

SPOKES

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CYCLING ACTION PLAN FOR SCOTLAND: REFRESH CONSULTATION

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Spokes welcomes the opportunity to comment on the proposed refresh of the Cycling Action Plan for Scotland (CAPS). We also welcome Cycling Scotland's valuable associated CAPS Progress Report [CAPR]¹.

0. Introduction

Although many positive actions have been implemented since the introduction of CAPS, our overwhelming view is that, so far, it has been a disappointment. With a full quarter of the ten years to 2020 now passed since the inception of CAPS in 2010, the extent to which national travel habits have changed seems marginal at best. This is confirmed in the SHS figures for bike usage [CAPR, 3.2].

This does not surprise us in the slightest. Ever since the publication of CAPS we have pointed out continually that it is just a collection of useful initiatives – it is not, and never has been, a researched, costed and funded pathway to meeting the 2020 target for 10% of all trips to be by bike.

The letter from Transport Scotland seeking comments for the refresh is welcome, but although we respond below to the five questions posed we emphasise that overwhelmingly the two main issues are those identified in the CAPR recommendations – **funding** and **political leadership**.

On both issues, whilst local authorities have a very major role, the buck stops with the Scottish Government. **It is the government which set the 2020 target. It is the government which must ensure that it is met.** Since local authorities and others are often the delivery agents, it is the government's responsibility to discuss and incentivise such bodies, to ensure that delivery is adequate and sufficiently timeous.

¹ *CAPS Progress Report* www.cyclingscotland.org/wp-content/uploads/2012/11/2012-10-05-CAPS-Progress-Report.pdf

1. Themes for the Refresh

1.1 Funding and Political Leadership

As above, we support the main CAPR recommendations on the centrality of **funding** and of political **leadership**. These must be the main themes of the refresh, and are discussed in sections 2 and 4 below.

1.2 Short Car Journeys

CAPS needs to be clear that its target is unlikely to be met without both carrot and stick. This will entail actions such as transfer of roadspace from motor traffic to cycling, to allow space for cycling conditions and infrastructure which feels safe and welcoming to the bulk of the population, and widespread 20mph zones in shopping and all well-peopled roadspace areas, not just residential areas. Towns and cities are already well used to transfer of roadspace for walking, with pedestrian zones, pavement widening, etc, so similar decisions for cycling are evolutionary rather than revolutionary. Furthermore, such decisions are widespread in Europe.

The extent to which measures to address this should be included in CAPS itself, or in other documents and policies is less clear. However, they cannot be left to lie if the government is serious about its cycle use target and about integrated transport policy, and so the matter must be addressed either in CAPS or elsewhere.

1.3 Transport Scotland Integration Failure

Transport Scotland must at a very high level have a complete rethink on transport integration - so that cycling is integrated from the start into all transport projects (unless inappropriate in any given case). For a government with a 2020 10% cycling target, recent years have been a tragic case of non-integrating cycling into other projects [with the exception of some trunk road projects] and there is little sign that things are changing.

Generally, cycling has been marginalised into its own special corner. That wee corner has done a great job within the confines in which it has been boxed, but it has no real influence where the big transport decisions are taken.

Here are a few examples from our own part of Scotland. There will be plenty others elsewhere...

- ◆ It is shocking that Airdrie-Bathgate was built as a rail-only project with no funding or consideration included for linking local communities to stations, other than good car connections into the stations. At long last, once the local residents have had a couple of years to create and cement their car-dependent rail-commuting patterns, this is being partially rectified by a special government cycle funding allocation in late 2012. This should have been an integrated project from day 1 of the planning.
- ◆ In the Borders railway, thanks to much lobbying and local effort, Sustrans and the local authority are working with Network Rail to a greater extent than for Bathgate/Airdrie. However this is still far from a properly integrated project. That would require integrated funding - instead of which Sustrans and the local authority are having to fund walking/cycling connections, at the expense of their other priorities. Similarly, the project should have made a detailed assessment of each station in respect of how all nearby communities and public destinations could be connected to it conveniently for walking and cycling – instead of which some stations have only one entrance, determined for convenience of car access, and meaning a longer or more tortuous cycle or walk than would be necessary in an integrated project.
- ◆ The design of the new tram/rail Gogar airport interchange (where even the advice of Edinburgh Council's cycling staff was ignored) is really poor in terms of cycling. It could have included an excellent cycle-route connection from Gyle and the city, to and through the new station, and then connecting to the planned new business developments. Instead, cyclists are expected now to dismount for part of their journey!!

- ◆ The new Forth Crossing has no cycling provision at all. Meanwhile the bridge-master for the existing bridge says its long-term structural integrity is threatened by government maintenance cuts, giving long-term uncertainty over any Forth crossing at all for cyclists or walkers.
- ◆ The disastrous failure to think about cycling access, storage etc in the early design of Haymarket Station means that the developers, in response to much lobbying (which should have been completely unnecessary) are now scrabbling round to find spaces for bike parking – and they say there is no question of a bike hub, which should be an essential in any major new station in a country with an ambitious cycling target.
- ◆ The government allowed Edinburgh's tram to be designed as tram-only rather than an integrated transport project - meaning that cycling now has to be fitted in around predetermined tramline layouts, with crashes and injuries already occurring on a regular basis. This is really tragic, especially given that Spokes and others pointed out the folly of the design parameters from day 1, and even went to the extent of bringing over a Dutch expert in holistic tram/cycling/walking design – whose recommendations were then rejected.

In conclusion the Scottish Government has a very poor record in terms of integrating cycling into transport, and there is little sign of change. Only in the design of new trunk roads has significant effort been made to integrate cycling - not that we would support most of the trunk road projects themselves, given the government's own climate change laws and the peak car phenomenon.

We fear that that this issue may be considered irrelevant to CAPS. If so, that will be merely a further manifestation of the inability to see cycling as part of an integrated transport policy.

1.4 Safety, Promotion and the Image of Cycling

We believe there is an unrecognised danger that some current approaches to cycling promotion and safety may be in some respects detrimental to cycling usage levels and/or to safety.

It is clear from many sources, including CAPR [5.2, page 20], that the long-term huge and welcome decline in cyclist injury numbers and rates during the 1990s started to level off in the early/mid 2000s, and has even reversed. This is the case UK-wide, not just in Scotland - and also within our own city of Edinburgh. Nationally it is not explained by a rise in cycle use [since cycle use has hardly risen]. Nor have the roads become more dangerous [otherwise we would expect the trends for cycling casualties to be on a par with other road user category trends such as car drivers or pedestrians, whereas cycling casualty trends are worse].

Furthermore, this change in the long-term trend has happened over exactly the same period that cycling safety gear, notably helmets, has been extensively promoted and is becoming widespread. *Thus either such safety gear is not in fact preventing many deaths and injuries or, if it is, then cycling danger is (surprisingly) even more out of kilter with other safety trends.*

Spokes does not claim to have the answers, but we have some questions. The CAPS refresh must address seriously the interrelated issues of safety, of promotion, and of the image of cycling presented by official agencies. This subject is too often swept under the carpet by official agencies as it is uncomfortable and threatens many current assumptions and job content.

These issues are discussed in some detail in section B of the Spokes submission² to the UK Parliament's APPCG Inquiry, *Get Britain Cycling*. We will not repeat that discussion here, but it raises the questions below which have major potential implications for cycling policy by a wide range of agencies, including Transport Scotland, Cycling Scotland, local authorities and the Police.

² Spokes submission to the APPCG Inquiry, Get Britain Cycling www.spokes.org.uk/wordpress/wp-content/uploads/2012/09/Get-Britain-Cycling-spokes-submission.pdf

- ◆ ***Is the composition of Britain's cycling population changing***, with more confident, fully-equipped cyclists willing to travel on fast commuter roads, but fewer of the more traditional cyclists who would hop on their bike for short utility trips on local roads, just as one would hop into a car or step out to walk without having to 'armour' oneself for the road. There is a staggering difference in cyclist casualty risks between A roads and local roads³ (regardless of how you are dressed or equipped). Such a change in the cycling population would very easily explain why casualties are rising whilst cycle use is not rising, or not significantly.
- ◆ ***Is cycling promotion fostering such a change in the image of cycling, and perhaps therefore in the cycling population itself?*** Many agencies promote cycling in visual images which are of the 'armoured' cyclist, suggesting that cycling is very dangerous, and only safe if you are fully equipped. Some, such as our own council's road safety section, refuse to use any pictures unless the cyclist is at least helmeted. Does such an image deter many ordinary people from cycling and/or does it allow or even encourage the more confident person to dress up 'safely' and then use those roads which are more dangerous.
- ◆ ***Do helmets (and/or safety gear in general) make crashes more likely?*** There is evidence suggesting this might be the case [see our APPCG paper] and it needs addressed, not dismissed out of hand.

Overall the above issues of safety, promotion and the image of cycling need understood, researched and policy lessons implemented where justified. The government must take seriously the fact that cycle use is not rising fast, that casualty rates have stopped falling in recent years, and that *some aspects of current policy may even be contributing to this.*

1.5 Planning Law and Regulations

The original CAPS sought changes in regulations to make traffic order procedures more appropriate to a country seeking to drastically raise cycle use in a short time. **It is now time to do the same for Planning laws, regulations and advice.** Issues include the failure of planning to take seriously the hierarchy for personal travel required by National Planning Policy, and the ludicrous situation of householders and families who are assisting government and council policies by using bikes as their local transport being ordered to remove their bicycle store. These issues are discussed in 2.2 of the actions section below.

2. Actions and Interventions

Several of the issues in (1) above imply new actions and interventions, notably changes in Transport Scotland structure and policy. Where discussed in detail above, we will not repeat them here.

2.1 Leadership

What is needed going forward, and has been lacking up to now, is a sense that CAPS is really important to the Government and to all ministers, not just the Transport Minister. There needs to be a much clearer sense that the scale of the task of achieving mass behaviour change is recognised across government – including local as well as central government. This section suggests some areas for action on leadership.

2.1.1 First, we strongly support the CAPR recommendations on leadership, particularly **the annual cycling summit between the Transport Minister and Local Authority Transport Conveners and Heads of Transport.**

2.1.2 Similarly, the CAPR proposal that **Local Authorities need to show leadership** in terms of moving actively towards their contribution to meeting the CAPS 10% target.

³ DfT casualties report RAS30018
www.gov.uk/government/uploads/system/uploads/attachment_data/file/10163/ras30018.xls

2.1.3 Leading By Example

The public also needs to see CAPS being meaningfully supported and promoted at senior levels within government and local authorities.

If government and authorities are to avoid a sense of “*Do as I say and but not as I do*”, it needs to be seen that Ministers, MSPs and officials at all levels are using bikes to get around. Data showing the % of Ministers, MSPs, officials, etc, who travel to work by bike, and that this is rising towards and over the 10% target level, would demonstrate a real intention to other stakeholders and to the general public, as well as generating positive publicity.

In addition to the promotional potential, there would also be greater appreciation of the everyday problems and barriers to cycling, hopefully leading to firmer action to ensure greater integration of cycling into transport and into all other relevant policy areas.

2.1.4 Commuter car parking

Another area where government and the public sector more generally should show leadership is in the area of commuter car parking - often a hidden cost to the organisation because of the value and lost opportunity of urban land used for commuter parking. Free or low-cost parking should only be provided when justified by business reasons (staff need to use a car rather than a bike for company business) or personal ones (e.g. mobility issues).

Where subsidies are still provided to car commuters then, even merely for equity, equal benefits should be available to those who bicycle commute (or walk or use public transport) – or greater benefits if it is the intention to promote cycle use.

A particular example is the 600 or so car spaces at the Scottish Government’s Victoria Quay headquarters. The government should, at the least, reduce this to the number which would be permitted under Council planning regulations to any other organisation, public or private, in a new development which is not under Crown immunity. The surplus land could then be sold or rented, with the proceeds used to encourage cycling and other sustainable forms of commuting.

2.2 Planning Policy

2.2.1 Hierarchy of transport modes

National Planning Policy has since 2010 stated, “*Opportunities for personal travel should be prioritised by mode in the following order – walking, cycling, public transport, car and other motorised vehicles.*”

This sounds impressive but we are not aware of it having any meaningful impact, either on road/traffic schemes or, even more so, on developments, whether these are commercial or public sector .

Where are the developments that display this hierarchy? Instead almost every development includes car related provisions where cycling infrastructure is frequently forgotten, treated as an after-thought and seldom prioritised *above* motorised travel. Just as one example of countless others, earlier we mentioned new rail stations at which there is one entrance, designed for convenient car access, with little thought to providing other approaches and entries which minimise cycling and walking distances and inconvenience. In other words, car is being prioritised over active travel modes, in complete and deliberate disregard of the above policy.

The refreshed CAPS must bring forward proposals to ensure the hierarchy is applied in new developments.

2.2.2 In addition to creating quality cycle parking and cycle paths, where appropriate, in new developments, developers should be required to make a financial contribution to the local council to be used to fund local cycling infrastructure or promotion.

2.2.3 Domestic bicycle storage

It is widely recognised that domestic bicycle storage problems are a serious deterrent to increasing everyday bike usage. In a few cases a family is unable to own bikes at all because they have nowhere realistic to store them, whilst in others the only storage option is in a congested hallway, or involves an inconvenient access, resulting in the bikes not always being used when they would be otherwise.

We are particularly concerned over the position of people who have nowhere to store bikes other than in a front garden – and there are many such properties. This has been a very taxing issue for us in Spokes in the last year, with a number of families contacting us in **severe distress** because of the ongoing hassles they are suffering from a council which on the one hand urges them to use bikes to get about, whilst the other hand it issues them with Orders to remove their bike shed/container. Large amounts of public and private time and money are being wasted on these conflicts, sometimes even reaching the stage of government inspectors being called in, and endless frustration and anger is resulting. For some examples, see the Spokes website news item Bike Shed Bans⁴, 26.9.12.

Nor is this just an Edinburgh issue. A letter by an English transport consultant in the UK transport professionals' magazine *Local Transport Today*⁵ [26.12.12] raises the issue, suggesting changes in planning law such that 'permitted development,' without the heavy cost and time implications of a planning application, should include front garden sheds of 2.5x1.2m for a house, and 2.5x1.0m for a flat, with maximum height 1.5m in both cases⁶.

At a recent planning appeal in Edinburgh, councillors, in allowing the householder's appeal, pointed out that the storage facility in question was no more obtrusive than a couple of the wheelie bins which the council not only permits, but actually supplies for front gardens! The bicycle container in this case was not even fixed to the ground, yet the householder had to go to inordinate lengths over a period of around a year, eventually having to obtain multiple letters of support from neighbours in order that her appeal would be heard by the Committee. Nonetheless, senior council planning officials continue to maintain a very tough line on bike storage in front gardens, saying they are bound by planning law.

This situation and waste of time and effort by all concerned is absolutely absurd in a Council (and a country) where there is supposedly a determination to achieve 10% of all trips by bike (compared to just 1%-2% at present) in just the next 7-8 years. All efforts should be concentrated on encouraging and increasing bike usage, not on making it as difficult as possible for a significant group of families even to own bikes. Cost is also a significant factor, with the £160 planning application cost exceeding the cost of many suitable sheds or other containers, and that some people at least will be getting about because it is a cheap mode of travel and they are hard up.

The refreshed CAPS must therefore include an action urgently to review the Scottish Government's Guidance on Householder Permitted Development Rights, such *that permission would be automatic for a structure in which to securely store bicycles at the front of properties, where no other practical possibilities exist, provided the structure meets certain criteria (maximum height, discreet colour, etc)*. Larger structures would still require planning permission. This will reverse the current position where no structure is permitted to the front of a property without applying and being granted planning permission.

In addition to the above contentious front gardens issue, national advice is needed to ensure that all local authorities ensure adequate cycle parking in new flats and other housing, taking the lead from examples such as Edinburgh Council's parking rules for developers. Equally important is to ensure that such planning conditions are enforced, and that bicycle storage in flats and tenements is suitably designed for convenience and security, and is properly managed if provided on a communal basis. Even in Edinburgh there are many examples where design detail, enforcement and ongoing management of a facility leave much to be desired.

⁴ Bike shed bans by Edinburgh City Council <http://www.spokes.org.uk/wordpress/2012/09/bike-shed-bans/>

⁵ Local Transport Today, letter on garden bike storage
http://www.transportxtra.com/magazines/local_transport_today/news/?ID=33157

⁶ Spokes is currently undertaking a survey of sheds/containers and gardens, with the aim of suggesting the type of facility which should be permissible without requiring planning permission.

2.2.4 Local Government and other bodies

In 1.3 above we referred to the need for Transport Scotland to pursue integrated transport policies, several of the examples quoted there also involving planning considerations and permissions. The same situation applies in local government, and a CAPS action should provide **a requirement that government, statutory agencies and councils need to demonstrate proper consideration of cycling** in plans and permissions from the outset. Whilst the examples we gave in 1.3 were of national developments, there was often a requirement for planning permission, and local authorities should be required always to take a tough line to ensure proper cycling integration – even when the development is a Scottish Government one.

2.3 Traffic Law

It is very disappointing that the CAPS action on investigating alternatives to the current liability rules has not reported. Transport Scotland should produce their research report, which we believe commenced last autumn, no later than Easter and the Government should respond - with proposals for legislative change - before July.

It seems clear that the care shown to vulnerable road users by car drivers in the Netherlands, Germany and Denmark results in good part from their “strict liability” laws. Adoption here would play a big part in changing the culture on our roads, greatly improve perceptions of cycle safety and thereby cycling take-up. Finally, we strongly support a hierarchy of liability, in which the responsibility of cyclists towards pedestrians would also feature.

2.4 Infrastructure and 20mph

Existing cycling infrastructure in Scotland is primarily of two types – onroad but not physically segregated, and offroad on remote paths. Both of these, but particularly the widespread coloured onroad lanes and ASLs have been successful in raising cycle use in Edinburgh⁷. However the offroad paths suffer from often not directly connecting useful origins and destinations, and of being relatively invisible – however much they are signposted or mapped, they are not seen every day by every road user. The onroad facilities have attracted many people, but even larger numbers remain too scared to use the roads. Given the evidence from Europe, there is a crying need for the government to ensure extensive experimentation with physically segregated onroad facilities - which are both direct and highly visible. A priority should be the often heavily-trafficked direct arterial routes which lead from communities to useful public destinations, shops, etc. However, to maximise usage such facilities also need to become part of area-wide networks of cyclist routes and quiet roads, rather than just individual single routes.

Finally, widespread application of 20 mph speed limits in urban areas could have a positive impact on cycling uptake by improving safety and perceptions of safety. Such limits should cover wide areas and should include not just residential areas but shopping streets and all other well-peopled streets. Such limits, if designed in and enforced, may sometimes remove the need for cycle-specific infrastructure, though this is not always the case and each situation should be investigated and treated on its merits.

3. Who should deliver these Interventions?

This is largely covered in the relevant sections of 1 and 2 above. We again emphasise the role of government in action and in leadership. **It is the government which set the 2020 target. It is the government which must ensure that it is met.**

⁷ Spokes submission to the APPCG Inquiry, Get Britain Cycling www.spokes.org.uk/wordpress/wp-content/uploads/2012/09/Get-Britain-Cycling-spokes-submission.pdf

4. What Resources, and from what Sources?

4.1 Funding sources

The primary responsibility lies in re-allocation within the Transport budget, given the government's transport target for 10% of all trips to be by bike by 2020. However, additionally there is scope for some funding from other beneficiaries of active travel, such as Health.

Funding from within the transport budget has the additional advantage that it could be taken from areas of expenditure [such as some major road schemes] which generate additional car traffic and travel. This in turn would feed back into more trips being local, and less traffic overall, both being factors which would encourage trips to be made by bike and thus contributing doubly to the cycle use target.

4.2 Funding levels

The original CAPS made absolutely no attempt to assess the level of resources required to give some hope of reaching the 2020 target – a fatal flaw which we emphasised from the outset. We are delighted that CAPR recommends a *'fully-costed action plan'* aimed at reaching the 2020 target. Whilst it is clearly difficult to produce such costings with great reliability, we are pleased to see that CAPR has adopted the Spokes methodology⁸ of using what evidence does exist, namely that from the Cycling England's Cycle Demonstration Towns. For convenience, we reprint here our evidence on this to the Scottish Parliament ICI committee in October 2012...

“Cycling England, whose Chief Executive **Philip Darnton** gave evidence to Parliament's Transport, Infrastructure and Climate Change Committee in 2010, conducted extensive research (based on the English cycle demonstration towns and on European experience) into the minimum funding required to achieve significant, ongoing growth in everyday cycle use. The evidence from the English towns suggested that **a minimum of £10 per head per annum, invested consistently over the years**, could hope to double cycle use every 3-4 years.

<http://webarchive.nationalarchives.gov.uk/20110407094607/http://www.dft.gov.uk/cyclingengland/cycling-cities-towns/>

On the most optimistic assumptions, therefore, £10 per head of investment across Scotland (i.e. £50m yearly, or 2.5% of total transport spending) from 2013 could perhaps raise cycle use from its present roughly 1% of all trips to 10% by around 2023. In order to instead meet the target by the intended 2020, a much more rapid growth rate will be required. Given also that there is a lag from funding allocation to actual investment, and then to its impact on users, it would seem likely that around £20 per head (£100m yearly, 5% of the transport budget) is necessary from 2013 on.”

This level of 5% of the transport budget for cycling investment is, as stated, based on the most optimistic assumptions. In reality, also, such a sum could not all be wisely used in the first year or two, whilst expertise and planning was ramped up across the country. Furthermore, it covers cycling only. Therefore the figure suggested by the *Association of Directors of Public Health*⁹ (along with many other signatories, from the *Institute of Highway Engineers* to the *British Heart Foundation*) of 10% of the transport budget being allocated to active travel as a whole is a more realistic requirement. The 10% figure for active travel is also adopted by a range of Scottish national transport bodies in *Active Travel, Active Scotland*¹⁰.

5. Caps Monitoring Arrangements

Under the refresh all CAPS actions should be developed with their own milestones reflecting the plans for progress.

There should be an update report on progress annually. Every two years the review should be a fuller study, taking a step back see if actions are having the desired effect and identifying new measures that would be more appropriate and effective.

In addition, the Scottish Household Survey can be utilised to monitor overall progress towards the 10% cycle use target at national level and, to a more limited extent, at local authority level.

⁸ Calculation of funding to give a hope of reaching the 2020 target – covered in several spokes documents, most recently in footnote 19 of our submission to the Scottish Parliament ICI Committee on the draft budget 2103/14. <http://www.spokes.org.uk/wordpress/wp-content/uploads/2012/09/1209-ICI-Cttee-Spokes-submission.pdf>

⁹ *Action on Active Travel*, Association of Directors of Public Health, April 2008, March 2009 and 2010 update at <http://www.adph.org.uk/ourwork/policy/activ/>

¹⁰ *Active Travel, Active Scotland* <http://www.transformscotland.org.uk/GetFile.aspx?ItemId=563>