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Active Travel (Wales) Bill

[AS INTRODUCED]

CONTENTS

Introduction

- 1 Overview
- 2 Meaning of “active travel route” and “related facilities”

Maps

- 3 Existing routes maps
- 4 Integrated network maps
- 5 Publication etc of maps
- 6 Developing transport policies with regard to integrated network map

Other provisions

- 7 Securing continuous improvement in active travel routes
- 8 Provision for walkers and cyclists in highway construction and improvement

Supplementary

- 9 Guidance about disabled walkers and cyclists
- 10 Directions and guidance
- 11 Interpretation
- 12 Commencement
- 13 Short title

Active Travel (Wales) Bill

[AS INTRODUCED]

An Act of the National Assembly for Wales to make provision for the mapping of active travel routes and related facilities and for and in connection with integrated network maps; for requiring improvements in the range and quality of active travel routes and related facilities; for requiring highway authorities to have regard in the construction and improvement of highways to the desirability of enhancing provision for cycling and walking; and for connected purposes.

Having been passed by the National Assembly for Wales and having received the assent of Her Majesty, it is enacted as follows:

Introduction

1 Overview

This Act makes provision—

- (a) for approved maps of existing active travel routes and related facilities in a local authority's area,
- (b) for approved integrated network maps of the new and improved active travel routes and related facilities needed to create integrated networks of active travel routes and related facilities in a local authority's area,
- (c) requiring local authorities to have regard to integrated network maps in preparing transport policies and to make continuous improvement in the range and quality of active travel routes and related facilities, and
- (d) requiring the Welsh Ministers and local authorities, in constructing and improving highways, to have regard to the desirability of enhancing the provision made for walking and cycling.

2 Meaning of “active travel route” and “related facilities”

- (1) For the purposes of this Act a route in a local authority's area is an active travel route if—
 - (a) the route is situated in a designated locality in the area, and
 - (b) the local authority considers that it is appropriate for it to be regarded as an active travel route.
- (2) In this section “route” means a highway, or any other route to which the public has access, which may lawfully be used by walkers or cyclists (or both).

- 5 (3) In this Act “designated”, in relation to a locality, means specified, or of a description specified, in a direction given by the Welsh Ministers; and the Welsh Ministers may, in particular, specify a locality, or description of locality, by reference to the density of its population, its size, its proximity to densely-populated localities above a particular size or its position between such localities.
- (4) In considering whether it is appropriate for a route to be regarded as an active travel route, a local authority must take into account –
- 10 (a) whether the route facilitates the making by walkers or cyclists (or both) of journeys otherwise than for wholly recreational purposes, and
- (b) whether the location, nature and condition of the route makes it suitable for use by walkers or cyclists (or both) for the making of such journeys,
- and must have regard to guidance given by the Welsh Ministers.
- (5) For the purposes of this Act “related facilities”, in relation to an active travel route, mean –
- 15 (a) facilities for shelter or storage,
- (b) toilets or washing facilities,
- (c) crossings for use by walkers or cyclists (or both), and
- (d) other similar facilities,
- which are available for use by walkers or cyclists using the active travel route.

20 *Maps*

3 Existing routes maps

- (1) Each local authority must –
- (a) prepare an existing routes map, and
- (b) submit it to the Welsh Ministers for approval.
- 25 (2) For the purposes of this Act, “existing routes map”, in relation to a local authority, means a map showing the active travel routes and related facilities in the local authority’s area.
- (3) In preparing its existing routes map a local authority must have regard to guidance given by the Welsh Ministers as to –
- (a) the consultation and other steps to be taken in preparing it,
- 30 (b) the matters to be shown on it, and
- (c) its form.
- (4) A local authority must submit its existing routes map to the Welsh Ministers for approval –
- (a) before the end of the period of 3 years beginning with the day on which this
- 35 section comes into force, or

(b) if the Welsh Ministers by direction given to the local authority specify a date after the end of that period as the date by which it must be submitted to them, no later than that date.

5 (5) If the Welsh Ministers decide not to approve an existing routes map submitted to them by a local authority under this section, they may by direction given to the local authority require the local authority –

(a) to revise (or further revise) it, and

(b) to submit it to them for approval no later than the date specified in the direction.

10 (6) In determining whether to approve an existing routes map submitted to them by a local authority under this section the Welsh Ministers must consider whether the local authority has complied with subsection (3) in preparing it.

(7) Once an existing routes map prepared by a local authority has been approved by the Welsh Ministers, the local authority –

(a) must keep it under review,

15 (b) may revise it, and

(c) must submit it to the Welsh Ministers for approval before the end of each period of 3 years beginning with the day on which it was last approved by them.

20 (8) The Welsh Ministers may by direction given to a local authority specify a period different from that in subsection (7)(c) as the period before the end of which the local authority must submit an existing routes map to the Welsh Ministers for approval.

4 Integrated network maps

(1) Each local authority must –

(a) prepare an integrated network map, and

(b) submit it to the Welsh Ministers for approval.

25 (2) For the purposes of this Act, “integrated network map”, in relation to a local authority, means a map showing –

(a) the new active travel routes and related facilities, and

(b) the improvements of existing active travel routes and related facilities,

30 that the local authority considers are needed to develop or enhance an integrated network of active travel routes and related facilities in designated localities in its area.

(3) In preparing its integrated network map a local authority must have regard to guidance issued by the Welsh Ministers as to –

(a) the consultation and other steps to be taken in preparing it,

(b) the period to which it is to relate,

35 (c) the matters to be shown on it, and

(d) its form.

(4) A local authority must submit its integrated network map to the Welsh Ministers for approval –

(a) before the end of the period of 3 years beginning with the day on which this section comes into force, or

(b) if the Welsh Ministers by direction given to the local authority specify a date after the end of that period as the date by which it must be submitted to them, no later than that date.

(5) If the Welsh Ministers decide not to approve an integrated network map submitted to them by a local authority under this section, they may by direction given to the local authority require the local authority –

(a) to revise (or further revise) it, and

(b) to submit it to them for approval no later than the date specified in the direction.

(6) In determining whether to approve an integrated network map submitted to them by a local authority under this section the Welsh Ministers must consider whether the local authority has complied with subsection (3) in preparing it.

(7) Once an integrated network map prepared by a local authority has been approved by the Welsh Ministers, the local authority –

(a) must keep it under review,

(b) may revise it, and

(c) must submit it to the Welsh Ministers for approval before the end of each period of 3 years beginning with the day on which it was last approved by them.

(8) The Welsh Ministers may by direction given to a local authority specify a period different from that in subsection (7)(c) as the period before the end of which the local authority must submit an integrated network map to the Welsh Ministers for approval.

5 Publication etc of maps

(1) As soon as reasonably practicable after an existing routes map or integrated network map prepared by a local authority has been approved by the Welsh Ministers, the local authority must –

(a) publish it in such manner as it considers appropriate,

(b) send a free copy to such persons as it considers appropriate,

(c) supply a copy of it, or a part of it, to any person on request either free of charge or at no more than the cost of providing the copy,

(d) cause a copy to be made available for inspection (at all reasonable hours) at such places as it considers appropriate, and

- (e) give notice, in such manner as it considers appropriate, for bringing the attention of the public to the places at which a copy of it is available for inspection.
- (2) In determining what it considers appropriate for the purposes of subsection (1) a local authority must have regard to guidance given by the Welsh Ministers.

5 **6 Developing transport policies with regard to integrated network map**

Each local authority must, in developing policies under section 108(1)(a) or (2A) of the Transport Act 2000 (policies forming basis of local transport plans), have regard to the integrated network map for its area.

Other provisions

10 **7 Securing continuous improvement in active travel routes**

- (1) Each local authority must make continuous improvement in the range and quality of the active travel routes and related facilities in its area.
- (2) A local authority must, in performing the duty imposed by subsection (1), have regard to guidance given by the Welsh Ministers.

15 **8 Provision for walkers and cyclists in highway construction and improvement**

The Welsh Ministers and each local authority must, in the exercise of their functions under Parts 3 and 5 of the Highways Act 1980 (creation and improvement of highways), have regard to the desirability of enhancing the provision made for walkers and cyclists.

Supplementary

20 **9 Guidance about disabled walkers and cyclists**

- (1) The Welsh Ministers may give guidance to local authorities about the application of the provisions of this Act that refer to walkers or cyclists to disabled persons using motorised or other wheelchairs, mobility scooters, electrically assisted cycles or other aids to mobility.
- 25 (2) Local authorities must have regard to guidance given under subsection (1) in the performance of their functions under this Act.

10 Directions and guidance

Any directions or guidance given under this Act by the Welsh Ministers may be varied or revoked by them.

30 **11 Interpretation**

In this Act—

“active travel route” (*“llwybr teithio llesol”*) has the meaning given by section 2(1);

“cyclists” (*“beicwyr”*) means users of pedal cycles other than pedal cycles which are motor vehicles within the meaning of the Road Traffic Act 1988;

“designated” (*“dynodedig”*) has the meaning given by section 2(3);

“existing routes map” (*“map llwybrau presennol”*) has the meaning given by section 3(2);

5 “integrated network map” (*“map rhwydwaith integredig”*) has the meaning given by section 4(2);

“local authority” (*“awdurdod lleol”*) means a county council or county borough council in Wales

“related facilities” (*“cyfleusterau cysylltiedig”*) has the meaning given by section 2(5).

10 **12 Commencement**

- (1) Sections 3 to 9 come into force in accordance with provision made by the Welsh Ministers by order made by statutory instrument.
- (2) The other provisions of this Act come into force on the day after the day on which this Act receives Royal Assent.

15 **13 Short title**

The short title of this Act is the Active Travel (Wales) Act 2013.