

11<sup>th</sup> August 2011

Dear Minister O'Dowd,

Thank you for your letter dated 8 August. We are however extremely disappointed at what appears to be a retraction from commitments given leading up to the election in May.

In our letter dated 22 June we raised three issues, which we will now deal with in the same order.

### **NI Highway Code**

When we met in June, we discussed changes made to the GB version of the highway code in January, improving safety for everyone, but particularly vulnerable road users. You indicated that a decision hadn't yet been taken on whether to introduce those changes or variations of them in Northern Ireland now, or delay their introduction to incorporate wider changes to the code which are likely to be needed in the coming years.

As we explained in our letter of 22 June, the reality is that with the introduction of new forms of micro mobility, e-scooters, and the increasing automation of motor vehicles, it is inevitable that the code will have to be changed a number of times in the coming years. Consequently, delaying the introduction of changes which could improve road safety now for vulnerable road users, until further clarity is obtained on what other changes might be needed in due course, would risk perfection being the enemy of the good and needlessly put lives at risk. Therefore, we urged you to expedite any consultation process needed to progress changes to the code and offered to liaise further with your officials if that would be beneficial.

Responding by letter dated 19 July, you stated that you were happy to consider our suggestions "as work on the NI code progresses", but did not mention what work was being undertaken or any timescales. Accordingly, in our second letter dated 21 July, we pointed out that the interim period for Ministers is rapidly coming to an end, that in our earlier meeting you had confirmed that during this interim period you were able to progress work around changes to the code, and that if the review and consultation process isn't started now, it might be several years before the NI code is updated, leaving vulnerable road users across NI with less protection.

Your letter in reply dated 8 August seems to step back from your previous commitment to consider our suggestions "as work on the NI code progresses", indicating instead that you are still determining priorities for the Department, and that you will agree the Department's priorities in due course. That rather implies that work is not being undertaken currently on any potential changes to the NI code, and that no Departmental priorities have yet been set around work which could be progressed during this interim period.

## **Active Travel Act**

We raised this at our meeting in June, reminding you that the introduction of an Active Travel Act was a core element of our election manifesto for cycling, and a policy which every MLA in both Sinn Féin and the Alliance party pledged to support, along with the leader of the DUP and indeed the majority of elected MLAs. Not only does it have summary cross party and majority support within the Assembly, it's also something you personally pledged to support.

Acknowledging that the legislation can't be introduced or passed until the Assembly is sitting, we again indicated that we would be happy to support any consultation process or provide further thoughts or proposals to your officials, however that offer has not yet been taken up. Your letter of 19 July merely indicated that you had not ruled out introducing an Active Travel Bill, hence the reminder in our letter of 21 July that this is something both you and your party promised to deliver during the election campaign, and that whilst discussions around the legislative detail and process will inevitably take a few years, that process could start now, and that Cycling UK would support the Department in any way possible in that process.

In your letter of 8 August, your response on this issue was that you were keen to use the existing powers your Department has to deliver better 'fit for purpose' walking and cycling infrastructure, and that you were also keen to consider whether your Department should have additional powers in order to more effectively focus its work on active travel. With respect, the powers your Department has, have not delivered 'fit for purpose' walking and cycling infrastructure in the past. As we discussed when we met in June, an Active Travel Act would be relevant to all departments and Ministers, not just the DfI. It would give all departments a clear direction and mandate to consider and improve provision for active travel, when making other decisions.

## **Limestone / Cavehill Cycle Lane**

When we met in June we asked you about a timescales for progress on this issue, pointing out the lack of progress with this scheme, which is a key part of 'phase1' of the Belfast Cycling Network delivery plan. You confirmed that your officials had already collated the information on the scheme's progress to date. You then indicated in your letter of 19 July that you were considering the data, and that your officials would contact us before the end of July to update us on the way forward. We still await that update.

## Clarification

As indicated above, it is difficult to avoid the conclusion that, in relation to the Active Travel Act, there has been a retraction from commitments given leading up to the election in May.

In relation to the NI highway code, the Limestone / Cavehill cycle lane, and active travel generally, it is also hard to see what progress is being made or feel assured that matters are being prioritised. Rather, it looks like progress on active travel has once again been parked.

In case we have misunderstood matters, we do however feel that it is appropriate to ask some direct questions, in the hope that you are able to provide answers which allay the concerns raised in this letter, or assure us regarding your department's ambition and willingness to deliver upon that ambition.

Accordingly, we would be grateful if your officials could perhaps confirm:

1. What work is being undertaken currently to consider changes to the NI highway code?
2. If any such work is being undertaken, will there be any form of stakeholder engagement, and if so, when?
3. Have you retracted from your previous commitment to support an Active Travel Act, and if so, why?
4. If you have not retracted from your previous commitment to support an Active Travel Act, what, if any work is being undertaken by your department to progress this, will there be any stakeholder engagement, and what are the timescales for this?
5. When can a decision on the Limestone/Cavehill Road cycle lane be expected?
6. When will your department's priorities for active travel be determined, and communicated?

Given that all these matters were discussed in June, and this is our third letter, can we please ask for a response within fourteen days, failing which we will have to assume that the rather disheartening interim conclusions we have reached are indeed accurate, and proceed accordingly.

Kind Regards,

Andrew McClean

**Northern Ireland Engagement Officer**

**Cycling UK**