

ACTIVE TRAVEL (WALES) ACT 2013

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

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

5. **Section 2** sets out the meaning of an active travel route and of related facilities. An active travel route for the purposes of the Act must be within a designated locality in a local authority area. Designated localities (such as towns and cities) will be specified by direction of the Welsh Ministers. It will be for local authorities to determine which routes within those localities are appropriate to be regarded as active travel routes.
6. An active travel route comprising a highway may be a highway used by motorised vehicles or it may be another type of highway such as a footpath, cycle track or bridleway. It may also be a route not comprising a highway where the landowner allows the public to have access. However, private roads where the public are not allowed access are not capable of being active travel routes.
7. For the purpose of the Act, “walkers and cyclists” means people who walk, people who use pedal cycles (including electronic bicycles/e-bikes but excluding motorised cycles) and people who use mobility aids (including motorised wheelchairs and mobility scooters).
8. Localities within which active travel routes are to be situated will be designated by direction of the Welsh Ministers. They may specify a locality by name. They may also specify a description of localities with reference to criteria, including those listed in subsection (5). They may for example designate towns with a population greater than a specified amount, settlements within a certain radius of such towns, or areas with a population density greater than a specified number of people per km².
9. Subsection (6) requires a local authority to consider whether potential travel routes are suitable for active travel. In doing so, a local authority should consider whether the route facilitates the making of active travel journeys and whether the location, nature and condition of the route makes it suitable for safe use. The Welsh Ministers intend to issue guidance under this subsection, to which local authorities must have regard.
10. Subsection (7) sets out what is meant by an active travel journey. For the purpose of the Act, an active travel journey is a journey made to work or education or to access health, leisure or other services or facilities.
11. Subsection (8) sets out what is meant by related facilities in relation to active travel. These might for example include shelters and storage for cycles and toilets and washing facilities, as long as they are available for use by walkers and cyclists. The Welsh Ministers intend to issue guidance on related facilities under subsection (9).