions, from Diverse Cymru and the Refugee Council Wales		X		While maps are generally non-linguistic, those who do not speak English or Welsh might find it difficult to interpret the keys to the maps		X		
Gender and Gender Reassignment	Written consultation responses and evidence presented at consultation sessions from Diverse Cymru		X		Positive impact for women if it makes it safer for them to walk and cycle	X			
Age	Written consultation responses and evidence presented at consultation sessions, from Diverse Cymru, Age Cymru, Play Wales, Youth Cymru, and the Children’s Commissioner for Wales.			X	Positive impact for both children and the elderly as vulnerable active travellers if it increases their safety and mobility. Care needs to be taken that the proposals do not make it more challenging for those dependent on public transport or motorised	X			

					transport.				
Religion and Belief and Non-Belief	Written consultation responses and evidence presented at consultation sessions from Diverse Cymru		X		No specific issues relating to proposals in the Bill. Religious minority groups might have a greater fear of crime when travelling actively, to be considered in the delivery of the Bill.	X			
Sexual Orientation	Written consultation responses and evidence presented at consultation sessions from Diverse Cymru		X		No specific issues relating to proposals in the Bill. LGBT people might have a greater fear of crime when travelling actively, to be considered in the delivery of the Bill.	X			
Human Rights	Written consultation responses and evidence presented at consultation sessions from Diverse Cymru, Disability Wales, Guide Dogs for the Blind, Country Land and Business Association (CLA). Public records of evidence submitted to the National Assembly for Wales in the Development and Scrutiny of the Highways and Transport Legislative Competency Order 2007-2011.		X		No specific issues relating to proposals in the Bill. The right to the protection of private property needs to be considered when developing maps of routes, for example the views of landowners.	X			
Marriage and Civil Partnership	No evidence received.	X			No issues raised.	X			
Pregnancy and Maternity	No evidence received.	X			Potentially positive impact on parents with young children, if	X			

					it increases access by pram or pushchair (which enhanced disabled access would facilitate). It might also make active travel with young children safer and easier.				
Socio-economic impacts	Evidence presented at consultation sessions, including presentation at Sustrans session on employment benefits of enhanced active travel. No specific written evidence received, beyond that referenced in White Paper. Evidence on poverty and road safety (included in the Road Safety Delivery Plan) was also considered in establishing the impact of the Bill on those in poverty. Price comparisons of new and second hand bikes sold through major bike retailers and second hand retailers were carried out in August 2012.		X		Potentially positive impact on people with low incomes, if it facilitates lower cost travel and increases access to employment and services. The cost of a bike is a potential barrier to cycling, though not to walking. Child pedestrians from the lowest socio-economic groups are over four times more likely to be killed or seriously injured on the roads; improved provision for walking and cycling might benefits children and young people in poverty if it reduces these rates.		X		

## Equality and Human Rights Impact Assessment

**Title:**

The Active Travel (Wales) Bill

**Department/Division:**

Local Government and Communities -Transport

**Date:**

15 January 2013

**Lead official:**

Victoria Minshall-Jones, Bill Manager for the Active Travel (Wales) Bill.

**Introduction:**

The Active Travel (Wales) Bill is a Programme for Government commitment. It aims to increase the provision of safe and appropriate walking and cycling facilities, and increase the level of information provision about the routes for walking and cycling. A detailed assessment of the Bill is recommended because of the potential impact on disabled people, on those who do not speak English/Welsh, and those who are dependent on motorised transport. There may also be personal safety impacts for some groups, for example LGBT persons, BME and religious minority groups, that are greater or perceived to be greater than for the majority of active travellers.

Disabled active travellers have potentially the most to gain from an increase in safe and appropriate routes for active travel. However, if the infrastructure is not created appropriately, disabled people can be at most risk of harm from an increase in the number of cyclists or traffic. The need to provide timely accurate and accessible information for disabled people also needs to be considered.

This issue was considered during the Traffic Free Routes Legislative Competency Order (LCO). This was a National Assembly Committee led LCO, and as such officials do not have access to all of the discussions that took place in its development. However, much of the evidence is available publically through the National Assembly website. This information was considered as part of the earliest stages of policy development.

Both Guide Dogs for the Blind and Disability Wales were invited to early engagement sessions in January 2012 to help scope the barriers to active travel and possible solutions. They also attended consultation sessions during July 2012, and submitted written responses that were considered as part of the consultation process. Guide Dogs for the Blind, Diverse Cymru, Children in Wales, Age Cymru and Disability Wales are represented on the Key

Reference Group, formed to develop the Bill from White Paper stage to Introduction, and to support the wider work programme on Active Travel.

We have also engaged with Youth Cymru, Children in Wales, the Children's Commissioner, Age Cymru, Age Concern and Wales Refugee Council as part of the consultation process to better understand the equality impacts of the Active Travel (Wales) Bill. This process also brought the potential language impacts to our attention.

### **Detailed assessment:**

The assessment by officials, based on consultation responses, information submitted prior, during and subsequent to the consultation, and has been scrutinised by the Key Reference Group for the Active Travel Bill. This group includes Guide Dogs for the Blind, Disability Wales, Age Cymru, Children in Wales and Diverse Cymru, along with other organisations connected to active travel, landowners, public bodies and non-motorised users.

Below is a summary of the evidence on equalities and human rights presented during the consultation period on the Active Travel Wales (Bill) White Paper, and considered during the development of the White Paper. This does not reflect all evidence presented by these bodies; it is the evidence that relates to human rights and/ or equality and diversity.

### Written consultation responses and evidence presented at consultation and engagement sessions from Disability Wales

Disability Wales provided written evidence at the stage of the early engagement sessions, as they were unable to send a representative to either session. This set out that some disabled people are reliant on motorised transport; public transport needs to be accessible to disabled users; suitable information provision (both the content and the form need to reflect needs of disabled travellers); more easily identifiable rights of way to show what users might be using what path; and the affordability of bikes for those receiving disability benefits.

Disability Wales sent a representative (Rhyan Berrigan) to the consultation session of 20 July in Cardiff. The points she raised were noted in the consultation notes.

Disability Wales also submitted a consultation response. The points included were the potential impact on safety for disabled people (particularly in regards to shared routes), and the need for routes to be accessible. It identified the need to involve local disabled user groups to ensure that local circumstances were fully understood. Their response also set out some of the different implications of different kinds of disabilities on providing safe and accessible routes (e.g. visual impairments, hearing impairments, use of a wheelchair). It recognised the opportunities the maps could present for showing accessibility data and the benefits of guidance that supported accessibility. The response pointed out the potential dangers of unsuitable infrastructure for disabled

active travellers and recognised the benefits of enabling more disabled people to travel actively.

Although there was no empirical evidence included in Disability Wales' engagement with the consultation, they are well regarded in their field and have been representing disabled people for 40 years. As such, we can consider their evidence to be credible and relevant, and give it a strong weighting.

#### Written consultation response from Diverse Cymru

Diverse Cymru submitted a written response to the consultation. Their response raised the issue of fear of crime as a safety factor, claiming that many LGBT people, people of faith, disabled, BME and older people experience higher rates of fear of crime. Their response raised the need for local engagement with a range of groups, and for the maps and routes to be accessible to disabled people. The response supported new guidance but felt that it should include equality issues to make routes accessible to all. Their response also pointed out the potential dangers of shared routes for those with disabilities and potential adverse impacts if access to motorised transport is reduced.

Diverse Cymru is a new organisation, but formed through the merger of two long standing organisations. They are a registered hate crime reporting centre, which indicates that they will have robust knowledge of equality issues and crime. They also work to engage their members in responding to consultation. As such we can consider their evidence credible consider it to be reflective of engagement with people with a range of protected characteristics, though their response lacked supporting evidence.

#### Written consultation responses and evidence presented at consultation and engagement sessions from Guide Dogs for the Blind

Guide Dogs for the Blind sent a representative to the early engagement sessions in January 2012. They also attended the Sustrans led consultation event on 18 June 2012, and the Welsh Government led consultation session on the 20 July. The points made by the representative for Guide Dogs for the Blind (Andrea Gordon) are recorded in the notes of these sessions.

The submitted a written response to the consultation, supported by two reports: The Guide Dogs for the Blind Functionality and Needs Survey (2006); and TNS-BMRB report JN:197367 March 201 - The impact of shared surface streets and shared use pedestrian/cycle paths on the mobility and independence of blind and partially sighted people. On 25 July 2012, Guide Dogs Cymru joined with RNIB Cymru, Cardiff Vales and Valleys, (CVV), formerly Cardiff Institute for the Blind, and Sense Cymru to discuss the Active Travel Bill. Blind and partially sighted representatives from CVV's local groups around Cardiff, Rhondda Cynon Taff, The Vale of Glamorgan, Neath, Port Talbot and Swansea came together to discuss the implications of the Bill and to share their experiences of negotiating space with cyclists. These

individuals represent over 3000 other blind and partially sighted people who use long canes or Guide Dogs to navigate, and they are elected by their groups to convey their views. These views were also submitted as part of the consultation, and doubtlessly informed the response from Guide Dogs for the Blind.

Their written response covered that the safety of the route can be determined by the needs of users as well as the infrastructure, and the importance of feeling safe and confident in encouraging blind and visually impaired people to travel actively. The response included the need for alternative ways of engaging with visually impaired people who can not use maps (suggesting rigorous engagement and giving some examples of good practice and practices to avoid). Their response also stated their opposition to shared paths for pedestrians and cyclists due to the risks for blind and visually impaired pedestrians, and that design guidance should prioritise pedestrians ahead of cyclists.

The evidence submitted by Guide Dogs for the Blind was extensive and supported by robust empirical evidence. They gathered views from a range of organisations as well as drawing on their own members, and we can consider it to be reflective of engagement with blind and visually impaired people. As such we can consider their evidence to very credible and give it a strong weighting.

#### Public records of evidence submitted to the National Assembly for Wales in the Development and Scrutiny of the Highways and Transport Legislative Competency Order 2007-2011

The transcripts of public sessions of the Enterprise and Development Committee and the publically available evidence submitted to this committee were considered as part of the earliest stages of policy development. This guided early policy development, and led to the inclusion of bodies representing people with disabilities at the early engagement sessions.

Much of the evidence was resubmitted as part of later engagement with the same bodies. However, we considered the evidence credible enough to take a different direction to that proposed in the Highways and Transport LCO.

#### Written consultation responses and evidence presented at consultation sessions by Country Land and Business Association (CLA)

The Country Land and Business Association (CLA) presented the perspective of landowners in regards to the Active Travel (Wales) Bill White Paper proposals, and the potential breach of the right to enjoy private property if implemented poorly.

CLA members collectively own half of the rural land and business in England and Wales. They are long established (since 1907) and have a strong track record in engaging on policy development. As such we can consider their evidence to be credible.



### Written consultation response by Age Cymru

Age Cymru's response pointed out the benefits for elderly people in encouraging and supporting more active travel, and stressed the importance of providing suitable routes and facilities for elderly and disabled pedestrians.

Age Cymru is the largest organisation working with elder people in Wales. Their response was short, and not supported by empirical evidence, but their extensive direct work with elderly people means that we can consider their evidence to be credible, and consider it to be reflective of engagement with older people.

### Evidence presented at consultation sessions by Youth Cymru

Youth Cymru attended the Sustrans led consultation event on the 18 June (represented by Helen Mary Jones). Their views are included in the notes of the session. They raised the importance of engaging with children and young people in the development and delivery of proposals.

Youth Cymru, formally the Welsh Association of Youth Clubs, is a voluntary organisation with over seventy five years of experience in supporting youth work and promoting the well being of young people in Wales. They work with youth groups, youth clubs and young people across Wales. As such we can consider the evidence they presented to be credible, and a consider it to be reflective of engagement with children and young people.

### Written responses submitted by the Children's Commissioner for Wales

The Children's Commissioner for Wales submitted a written response to the consultation. The response raised the issue of safe routes for children and their personal safety, referencing the definitions of safety in learner travel and the increased vulnerability of children compared to adults.

One of the roles of the Children's Commissioner for Wales is to represent the views of children and young people in policy development, so we can consider the evidence presented to be credible.

### Evidence presented at consultation and engagement sessions by Play Wales

Play Wales attended early engagement sessions and the Sustrans led consultation session on the 18 July (represented by Marianne Mannello). Their views were recorded in the notes for these sessions. They raised the opportunities that the Bill presents for increasing access to play for children, and the safety benefits of more active travel and less motorised travel.

Play Wales have extensive experience of developing policy to support children's play in Wales. As such we can consider their evidence to be credible.

## Evidence presented by Sustrans, post consultation.

Sustrans are a third-sector body who promote the use of active travel and public transport. They submitted a report on the merits of segregated routes and non-segregated routes, prepared by Phil Jones Associates in 2011. The report was an evidence review of studies on the use and the safety of segregated routes and non-segregated routes on traffic free paths, concluding that the risks of conflict between pedestrians and cyclists is low, but that does not accord with users perceptions. Both segregated and non-segregated paths can be suitable depending on the type of routes and level of use. Phil Jones Associates has a strong reputation in producing guidance on active travel routes and facilities, including the Manual for Street and Manual for Streets 2, and Phil Jones has recently been appointed as a Built Environment Expert by the Design Council for England. Therefore we can consider this evidence to be robust and credible.

### **Equality and Human Rights Issues raised by the Evidence**

People with visual impairments will not be able to use maps, as they are by their nature visual tools. Tactile maps are generally produced on an individual basis, and are unlikely to be suitable for wide scale roll out across Wales. "Talking maps" are most commonly seen in sat-nav systems for use while driving. Similar "sat-nav" apps are available for walking and cycling, though as yet there are few commercially available that have a talking facility to make them accessible to those with visual impairments.

#### *Mitigation action*

We are producing guidance to support the delivery of the Bill. It will include consultation processes and part of the equality impact assessment process, and the advice of Guide Dogs for the Blind and other similar bodies will shape the development of consultation procedures for robust engagement with blind and visually impaired people. Should "talking map apps" be developed for use while walking (and cycling) it is likely that the maps produced by local authorities would be a valuable tool to identify safe and appropriate routes.

Disabled people are vulnerable road users, and are at greater risk of harm from collisions with cyclists and/or traffic. Some will have a restricted ability to avoid collisions, which might or might not be obvious to other active travellers. An increase in the provision of safe and appropriate infrastructure could increase disabled people's ability to travel actively, help them gain more independence, better access to services and help promote social inclusion.

Potentially disabled people have the most to gain from safe active travel routes, but also they may be at highest risk of harm if their needs are not appropriately considered in the design of infrastructure. This is particularly the case for shared routes, which is an area where the Welsh Government committed to consider further evidence before endorsing extensive use of shared routes. Some of the issues that affect disabled active travellers will also affect parents with young children (for example, using pushchairs) or elderly active travellers. Mitigating these issues will be beneficial for many

active travellers and could have the effect of making active routes and facilities easier to use for all.

*Mitigation action*

The needs of disabled active travellers will be reflected in both the design guidance and the guidance to support delivery (which will be developed with the support of the key reference group to ensure that it is fit for purpose). This will also include strong encouragement to prioritise the enhancement of disabled access along routes as part of their continual improvement. We have decided to not make blanket changes to rights of way definitions, due to the potential impact on disabled active travellers.

The impact on disabled travellers is not necessarily negative. Suitably designed infrastructure can make it safer and easier for disabled active travellers to move around independently. Potentially, disabled active travellers as a group may experience the greatest benefits of enhanced infrastructure for active travel.

While maps are generally non-linguistic, those who do not speak English or Welsh might find it difficult to interpret the keys to the maps. There are also linguistic issues to consider when conducting engagement and consultation with user groups. This is potentially also an issue for people with learning disabilities who might have difficulties reading.

*Mitigation action*

Again, the delivery guidance will include engagement with BME/ minority language communities. The design for the maps will include as much non-lingual and pictorial depictions as is practical. Consideration should be given to making the maps as “easy read” as possible. Consultations on the maps should also keep these access issues in mind, including the needs of BSL users.

There is potentially positive impact for vulnerable people (particularly women, children and the elderly) if it makes it easier and safer for them to walk and cycle, and feel safer doing so. This was one of the reasons for bringing forward the Bill, recognising that concern for personal safety was one barrier to active travel. Care needs to be taken that the proposals do not make it more challenging for those dependent on public and/or motorised transport.

*Mitigation action*

The design guidance will need to consider permeability for motorised transport and access to public transport, and all guidance will need to recognise the role of motorised transport

The right to the protection of private property needs to be considered when developing maps of routes. A blanket change of route definitions could have a significant impact on some landowners, due to the higher impact that cyclists and horses have on land compared to walkers.

*Mitigation action*

The guidance on the delivery of the Bill will include engagement with landowners (both private and public). The proposals to change rights of way

definitions will not be taken forward in this Bill. This will negate the potential impact on the right to enjoy private property.

Though walking is effectively free, the affordability of bikes has been raised as a potential barrier to active travel for those on low incomes. A decent quality adult bike would normally cost around £200, and a child's bike would normally cost around £100, if bought brand-new. Second hand bikes are widely available at around half the cost of the equivalent bike new, even bikes in an "as new" condition. This means that equipping a family of four with bikes could cost around £300. The Active Travel (Wales) Bill is intended to enable people to use active transport, and therefore provide a viable alternative to motorised transport. Though there is an initial outlay required for cycling, it is substantially lower than the costs of alternative forms of motorised transport. Filling an average car's petrol tank (50 litres) costs £68 at August 2012 petrol prices, and according the AA database the average insurance premium is £1,034 and the average monthly car repayment is £246. Active travel is also a cheaper alternative to public transport; a monthly bus pass can cost £50 (Cardiff Bus).

*Mitigating action*

None at this time, however the impact of active travel and poverty will remain under review, and further action taken if the affordability of bikes proves to be a significant barrier.

Pedestrians particularly have reported that concern for personal safety is a barrier that prevents them from walking and cycling. The provisions in the Bill are designed to address both real and perceived concerns about personal safety while walking or cycling, through better information provision about suitable routes and through enhanced infrastructure provision (via continuous improvement duties). We recognise that those of a different ethnicity, religion, sexual orientation, or indeed any characteristic that distinguishes someone from the majority, might be more vulnerable to assault or other unwelcome contact. They may also have a greater fear of crime whilst actively travelling. Environmental factors such as light levels along a route can also play a part in perceptions of personal safety whilst using a route.

*Mitigating action*

The new design guidance being developed will support local authorities in delivering routes that are appropriate for active travel. The duty to delivery continuous improvement will lead to infrastructure that is more suitable for active travel, and better information provision through the maps. This should help address issues of personal safety for active travel, and though we do recognise the potentially increased risk and fears that some groups have the mitigating actions would be the same as for the majority: infrastructure that is more pedestrian and cyclist centred and better information provision on routes to travel.

We have not identified any disproportionate impact on the wider community. Though there would be a positive impact on improving health which would have an impact on all protected characteristic groups and the wider community.

Action taken to increase disabled access and engage widely is likely to be of benefit to much wider community. Barriers to disabled people are also likely to be barriers to the elderly, those with prams or pushchairs, and those with temporarily limited mobility/ vision /hearing (e.g. due to injury or surgery). Steps taken to increase disabled access can also create an environment that is safer and easier to traverse for those without disabilities. Infrastructure provision to address concerns about personal safety will benefit all active travellers, especially those with protected characteristics.

### **Action plan:**

Actions will be included in the guidance to support the delivery of the Bill, which will be available before the provisions in the Bill come into force. Currently, Royal Assent is anticipated to be in autumn 2013. The design guidance is intended for delivery in summer 2013, and is being delivered separately from the Active Travel (Wales) Bill. Improvements in infrastructure will begin on the commencement of the Bill, which will follow Royal Assent. The timescales for commencement are still being assessed, one of the factors being the amount of time that will be required for local authorities to conduct adequate consultation on delivery of the maps and routes.

This Bill is just one tool for delivering an increase in walking and cycling and will be supported by a range of activity by central and local government. Alongside the Bill, we intend to produce new design guidance and standards for pedestrian and cycling routes (on-road and traffic-free) and for street design to enforce the hierarchy of road users, prioritising non-motorised transport users over cars. We also intend to review activities and targets set out in the Walking and Cycling Action Plan to support the delivery of the Bill. We will be consulting separately about these activities in due course. These activities are an opportunity to address equality issues related to active travel alongside the delivery of the Bill.

### **Summary of Recommendations**

- Delivery guidance should include engagement with those with disabilities, with the specific inclusion of engagement with people who are blind/ visually impaired to recognise that additional work will be required to ensure these groups can engage with visual maps.
- The design guidance should include design standards that support disabled access.
- The delivery guidance should prioritise increasing disabled access for safer active travel as part of delivering continuous improvement.
- The delivery guidance should be development with the consultation and engagement of the key reference group to ensure that diverse needs are recognised and reflected.

- The proposals to amend right of way definitions should not be made as part of the Bill, and instead further work on increasing access in a way that does not negatively impact on disabled people or landowners should be taken forward as a separate work programme.
- The delivery guidance should include engagement with BME/ linguistic minority communities.
- The maps should be predominantly pictorial and non-linguistic to support access by those with limited knowledge of English/ Welsh and those with learning disabilities.
- Both the design guidance and the delivery guidance should recognise that some people are dependent on motorised transport for reasons of disability, and they should not be impeded by the delivery of the Bill.