

Cross Party Group on Cycling

Minutes of Meeting Thursday, 18 April 2013

Committee Room 4, Scottish Parliament, 12-2pm

<p>1. Welcome and Introductions</p>	<p>Alison Johnstone, MSP welcomed the group.</p>	
	<p>In attendance were:</p> <p>Jim Eadie MSP, Co-Convener of Group (JE) Alison Johnstone MSP, Co-Convener of Group (AJ) Brenda Mitchell, Cycle Law Scotland (BM) Rod Mitchell, Cycle Law Scotland (RM) Malcolm Wardlaw, UK Cycling and Health (MW) Dave du Feu – Spokes (DdF) John Lauder – Sustrans (JL) Janice Fenny – Sustrans (JF) Ian Aitken – Cycling Scotland (IA) Nathan Kaczmariski – Cycling Scotland (NK) Ben Miller – MSP Staff (BM) Karen Furey – Transport Scotland (KF) Rona Gibb – Paths for All (RG) Janice Gray – Paths for All (JG) Dave Brennan – Pedal on Parliament (DB) Hugh Thomas – Pedal on Parliament (HT) Kim Harding – Pedal on Parliament (KH) Chris Oliver – CTC Scotland (CO) Patrick Hogan – IndigoPR (PHo) Fiona Miller – IndigoPR (FM) Dave Frew – SCOTS (DF) Ian McNicoll – Andrew Cyclist Charitable Trust (IM) Bill Neilson – Spokes (BN) Mary Blackford – Scottish Parliament (MB) Lois Taylor – Scottish Parliament (LT)</p> <p>Apologies were received from:</p> <p>Sarah Boyack, MSP Claudia Beamish, MSP John Lamont, MSP Fiona McLeod, MSP Ian Findlay – Paths for All Keith Irving – Living Streets Helen Todd – Ramblers Scotland Craig Burn – Scottish Cycling</p>	
<p>2. Minutes of the previous meeting</p>	<p>AJ asked attendees to approve the minutes of the previous meeting.</p> <p>NK fed back on action relating to a list of Cycling</p>	<p>NK to feedback</p>

	<p>Officers in local authorities. This is ongoing as part of the National Assessment and will be reported on next meeting.</p> <p>CPG (BM) to distribute draft letter to Minister on integrating cycling into larger projects.</p> <p>All remaining actions accounted for and completed and minutes were approved.</p>	<p>on Cycling Officers</p> <p>CPG to draft letter to Minister on integrating cycling into larger projects</p>
<p>3. Cycle Law Scotland – Strict Liability presentation</p>	<p>AJ introduced Brenda Mitchell from Cycle Law Scotland who presented on ‘strict liability’, covering the concept, data and statistics from other places that have implemented forms of strict liability. (The presentation has been distributed to all CPG members.)</p> <p>AJ opened the floor for discussion following presentation from BM.</p> <p>CO noted support for Cycle Law Scotland’s campaign and proposed that strict liability/legal aspects become a standing item on the agenda.</p> <p>CO added that there could be some discussion on terminology of ‘strict liability’ and how it should be presented.</p> <p>DdF also expressed support for ensuring that the campaign succeeds. DdF noted that there has, to date, been mixed public opinion with some people thinking that it is cyclists angling to be a ‘special case’; however, for the campaign to succeed it needs to be clear that this approach includes pedestrians as well.</p> <p>DB added that there has been some difficulty in the public understanding the concept and also the difference between civil vs. criminal law (with strict liability only relevant to civil law). Suggestions were made to related cycling/pedestrians strict liability to other situations where it is already in place (e.g., workplace).</p> <p>IA suggested that a good approach to engaging a discussion on strict liability and other legal elements could be to build consensus amongst partners. IA highlighted that this was the approach used by Sustrans in Wales as part of the Active Travel Bill and proved</p>	<p>CPG (NK) to ensure that liability/legal aspects are standing item on agenda.</p>

	<p>successful. IA also highlighted that British Cycling is working with the DfT and other partners in England with regard to cycling and legal elements.</p> <p>JL hoped to clarify the goal of the campaign, i.e., is the aim to just raise the issue for discussion or for it to be formally proposed as a private members bill, etc. JL highlighted the Responsible Parking Bill as a guide as to what is needed for formally establishing a private members bill, and that it required a consensus across a wide range of stakeholders and partners, not just walking and cycling groups. BM stated that the aim at the moment was to raise awareness at the moment and to involve partners, but acknowledged the need for consensus, particularly from pedestrian charities.</p> <p>CO highlighted that Roger Geffen at CTC has researched into strict liability and also past attempts at implementing it, so could be a good point of contact.</p> <p>LT queried about the potential for loopholes in strict liability, particularly with regard to maliciousness. BM highlighted that there is a difference in terms of how strict liability is implemented, for example France has a stricter system than the Netherlands and that it is unlikely that cyclists or pedestrians would attempt to take advantage of loopholes.</p> <p>KF added that Transport Scotland will be publishing the findings of their research into strict liability as part of the CAPS refresh process.</p>	
<p>4. Malcolm Wardlaw – Perceptions of Cycling presentation</p>	<p>AJ passed to JE to chair due to parliamentary commitments.</p> <p>JE introduced Malcolm Wardlaw who presented on perceptions of cycling, providing an overview on datasets (medical and police), limitations with each and how each are reported, and also presenting some findings with regard to levels of risk for different demographics. (The presentation has been distributed to all CPG members.)</p> <p>JE opened the floor for discussion following the presentation by MW.</p> <p>CO noted the database on trauma data they are</p>	

	<p>developing to roll out across the NHS; this should help with ensuring better quality data.</p> <p>One key element raised in MW’s presentation was the accuracy of reporting, and how inaccuracies are compounded due to differences in datasets for medical (ICD10) and police (STATS 19) records, particularly for cyclist injuries. The ‘invisible elephant’ of transport casualties are pedestrian falls due to how these are classified in ICD10.</p> <p>DB and JL questioned how the underreporting of pedestrian transport casualties are being dealt with, and if this is an issue in other countries. MW indicated that ICD10 is an international standard so similar issues.</p> <p>MW mentioned that ICD10 is being updated, so there could be an opportunity to make recommendations.</p> <p>DdF suggested that the CPG and partners work with Parliament to influence updates to ICD10.</p> <p>JL highlighted that there are substantial amounts of claims for trips and falls, and questioned how this could impact emphasis on road vs. footway repair.</p> <p>DdF queried on the best method for presenting casualty statistics and comparison of risk.</p> <p>MW suggested that drivers cover longer distances so it distance is difficult to make equitable. ‘Time’ is more equitable, so there can be comparisons, for example, between ‘per hour of travel’, etc.</p> <p>HT highlighted the dramatic fall off of young people driving as much. MW indicated that this could be one reason why road deaths have fallen as the young male age group has a high risk for themselves as drivers, but also with regard to third party risk.</p>	
<p>5. Themes for upcoming meetings</p>	<p>JE introduced some suggestions for future meeting themes and took comments/suggestions from the Group.</p> <p>KF noted that the CAPS refresh and launch of the respect campaign will time well with the next meeting. KF also suggested that the Minister for Transport and Veteran affairs and Cllrs from Edinburgh and Glasgow</p>	

	<p>will be undertaking a study visit to the Netherlands to look at promotion of cycling and infrastructure there. This could be an opportunity to have the Minister speak on findings from the visit.</p> <p>JL mentioned that the Hands Up Scotland Survey for 2012 results will likely be launched in May/June and this could be featured in future topics. JL also suggested Sustrans present on funding for infrastructure and how it has been spent/future plans.</p> <p>The suggested next topics are therefore as follows:</p> <p><i>June meeting:</i> CAPS Refresh / Minister; other Scottish policy development, e.g., NPF3 and SPP; policy around the UK including the 'Get Britain Cycling' report and the Mayor's Vision for Cycling in London; Launch of Respect Campaign</p> <p><i>September meeting:</i> Sustrans covers infrastructure; budget discussions in advance of Draft Budget process</p>	
<p>6. AOB</p>	<p><i>Respect Campaign</i></p> <p>IA presented on the Respect Campaign currently under development. IA noted that there had been widespread consultation of stakeholder groups and partners, with the CPG invited as well as other groups such as the Vulnerable Road Users Group. 40 attendees were at the consultation workshops. Three creative routes had been developed and were currently undergoing public testing. The aim is to ensure that the campaign is even-handed and encourage responsibility for all across road space. IA suggested that the campaign is 'previewed' at the next CPG meeting as it will be ready for launch in July/August.</p> <p><i>CAPS Refresh</i></p> <p>KF noted that there were 48 responses to the call for comments from stakeholders for the CAPS Refresh. The aim is to publish after gaining local authority and COSLA buy-in. The document goes to COSLA committee for consideration on 16 May.</p> <p>JL asked whether responses are available online; KF indicated that they are not, as it was a stakeholder</p>	<p>IA to present Respect Campaign at next CPG meeting</p>

	<p>consultation only.</p> <p><i>Pedal on Parliament</i></p> <p>KH noted that Pedal on Parliament 2 is on 19 May starting from 3pm and encouraged all CPG members to contact the PoP team for promotional materials to help spread the word.</p> <p><i>Edinburgh Festival of Cycling</i></p> <p>KH is holding an Edinburgh Festival of Cycling (15-23 June 2013) that will showcase all aspects of bicycle culture.</p> <p><i>Other</i></p> <p>DdF raised the topic of domestic bike storage in front gardens. This is an issue that has arisen in Edinburgh and Spokes has taken this forward on a local level, but understands that the Scottish Government could impact planning rules, particularly with regard to permitted development. DdF suggested that this is added to a future meeting agenda to discuss how the group could support the debate on this topic.</p>	<p>NK to include domestic bike storage / PD rights as topic in future meeting</p>
<p>7. DoNM</p>	<p>TBC, but likely in late-June.</p>	