

Enterprise and Learning Committee

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Cymru Wales National Office

The National Assembly for Wales Proposed Draft (Legislative Competence) (Traffic Free Routes) Order 2009

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Private & Confidential

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Further to your letter of 28 October 2008 requesting written comments on The National Assembly for Wales Proposed Draft (Legislative Competence) (Traffic Free Routes) Order 2009 we confirm that we are unfortunately unable to provide oral evidence.

In principle, BMA Cymru Wales and its Welsh Committee for Public Health Medicine and Community Health support the proposal that legislative competence in this area be conferred on the Assembly. BMA Cymru Wales has consistently called on the Welsh Assembly Government to develop policies that will encourage healthier lifestyles and promote exercise and this proposed LCO/Measure will encourage and promote cycling in Wales.

On the specific questions we offer the following comments on the proposed draft LCO.

What are your views on the general principle that legislative competence in the area identified in Matter 10.xx be conferred on the Assembly?

BMA Cymru supports the proposal to confer legislative competence on the Assembly in this regard. Whilst the BMA does not have a specific policy related to cycle routes, the BMA believes that cycling should be promoted as a safe, healthy and sustainable alternative to car use. The 1999 BMA Board of Science Report "'Cycle Helmets'" outlines a number of measures to improve cyclists' safety including the creation of a safer cycling environment e.g. improving cycle routes. The report also highlights that health-derived national motor traffic reduction targets should be established and the decline in public transport patronage should be halted, particularly by improving cycle routes to public transport connections and free provision for the carriage of bicycles on buses and trains. Further information on BMA policy on cycling can be found in the 2008 BMA Board of Science briefing 'Promoting Safer Cycling' <http://www.bma.org.uk/ap.nsf/content/promotingsafecycling>.

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The BMA Board of Science Working Party 1998 report on Health and environmental impact assessment recommended certain risk management strategies specific to road traffic injuries - including separating the hazard from the potential victim e.g. by providing separate cycle ways. The current transport system and planning policy has led to more people becoming dependent on the motor car thereby making the environment more hostile for others - specifically cyclists and pedestrians. Demand is exceeding supply for road space and steps to reduce the adverse impacts of cars will be outweighed by demand. There is therefore a need to reduce demand and to encourage a modal shift to other more health promoting forms of transport, such as cycling and walking. It is accepted that it is neither environmentally acceptable nor economically viable to meet this demand. What needs to be recognised is that it is also not acceptable to public and individual health.

Cycling reduces all cause mortality: one study found 39% reduction in people who cycled to work over those who don't¹.

It reduces the risk of obesity, heart disease, stroke, colon and breast cancer and it increases a sense of wellbeing²

'.....Existing evidence would suggest that, even in the current hostile traffic environment the benefits gained from regular cycling are likely to outweigh the loss of life through cycling accidents for the current population of regular cyclists'²

Cyclists' deaths in road traffic accidents are rare (and decreasing) but remain the greatest fear stopping people from cycling on routes shared with traffic.

There is safety in numbers - the more people who walk and cycle, the lower the number of deaths and injuries⁴

Cycling is safe for other road users only around 3-7 third parties are killed per year in fatal bicycle crashes, compared with 1,600 third parties killed in fatal car crashes.

References

1. Andersen, L., Schnohr, P., Schorll, M, and Hein, H. (2000). All-cause mortality associated with physical activity during leisure time, work, sports, and cycling to work, Archives of Internal medicine, 160, pp.1621-1628.

2. British Medical Association (1992). Cycling: Towards health and safety, London: BMA.

3. Cycle England August 2007 Cycling and Health; what's the evidence?
http://www.networks.nhs.uk/uploads/07/11/cycling_and_health.pdf

4. Robinson, D. (2005). Safety in numbers in Australia: more walkers and bicyclists, safer walking and bicycling, Health Promotion Journal of Australia, 16, pp.47-51.

5. York City Council (1990). Traffic and Transportation Committee.

What are your views on the terms of the proposed Order? For example, are they too narrowly or too broadly drawn? If necessary how should the proposed Order be re-drafted and why?

BMA Cymru believes that it is important to allow for flexibility at the Assembly measure stage. It is vital that any Measure which flows from the LCO is also applicable to on road provision. In some urban areas it may be difficult to create new infrastructure and it is important therefore that existing highway space for walking and cycling is developed. Consideration should be given to the breadth and content of the LCO to ensure that the drafting is wide enough to cover new planning development applications - currently many new developments either do not include or have only limited cycle infrastructure.

Would the terms of the proposed Order allow for the development of traffic free routes in Wales (of the types discussed at the Committee's meeting on 3 July 2008 by means of Measures? If not, how would the proposed Order need to be re-drafted and why?

We note that the draft LCO refers to the development and maintenance of networks of Highways. BMA Cymru supported a petition sponsored by Sustrans which called for a network of 'traffic free paths'. We believe it is critical that the LCO allows for the development of disused railways and other green corridors into paths for walkers and cyclists and would seek reassurance that the used of the term 'highways' would not restrict this in any way.

The proposal is "Provision imposing duties on highway authorities in Wales in relation to the development and maintenance of networks of highways for the use of users other than motor vehicles." What are your views on this?

Aside from our concerns about the way in which the term 'Highways' could be given a restrictive definition, we would welcome the provisions to allow the development and maintenance of a network of traffic free paths. We believe these three elements are critical to encouraging people to travel more actively. To encourage people to replace car journeys the alternative option must be perceived to be more convenient. Paths need to provide an attractive alternative to the car, for short journeys in particular. They need to be well maintained, sign posted and directed. They must also form a network, rather than the current practice in many instances where short pieces of coloured tarmac next to a busy road suddenly stop. The imposition of a statutory duty is particularly important in order to oblige highway authorities to consider provision for pedestrians and cyclists as a key part of their role.

Should the terms "development" and "maintenance" be defined within the matter?

Yes, it may be helpful to define these terms within the matter.

Are any of the transport-related exceptions contained in Schedule 5 of the Government of Wales Act 2006 (for example in relation to Matter 5.10 (Learner Travel) also relevant to this proposal?

Yes, we believe that exception 5.10 (g) relating to traffic regulation on special roads, pedestrian crossings, traffic signs and speed limits may be of relevance to this proposal.

I hope you find this information helpful.

Yours sincerely

Dr Richard Lewis
Welsh Secretary