

Living Streets is the national charity that stands up for pedestrians. With our supporters we work to create safe, attractive and enjoyable streets, where people want to walk.

Dear Karen,

Thank you for the opportunity to comment on the CAPS refresh.

Living Streets is the national charity that stands up for pedestrians. With our supporters we work to create safe, attractive and enjoyable streets, where people want to walk. Our arguments and evidence led to such milestones as the introduction of 30mph speed limits and the driving test in the 1930s, the green cross code in the 1970s, and 20 mph zones in the 1990s.

We have responded to specific consultation questions below but we would like to emphasise the following key points:

- We **support the refresh of the cycling action plan**, operating in tandem with a National Walking Strategy that supports walking for transport, as well as leisure and health.
- We support **reaffirmation of a target of 10%** of all journeys by bike that is complemented by a target of at least 25% of all journeys by walking
- **Reallocation of road space**, providing segregated, on road cycle lanes is the most important priority for boosting cycling. We believe that increasing bicycle use should be accommodated through the reallocation of road space, rather than redetermination of footways.
- We welcome recognition of the issue of **road user liability** or ‘Hierarchy of care for road users’, related to the fear of traffic for many cyclists and potential cyclists, as well as pedestrians. We believe the Scottish Government should pursue this further, initially through establishing a working group of key stakeholders.

## 1. Themes and priorities

### **(a) 20mph**

The refreshed CAPS document should make it clear, in parallel with Designing Streets, that the design speed for all new residential streets, and also we would argue, all new streets in built up areas, should be 20mph.

We believe that limiting speed to 20 mph helps create an environment in which pedestrians feel confident about crossing the road, cyclists can cycle freely, children can play outside their homes and it is quiet enough to hold a conversation. A study from the Commission for Integrated Transport in 2001 found that where cities have 20 mph speed limits covering between 65% and 85% of the street network, they are transformed “*from being noisy, polluted places into vibrant, people-centred environments.*”<sup>1</sup>

Heavy traffic damages communities – and the speed of traffic plays as great a role as its density. Research from Basel in Switzerland has shown that the sociability of streets increases as street traffic speeds decrease. For example, the number of people saying they ‘linger’ in their street increases from 24% in a 50 kph (31 mph) street to 37% in a 30 kph (19 mph) street.<sup>2</sup> Meanwhile, research from Bristol in the UK has shown that residents on busy streets have less than a quarter of the local friends

<sup>1</sup> Commission for Integrated Transport (2001) *Study of European best practice in the delivery of integrated transport*

<sup>2</sup> Daniel Sauter & Marco Hüttenmoser (2006) . The contribution of good public spaces to social integration in urban neighbourhoods.

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that those living on similar streets with little traffic have.<sup>3</sup> At 20 mph, even a heavily-trafficked street instantly becomes easier to cross, less noisy, more sociable and easier to cycle in.

There are wider benefits of 20 mph. Contrary to some reports based on test-track conditions,<sup>4</sup> research, again in Germany, showed that driving at a steady 30 kph (19 mph) will actually reduce vehicle emissions as braking and accelerating between junctions and other obstacles decreases.<sup>5</sup> It is very much an environmentally friendly and cycle friendly traffic speed.

Additionally, traffic flow is smoothed by reducing the “bunching” effect at junctions. Some local authorities have already pioneered this approach to traffic management. The London Borough of Camden has linked the traffic lights on Camden High Street to build in a natural “green wave” of 20 mph: travelling faster than this will simply result in the next set of lights the driver approaches still remaining red.

The 30 mph speed limit was introduced in 1934 when there were just 2 million cars in the UK. Today there are over 28 million. There is now roughly one car for every two people in the UK. From a road safety point of view, 30 mph was a far more appropriate speed in the 1930s than it is today. With today’s increased traffic volumes, vehicles are dominant, with a negative impact on cycling levels, as CAPS makes clear, as well as walking levels. A 20 mph speed limit immediately puts people first by ensuring that traffic is aware it should be travelling at a speed slow enough to adapt to pedestrian and cyclist presence.

### **(b) Design and maintenance of streets**

We are concerned at ongoing use of the standards in the Design Manual for Roads and Bridges (DMRB) by many roads authorities in inappropriate locations. As Designing Streets makes clear, DMRB should not be used in urban areas and the refreshed CAPS should echo Designing Streets: *“2.6.3 The DMRB is not an appropriate design standard for most streets, particularly those in lightly-trafficked residential and mixed-use areas.”*

### **(c) Liability**

We welcome consideration of this issue and the concept of a hierarchy of care and believe that further progress must be made, not least because fear of other traffic is the single biggest barrier to more people cycling.

The civil liability framework in Scotland and the UK is currently such that it discriminates against vulnerable road users and must be reformed. As it stands, motor vehicle drivers are presumed not liable for damages in the event of a collision with a pedestrian or cyclist. This is in contrast to most of the countries in the rest of the EU, where the burden of proof falls upon the driver to demonstrate that they were not at fault in such collisions. In this way, by establishing an element of fairness in civil liability, we can move towards a culture wherein motor vehicle drivers take their responsibilities more seriously than at present.

We believe that, under the present set up on devolved powers, action may require to be delivered at a UK level and we would encourage the Scottish Government to seek the establishment of a working

<sup>3</sup> Joshua Hart (2008). Driven To Excess. Available from [www.driventoexcess.org](http://www.driventoexcess.org)

<sup>4</sup> [http://www.theaa.com/public\\_affairs/news/20mph-roads-emissions.html](http://www.theaa.com/public_affairs/news/20mph-roads-emissions.html)

<sup>5</sup> Dr. Carmen Hass-Klau (1990), An Illustrated Guide to Traffic Calming p3

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group involving all relevant stakeholders to establish the availability of powers and to develop formal proposals.

## 2. Missing interventions

### **(a) Segregated on-road cycle lanes**

We believe the refreshed CAPS must increase the emphasis on segregated on-road cycle lanes as the top priority. These are well established in Europe and North America and offer a safe cycling experience. By way of example, we would present the below before and after images from the Netherlands. The before image from 1986 looks remarkably similar to the current situation in Scotland. The after image from 2012 demonstrates the change that will make people of any age feel safe while cycling. If the CAPS refresh is serious about getting more people on their bike, we should be learning from this transition and implementing segregated on-road cycle lanes on key routes in every town and city.

#### **Before (1986)**



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After (2012)<sup>6</sup>



### (b) Segregation of pedestrians and cyclists

Achieving a 10% target for cycling journeys will hugely increase the number of cyclists on our roads—one of the unfortunate consequences for that is likely to be increased conflict with pedestrians, unless greater space is provided for cycling.

The CAPS refresh is an opportunity to reiterate that cycling on the pavement is illegal and should remain so. We are concerned that an increase in cycling will, in the absence of adequate infrastructure, lead to more cycling on the pavement,

We believe that pedestrians and cyclists share many issues when it comes to urban planning. They have both been marginalised, while motor traffic has been allowed to dominate our streets for too long. There is a great deal of common ground between the aims of pedestrians and cyclists, including:

- slower traffic speeds
- lowering traffic volumes,
- strict liability,
- reallocation of road space,
- advanced stop lines and

<sup>6</sup> Source: <http://tilburgers.nl/tilburg-uit-de-oude-doo-gasthuisring-1986/>

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- removal of guardrail.

However it must be recognised that they remain two very different modes: mixing them together inappropriately can cause fear, anxiety, insecurity and occasionally, serious injury.

On our busier streets, pavements represent a safe haven from faster moving road users. While we believe that naked streets ideas have a large part to play in improving conditions for pedestrians in high streets, public squares and residential streets, if a pavement exists it must exist as such for the sole use of pedestrians (this includes people using wheelchairs). Therefore we want to see laws against pavement cycling properly enforced.

It's important to acknowledge that novice cyclists can feel intimidated on busy roads and parents may prefer their younger children to learn to cycle away from motor traffic. It is up to parents, and to a lesser extent schools, to educate and train children to become safe, assertive, and responsible cyclists from an early age. The initial phases of this training may well result in children cycling on the pavement. We therefore accept this behaviour when in the presence of a responsible adult, riding alongside the child on the carriageway or walking alongside on the pavement. In this context, the new focus of Bikeability towards on-road training is extremely welcome.

Anti-social cycling on the pavement by a tiny minority of cyclists is a frequent problem, one which tarnishes the reputation of the vast majority of cyclists who are considerate and law-abiding. It is also important that, given the rights of responsible access for both pedestrians and cyclists, that people on foot are not intimidated by cyclists on paths, including canal towpaths.

Good practice from Copenhagen has demonstrated that vertical deflection between the cycling lane and pavement is key to creating a pleasant environment for both pedestrians and cyclists. That is why we emphasise that reallocation of road space, not redetermination of footway is the key step to increase cycling.

### **(c) Differentiation between walking and cycling interventions**

As the recent NICE guidance on walking and cycling makes clear, it is beneficial to differentiate between walking and cycling as modes of transport:

*“Despite walking and cycling being different activities, sometimes they are grouped together. The PDG felt this was often unhelpful, as barriers and facilitators to walking and cycling vary – and, in turn, they differ according to whether the activity is chosen for transport or recreational purposes. They can also be specific to the purpose and location of the trip – and to the person undertaking it. Successful interventions to increase cycling and walking need to take into account this wide range of factors.”<sup>7</sup>*

Increased cycling has considerable climate change, public health, air quality and economic benefits. However, converting a walking journey to a cycling journey does not provide any of these benefits. It is important therefore that the increase in cycling comes from replacing short car and public transport journeys with cycling journeys, rather than replacing walking journeys. It could further be argued that replacing walking journeys with cycling journeys would exacerbate inequalities, given that bike ownership is 6 times as high in the wealthiest areas compared to the most deprived areas.<sup>8</sup> The NICE guidance highlighted the risk in increasing cycling being of greatest benefit to the wealthier income groups:

<sup>7</sup> NICE Guidance Walking and Cycling Public health guidance PH41 Issued: November 2012

<sup>8</sup> Monitoring and Evaluation of the Smarter Choices, Smarter Places Programme. Baseline Report.

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*“Cycling participation is roughly equal across income quintiles but the biggest growth has come among the more wealthy...“The variation in levels of walking among groups in terms of gender, race or socioeconomic status is probably the smallest for any type of physical activity.”<sup>9</sup>*

For these reasons, we would therefore suggest that a target of 25% of journeys by walking is set, through the National Walking Strategy, to complement the 10% target for cycling and maximise the benefits of an increase in cycling levels.

#### **(d) Guardrail**

Guardrail is usually placed with the intention of ensuring pedestrian safety. There is, however, very little evidence to show it has that benefit and it is proven to increase the risk to cyclists who have nowhere to escape to, for example at junctions if faced with left turning long vehicles. We would therefore suggest the refreshed CAPS reinforces the policy principle in Designing Streets: *“Guard railing should not be provided unless a clear need for it has been identified. Introducing measures to reduce traffic flows and speeds may be helpful in removing the need for guard railing”*

### **3. Who should play a role**

The Scottish Government has a key role to play in leadership and allocating resources on a consistent long term basis while local government can also show leadership at a local level.

### **4. Resourcing and sources**

We welcome the Government’s decision to retain Cycling, Walking & Safer Streets funding and believe the CAPS refresh should support this funding mechanism as one tool in the box for increasing cycling. While improvements could be made, we believe this mechanism should continue to be funded, not least because:

- The money invested predominantly goes directly to local contractors to carry out the work, keeping the money within the local economy. (Just one local authority has estimated that sixty local jobs outwith the council directly depend on path construction/maintenance work, funded through CWSS)
- It is used to match and lever in additional funding, for example from European funding.
- CWSS is a proven mechanism for delivering the small scale but important improvements local communities are demanding, to improve walking or cycling conditions.
- Improving crossings, lighting and footway surfaces are essential, preventative spend as the population ages and becomes generally less mobile
- Without this money, local authority officers express severe scepticism that any budget would be available for delivering initiatives improving safety for the most vulnerable road users.

A major barrier to increasing cycling levels (and physical activity levels) is the growth in traffic levels. There is potential for this traffic growth to continue in many parts of the country, particularly given some major road building schemes planned or under construction. We would therefore stress the fact that in order to increase cycling as a transport mode, a greater percentage of the transport budget and priority should be put towards cycling.

<sup>9</sup> NICE Guidance Walking and cycling Public health guidance PH41 Issued: November 2012

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Finally, we would highlight the ongoing importance of maintenance for both pedestrians and cyclists. In their Budget report in 2011, the Infrastructure and Capital Investment Committee noted the costs of cutting local maintenance budgets:

*“the Committee notes the point made in the recent National Roads Maintenance Review that if maintenance budgets were to be cut by 20% on trunk and local roads, the cost of doing so (in Net Present Value terms) is nearly five times worse on local roads than on trunk roads.<sup>436</sup> The report also confirms that local authorities have identified a £1.54bn backlog”*

Transport Scotland have highlighted that the impact of cutting maintenance budgets is worst on vulnerable road users, such as pedestrians or cyclists:

*“cutting the maintenance budget on local roads has negative impacts on pedestrians as vulnerable road users in particular, ranging from “increased roadside noise and reduced local air quality”, “increased defects on footpaths [particularly [for] those with a visual or mobility impairment]” and “increased perceptions of crime caused by poorer levels of street lighting.”<sup>10</sup>*

Furthermore, the ICI Committee called for savings in the trunk road maintenance budget in its budget report in 2011:

*“84. ... The Committee has identified three expensive spending lines where even relatively modest efficiencies could substantially increase the available resource and used to underpin low carbon and active travel. Specifically:...*

- *from trimming the trunk road maintenance budget.*

*85. The Committee requests that the Scottish Government give consideration to these suggestions.”<sup>11</sup>*

In the light of cuts to local authority maintenance budgets, we believe the CAPS refresh should be ensuring that the right balance is struck in Government maintenance priorities and the importance of maintenance of a smooth road carriageway surface for cyclists is recognised.

## **5. Monitoring arrangements**

Our key comment is that when monitoring is put in place for counting cyclists, for example through automatic counters, that counting of pedestrians is included too wherever feasible. This will help give an accurate picture of who is using a route, whether as a rural long distance route or an urban path, and what impact improvements have on those different modes.

## **Conclusion**

In conclusion, Living Streets Scotland wants to see more people cycling (as well as walking) more often as part of our mission of creating safe, attractive, enjoyable streets, where people want to walk. We are keen to work with Government at all levels and other stakeholders to achieve this outcome.

If you require any further information, please don't hesitate to get in touch.

Yours sincerely,



Keith Irving  
Head of Living Streets Scotland

<sup>10</sup> (Page 11-12) Source: Transport Scotland; National Roads Maintenance Review - Phase 2 Report; Published 2nd November 2011

<sup>11</sup> ICI Infrastructure and Capital Investment Committee Report on the Scottish Government Draft Budget 2012-13 and Spending Review 2011 to Finance Committee