

Street Credibility

Making Scotland's streets accessible for people with sight loss

R N I B

Scotland

See differently



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Foreword: We can all play a part in safe streets for everyone

As Scotland's cities, towns, and villages continue to change, it is increasingly important for streets and public spaces to reflect the many ways we use them.

Navigating our streets is a fundamental aspect of our daily lives, whether it's for transportation, taking care of our health, or visiting friends and family. However, for blind and partially sighted people, navigating streets can be a challenge. As we strive towards zero-emission transportation and encourage healthy activities, such as walking and cycling, it's imperative we keep streets safe for everyone, including those with sight loss.

This Street Credibility report is a significant resource for the decision makers, urban planners, and community leaders who are tasked with creating streets that are inclusive and accessible to all.

It explores three critical areas of concern for street accessibility:

- 1.** Reducing the hazard of street clutter and obstructed pavements
- 2.** The importance of having kerbs and signalised controlled crossings
- 3.** Avoidance of moving vehicles.

Poorly placed street furniture, like advertising (A) boards, bollards, bins, and low-level signs, can turn our pavements into an obstacle course for people with sight loss.

Busy and chaotic street environments are hazardous when there is no differentiation between pedestrians and moving vehicles, including cyclists and e-scooters. The reliable features of kerbs and pavements, which act as a clear physical separation between the footway and carriageway, are gradually being removed.

We need to be able to avoid collisions with cyclists at bus stop bypasses and we need to have signalised controlled crossings and detectable kerbs to stay safe. We must not ignore the needs of blind and partially sighted individuals when it comes to our streets.

Together, we can all play our part so everyone can use our streets safely and independently.



James Adams,
RNIB Scotland Director



Summary and recommendations

Everyone responsible for street environments has a duty to eliminate and tackle the problems that make them inaccessible for blind and partially sighted people.

This report seeks to:

- Highlight blind and partially sighted people's experiences of barriers in physical environments
- Act as a checklist for those involved in planning street design
- Influence decision-makers at local, regional, and national level
- Equip residents and blind and partially sighted campaigners with information to influence improvements.

People with sight loss have consistently said three key principles are paramount for inclusive and accessible street design:

1. Reducing the hazard of cluttered pavements and street clutter
2. The importance of having kerbs and signalised controlled crossings
3. Avoidance of moving vehicles.

This report highlights why these principles matter and makes the following recommendations:

- Existing guidance, in particular, *Designing Streets* (discussed further on pages 27-30), should be reviewed with accessibility and inclusion in mind.

Reducing the hazard of cluttered pavements (Section 1):

- All public hire schemes for bikes should include sufficient docks to ensure safe and accessible use. Where possible, space for docking stations should be allocated from the road so they do not take up space on the pavement/footway. Consistent guidance across all hire schemes and rental arrangements would ensure that bikes are safely returned to docking stations.
- Enforcement and monitoring of the pavement parking ban in Scotland, as provided for by the Transport (Scotland) Act 2019 (part 6), should be implemented by the end of 2023.
- RNIB Scotland calls for a Scotland-wide ban on the use of A-boards, with advice on alternative advertising for businesses.
- All street furniture, including temporary obstructions, must not constitute a hazard, either by taking up too much space on the footway and increasing the risk of falls and stumbles, or by creating unfamiliar routes.

The importance of kerbs and pedestrian crossings (Section 2):

- Local authorities should consider reinstating signal-controlled pedestrian crossings where they have been removed, as well as ensuring that repairs are prioritised where there are existing faults.
- Accessible features, such as tactile and audio signals, at crossing points must be provided to help blind and partially sighted pedestrians cross a road safely.



Avoiding moving vehicles (Section 3):

- RNIB Scotland calls on local authorities to carefully consider bus stop design to ensure there are physical markers such as a detectable kerb separating the bus stop, pavement, and cycle lane. We also recommend signal-controlled pedestrian crossing points, with audio and tactile markings, to safely enable bus passengers to cross the cycle lane to and from the bus stop.
- We oppose the illegal use of e-scooters; however, should any e-scooter rental trials take place in Scotland, there must be minimum safety requirements including a ban on use on pavements and footways as well as having speed limits of no more than 12.5mph and audible detection.
- Safe cycling infrastructure should allow for segregation between cyclists and pedestrians and, where possible, use existing space on the road/carriageway as opposed to allocating space from the existing footway/pavement.
- All local authorities, designers, planners and those responsible for implementing changes should ensure there are consistent approaches regarding accessibility, including national standards and specifications, with appropriate enforcements.

Introduction:

Why we need to act now to make our streets safe for all

The Royal National Institute of Blind People (RNIB) Scotland is the country's leading sight loss charity. We support children and adults with sight loss and help them to live full and independent lives; we actively campaign for their rights.

There are around 183,000 people living with significant sight loss in Scotland. Our ageing population and the increase in sight-threatening conditions such as diabetes means this number will, inevitably, grow. Estimates now suggest there will be at least 214,000 people living with sight loss in Scotland by 2032.

Currently, cycling and walking infrastructure is being redeveloped throughout Scotland. City Deal funding and Transport Scotland's commitment to increased levels of cycling, walking, and wheeling for transport and leisure have, together with the legacy of temporary coronavirus street alterations and pop-up cycle lanes, already transformed Scotland's streets. Our streetscapes will only face more change in the next decade.

However, we must ensure that these developments make our town centres more accessible for everyone, including disabled people. All too often our streets are an obstacle course for blind and partially sighted people.

Preparation and planning are required before someone with sight loss can leave their home, including an assessment of whether they can safely and easily make a journey on their own. This can include considerations like route planning, knowing where signal-controlled pedestrian crossings are, avoiding moving vehicles, and being able to navigate safely if using a long cane or guide dog. The difficulties of negotiating the actions of other street users, including cyclists and motorists, were highlighted in RNIB's Who put that there! survey in 2015:

"If you're blind, you can't make eye contact. My local council wanted to get rid of the crossing, kerbs, and tactile paving, but I have been campaigning to keep them. Kerbs and tactile paving help me know when I'm approaching a road. They tell me where to stop, so I remain safe."

While RNIB Scotland does not offer specialist expertise on street design, or have the capacity to respond to the proliferation of street developments underway across Scotland, this report highlights key problem areas, particularly those affected by emerging trends in the design of streets and public spaces.

We publish this report at a time of rapid change to the streets of Scotland. Written in the context of the Scottish policy landscape, we outline the barriers faced and suggest how to make streets inclusive for people with sight loss.

Creating street credibility

Blind and partially sighted people have consistently said inclusive and accessible street design is based on three key principles:

1. Reducing the hazard of cluttered pavements/sprawl of street clutter
2. The importance of having kerbs and signal-controlled crossings
3. Avoiding moving vehicles.



1. Reducing the hazard of cluttered pavements and the sprawl of street clutter

RNIB surveys have shown that 95 per cent of blind and partially sighted people have collided with an obstacle in their local neighbourhood over a three-month period, and that nearly a third of them were injured.

Pavement obstructions can range from vehicles parked on pavements, chairs and tables for outdoor café, restaurant, and bar seating, A-boards, wheelie bins and bin bags, and overhanging trees and shrubs.

Temporary obstructions like building equipment and tailboards from parked delivery vans can also have unintended dangerous consequences.

While these everyday objects may not sound threatening, they have a very real negative impact on the accessibility of pavements for blind and partially sighted people and their confidence to undertake independent walking journeys.

General clutter

Keeping pavements clear and free from obstructions is everyone's responsibility and plays a key role in improving the quality of life for blind and partially sighted people. RNIB Scotland calls for the introduction of a Scotland-wide ban on the use of A-boards, with advice on alternative advertising for businesses.

Many items of street furniture appear on highways for practical and aesthetic reasons. Permanent street furniture, which is sensibly placed, like railings and benches, can be useful navigation aids for people with sight loss.

"Little things like hanging baskets and overgrown shrubbery might not sound threatening, but can cause a real nuisance, especially when you end up walking on the roadside, to avoid banging into them. Experiences like this can really knock your confidence, when out and about. ... the longer-term impacts cannot be underestimated...we've come out of a pandemic, but when spaces and streets aren't accessible, people stop going out and this impacts on their mental health too."
(Angela, Inverness).

Problems are caused when items of street furniture are poorly placed and managed, overused, or when the obstacle itself is hard to see or detect properly with a cane. This also includes obstructions at eye-level, or head-height, which are very difficult for blind and partially sighted people to detect. One RNIB supporter suffered a head injury after colliding with a tail board from a parked delivery lorry when it was left unattended.

“When an environment is noisy and busy, it can be really disorientating and makes it harder to work out what is going on around you. I walked into a tailboard from a delivery lorry, which was left propelled at head height. As someone who is completely blind, and uses a long cane, there was no way of knowing it was there. I sustained a serious head injury which resulted in me having to take medication. I think I’m a capable walker, with my long cane, and this could have been avoided if the tailboard hadn’t been propelled and left unattended.” (Terry, Glasgow).

The placement of all street furniture, including temporary obstructions, must not constitute a hazard, either by taking up too much space on the footway, increasing the risk of falls and stumbles, or creating unfamiliar routes. For those who are unfamiliar with a location this can be potentially dangerous and disorientating.



“Since the pandemic, some places have re-introduced, and not removed temporary measures, including chairs and tables outside the parameters of café and bistro entrances. A-boards have reappeared outside some shop frontages, despite there being a city-wide ban on them [in Edinburgh]. The proliferation of street furniture, including hanging baskets, as well as bus stops and litter bins, has meant there’s hardly any space left on the pavement, making it a nightmare to navigate.” (Sylvia, Edinburgh).

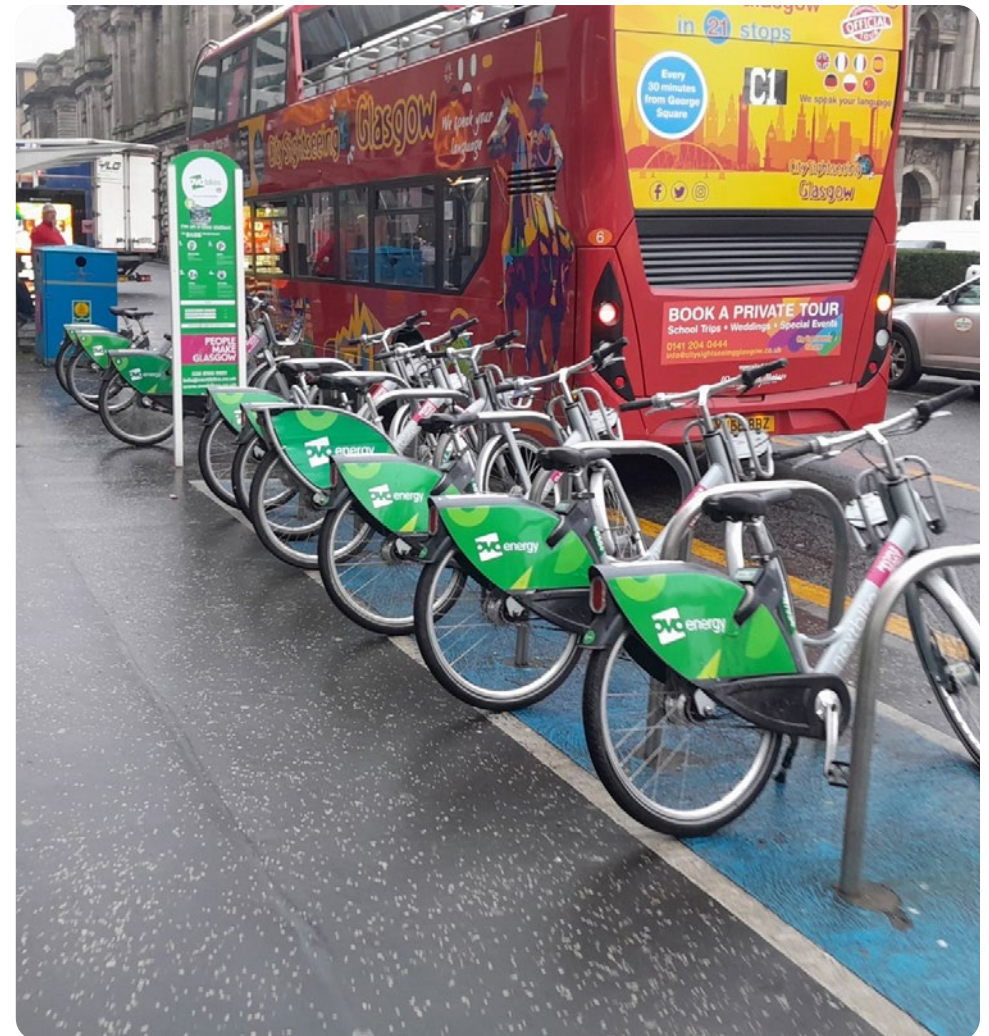
Dockless hire vehicles

New commercial demands on pavements and walkways such as dockless hire vehicles are adding further obstructions.

Cycle hire schemes are emerging in cities and problems have arisen when fixed docking stations are not adequately supplied. This can result in the bikes being left abandoned, which creates hazards when they obstruct the footway or pavement.

We wish to highlight measures which local authorities, as well as the operators of hire schemes, can implement to keep streets safe for everyone. For example, all public hire schemes for bikes should include sufficient docks to ensure their safe and accessible use. Where possible,

space for docking stations should be allocated from the road, not the pavement/footway. Consistent guidance across all hire schemes and rental arrangements would ensure that bikes are safely returned to docking stations. Suitable accreditation may also help ensure hire schemes adhere to certain standards before approval.



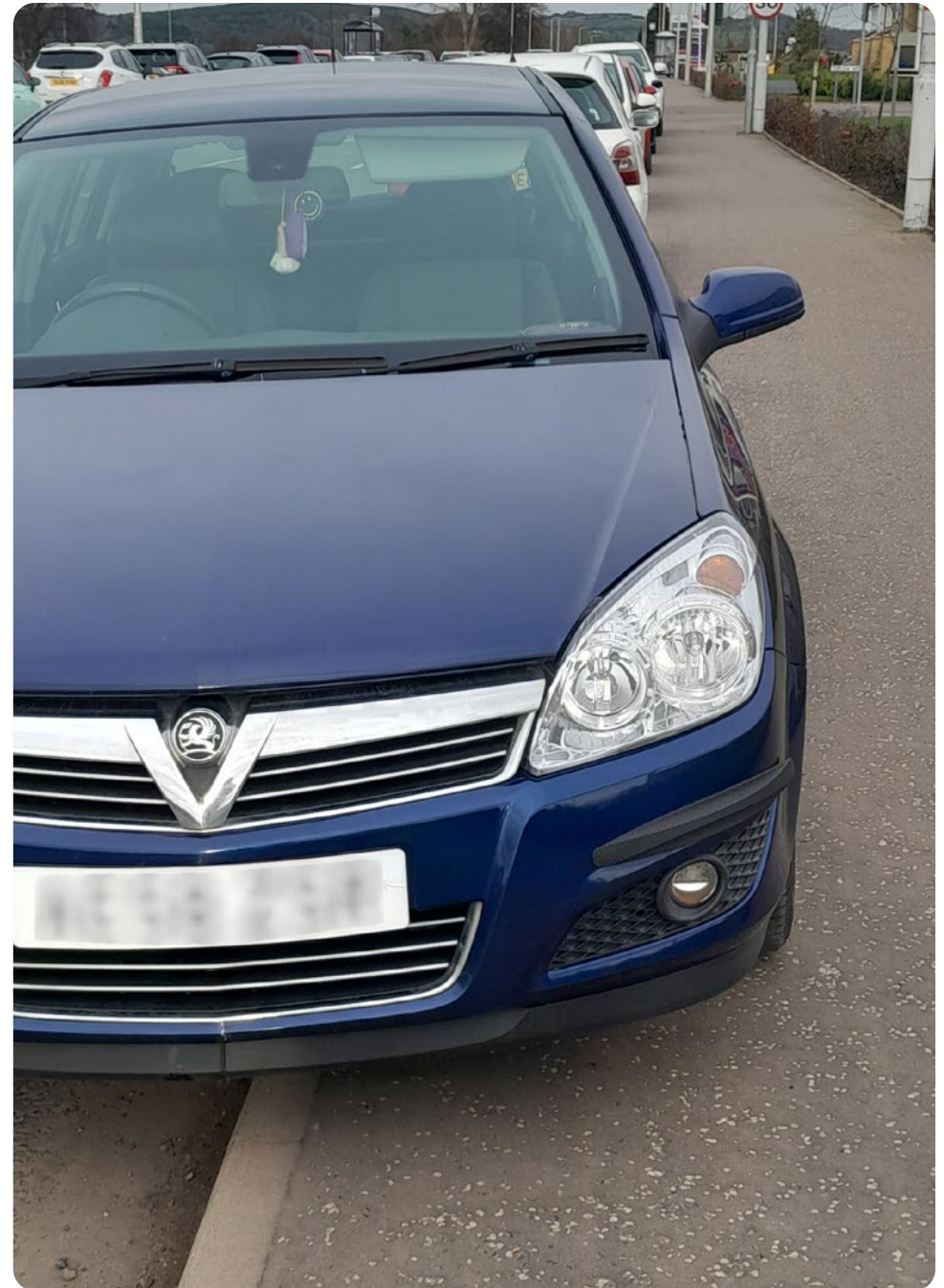
Pavement parking

Pavement parking not only causes a hazard for blind and partially sighted people but takes up valuable footway space for many groups of pedestrians, including wheelchair users and pushchairs/prams.

Guide dogs are trained to stop when faced with an obstruction, hazard, or gap which is too narrow. However, guide dog owners may not know why they have stopped so are faced with an unpredictable barrier. This becomes dangerous when the only way forward is around a parked car onto the roadside where there can be moving vehicles. Blind and partially sighted people may also be injured when they unknowingly walk into a parked car on the footway.

Scotland is set to become the first nation in the UK to place a national prohibition on pavement parking. The Scotland Act 2016 enabled the Scottish Parliament to legislate for a ban and after many years of campaigning the Transport (Scotland) Act 2019 (part 6) finally made provision for the ban. RNIB Scotland calls for its implementation by the end of 2023.

The success of the pavement parking ban in Scotland will rely on local authorities monitoring and enforcing it, and members of the public adhering to the law. Whilst an exemption order can be granted for some specified areas, there must be consultation with local disabled people to ensure the exempted footway is not a key route to local amenities and services for them or others, including parents with pushchairs.



2. The importance of having kerbs and signal-controlled crossings

Pedestrian crossings

Crossing the road safely is an essential part of getting from A to B for most people. The provision or absence of signal-controlled crossing points affects blind and partially sighted people's ability to get around safely, particularly on busy roads.

The most accessible crossing points are those which feature a push button which signals a pedestrian is waiting to cross, along with audible and tactile indicators (rotating cones) to notify that traffic has stopped and it is safe to cross. The use of tactile paving and dropped kerbs at signal-controlled crossings should be consistent.

Many blind and partially sighted people rely on these consistent features to identify a safe place to cross. Without identifiable, maintained, signal-controlled crossing points, people with sight loss are unable to make independent walking journeys. The following comments highlight the importance of maintenance:

"The absence of signal-controlled crossings is a real problem, but so are badly maintained crossings. There are two crossing points in the town centre where I live; both have broken rotating cones. If there's no audio like the beeping sound to indicate it's safe to cross, it's difficult to tell otherwise."

(Sheila, Dumfries).

"When there's a fault with traffic signals for motorists, these are prioritised, but there's no urgency given when the crossing facility itself is broken for pedestrians. It's imperative that controlled crossing points are maintained. If not it's a disaster waiting to happen."

(Sylvia, Edinburgh).

In some instances, the absence of signal-controlled crossings can severely compromise a blind person's safety and affect their capacity to leave home independently.

“The absence of signal-controlled crossings where I live is a major barrier to getting out safely. On numerous occasions cars have driven over my long cane, whilst I wait to cross the road. The designated crossing point (shown in photo) doesn’t have traffic signals, or tactile paving, so the only way I know it’s there because of the dropped kerb and two bollards on either side of the road... It’s scary – cars can be driving at speed, there’s no traffic calming, and even though I have a red strip on my long cane to show I’m also hearing impaired, cars still don’t slow down... I’ve been campaigning to get a signal-controlled crossing point put in here for a long time... it would benefit everyone, including elderly residents and young families who live close-by.”

(Duncan, Alford, Aberdeenshire).

RNIB Scotland calls on local authorities to consider reinstating signal-controlled pedestrian crossings where they have been removed, as well as ensuring that repairs are prioritised where there are existing faults.

Zebra crossings and courtesy crossings are much less safe for pedestrians who cannot negotiate with approaching vehicles they may be unable to see or hear.



Detectable kerbs

Detectable kerbs play a vital role in enabling blind and partially sighted people to navigate and orientate themselves in their surroundings. Guide dogs are trained to use the upstand of a kerb to orientate their owner and guide them safely.

When accessible aspects of street design are removed, such as signal controlled crossings and kerbs, blind and partially sighted people face increased risks to their safety.

Research carried out by University College London for the Guide Dogs for the Blind Association (Guide Dogs), has shown that a kerb with an upstand of at least 60mm is necessary for blind and partially sighted people to reliably detect the pavement/footway and differentiate it from the road.

"As someone who is blind, there is real danger when there are no distinct zones separating us from traffic. People who use white canes, as well as guide dog users, rely on kerbs to give them vital tactile cues for their safety... Where pavements and kerbs have been flattened there is a less obvious distinction between people and vehicles, I am far less confident traversing them than a normal urban environment. They depend on every user being 100 per cent able and 100 per cent alert, all the time, which just doesn't happen in real life." (Ken, East Lothian)



Moves to flatten surfaces and do away with detectable kerb heights effectively exclude blind and partially sighted people. Many say that they avoid these areas completely, due to fears of unintentionally straying onto the path of a moving vehicle or cycle. Many also stress the importance of “segregation by levels” and use kerbs on the basis that “up means safe.”

Tactile paving

Tactile paving is used to indicate a crossing, but if it is used inappropriately, not in accordance with guidance or appears with no other demarcations, such as kerbs and graded slopes from the pavement onto the road, it can become meaningless.



Continuous footways

Other aspects of street design, including continuous footways, may only serve to disorient blind and partially sighted people further. Continuous footways extend the pavement over a road or junction, creating a level surface without dropped kerbs and often without tactile paving.

Continuous footways pose an unacceptable risk for blind and partially sighted people, due to the increased danger of unknowingly walking out in front of moving vehicles.



Shared spaces

Shared spaces pose serious risks for blind and partially sighted people.

In this type of design, pavements and footways are effectively levelled with the road. Physical markers such as detectable kerbs, signal controlled pedestrian crossings and road markings are non-existent, and the impact on blind and partially sighted pedestrians is significant:

“The shared space in Broad Street in Aberdeen city centre, instils fear and anxiety in me – often there are cyclists passing at full speed, sometimes there are taxis pulling up all over the place. It’s a disaster area for me. There are no pedestrian crossings... Unless I’m with a sighted companion, I struggle, particularly as there are more e-bikes and e-scooters around. It’s often impossible for me to detect these or know what their direction of travel is as they have no sound... I have very limited peripheral vision so there’s no way I can tell when they are approaching until it’s too late.”
(Jordon, Aberdeen).



As already noted, several reports have highlighted the challenges presented by shared spaces. For example, The Holmes Report found that “people’s experiences of shared space schemes are overwhelmingly negative,” that people avoid these areas, and drivers consistently report being unsure of who has right of way, resulting in “confusion, chaos and constant near misses”.

One RNIB Scotland supporter said:

“Shared surfaces are extremely dangerous. Dumfries town centre being a grand example. Delivery vans park all over the place, with cars and other vehicles rumbling around. No thought is given to the needs of pedestrians... What makes it worse is the surface is also badly maintained with potholes, uneven paving, shoggy paving slabs and missing or broken toby covers.” (Charlotte, Dumfries).

Shared-use paths

Shared-use paths encourage pedestrians and cycles to share the same route. Some may be short local paths – that is, connecting villages and towns to local amenities – while others may be part of wider “core path network” which include longer distance routes and the National Cycle Network.

Signs or painted white lines can alert users to direction of travel and use, but these are often inaccessible to blind and partially sighted people. Without any physical or tactile markers or audible signs, they can experience difficulties or fears – for instance, of being passed, or passing, a cyclist who is too close. Consequently, this can impact on their confidence and ability to make independent walking journeys.

“Even when a cyclist pings their bell I often have no idea what direction they are approaching from, particularly if a place is busy with lots of noise, traffic, etc, it becomes even more disorientating.”
(Terry, Glasgow)

The coronavirus pandemic created a unique set of circumstances which gave rise to increased walking and cycling in local areas. These were accompanied by social distancing measures and spacing requirements often laid out using visual markings and signs. During this time there was also a resurgence in some shared space designs under the Scottish Government Spaces for People initiative. Some of these changes have since been removed but others may become permanent. Some local authorities are using Experimental Traffic Regulation Orders to allow up to 18 months to retain these designs.

The longer-term impact is apparent, with 66 per cent of blind and partially sighted people surveyed by RNIB saying they feel less independent than they did before the pandemic.

RNIB Scotland agrees that places need to foster a renewed sense of connectedness and cohesion. However, we are concerned that removing signal-controlled crossings and other features means that increasing numbers of blind and partially sighted people are avoiding these areas, making them “no-go areas”.

We ask all local authorities, designers, planners and those responsible for implementing changes to ensure there are consistent approaches regarding accessibility, including national standards and specifications, with appropriate enforcements.



3. Avoiding moving vehicles

Avoiding moving vehicles is especially important for the safety and ability of blind and partially sighted people to make independent walking journeys.

When traditional aspects of street design are removed, there is an expectation that pedestrians negotiate their movements with those operating moving vehicles using the same shared surface. However, this largely requires visual cues and signals, which can exclude blind and partially sighted people and result in them actively avoiding these areas.

Accessing bus stops

Blind and partially sighted people along with other disabled adults are more reliant on public transport than non-disabled adults. Access to bus stops is vital to ensure blind and partially sighted people can make journeys. However, over half of respondents in a recent RNIB survey said they find it difficult to navigate public transport facilities.

“When bus stops are moved, or their design altered it causes real problems, and I often end up having to ask a stranger if they can help me identify where the safest place to wait for a bus is. Blind people don’t want to have to ask for help but sometimes there’s no other option. Sometimes the buses can’t even get close to the kerbside at a bus stop. This makes it difficult to judge how close or far away the bus is to get on or off.” (Jordon, Aberdeen).



While bus stop bypasses and bus stop boarders make it safer for cyclists to pass a bus approaching or waiting at a bus stop, they do present challenges for people with sight loss.

In a bus stop bypass, a segregated cycle lane, or track, continues through the bus stop area behind the shelter thereby creating an island for bus passengers boarding and alighting at the stop. It requires a crossing for pedestrians to access the island across the cycle track.

A bus stop boarder has a cycle track running between the bus stop and the bus. People attempting to access or alight from the bus must do so from a live cycle lane, which becomes effectively, a shared use area.

Cycling by Design, (Transport Scotland, September 2021), sets out that: "Cycle tracks at a bus stop boarder should be one-way" and that: "Cycle tracks should not be provided at a bus stop boarder where peak bus frequency is greater than 12 buses per hour."

Both designs require pedestrians to negotiate cyclists to get to and from the footway. This puts people with sight loss at a substantial disadvantage, as they are unable to detect where the cycle-lane stops and starts, and/or identify where it is safe to cross to access the bus stop or pavement.

In some cases, a mini-zebra crossing is provided for pedestrians to pass over the cycle lane to the bus stop. However, this relies on people being able to see or hear oncoming cyclists, as well as locate the zebra crossing



point, which often has no tactile markings. In areas of congestion and high traffic volumes, it becomes increasingly difficult to hear approaching cyclists. Cycle lanes are often two-way, meaning cyclists are approaching from either direction, which only serves to further disorientate blind and partially sighted pedestrians.

Sometimes tactile paving is used to distinguish between the footway and cycle lane, when there is no kerb, but this is not a consistent and reliable way to separate usage. When tactile paving appears without any other distinguishing features such as a dropped kerb or an incline on the pavement to indicate a crossing point or road junction, it becomes effectively meaningless.

With no detectable kerb or physical boundary between the cycle lane, bus stop and footway, people with sight loss rely on approaching cyclists either slowing down or stopping completely to give way. This cannot be guaranteed.

RNIB Scotland calls on local authorities to carefully consider bus stop design ensuring there are physical markers such as a detectable kerb separating the bus stop, pavement, and cycle lane. We also recommend signal controlled crossing points, with audio and tactile markings, to safely enable bus passengers to cross the cycle lane to and from the bus stop.

Cycling and cycleways

Blind and partially sighted people support the implementation of safe cycling infrastructure.

However, when cyclists and pedestrians are expected to share the same space, it increases risks to people with sight loss who may not be aware of an oncoming cyclist, and therefore be unable to adjust their position to avoid it. A cyclist may also assume a pedestrian has seen them on approach, so may not be aware that their presence is undetected because the pedestrian is blind or partially sighted. Near-misses and anxieties or worries about cyclists travelling too close to pedestrians can be avoided if there are clear physical separators between cyclists and pedestrians. Detectable kerbs are more accessible features than painted white lines.

RNIB Scotland believes that safe cycling infrastructure should allow for segregation between cyclists and pedestrians and, where possible, use existing space on the road/carriageway as opposed to allocating space from the existing footway/pavement. This includes associated infrastructure, such as bicycle parking and space for cycle hire schemes, to avoid creating obstructions on the footway/pavement which may be difficult for blind and partially sighted people to detect.

Whilst cycling is not an option for blind and partially sighted people to get around independently, they do depend on high quality safe cycling infrastructure and actions which prioritise road safety for vulnerable users.

This also includes highlighting the importance and compliance with the Highway Code.

Blind and partially sighted people rely on other road users to follow this Code, which provides a basis on which all road users can interact with each other based on a mutually agreed set of rules, and with sufficient margin of error to take account of variations in the way people are able to react.

We regularly receive complaints from blind and partially sighted people who have encountered a cyclist not following the Highway Code. The instances include running red lights, going over zebra crossings when a pedestrian is crossing, riding at excessive speed given the conditions, and riding on pavements.

"I often experience cyclists crossing junctions when the traffic is on a red light and the pedestrians have right of way in Glasgow City Centre. Recently I was walking in a straight consistent line across the crossing outside Glasgow Central Rail Station when a cyclist banged into my knee. There was no way I could have known the cyclist was approaching me as they didn't use their bell. I came away with a sore knee, but it could have been worse."
(Georgia, Glasgow).

While it is not possible to mitigate against reckless and irresponsible behaviour all the time, there are measures which can help ensure Scotland's streets are safer and more accessible, particularly as cycling, and other modes of micro-mobility gain in popularity.

Micromobility (including e-scooters)

Micromobility vehicles, including e-scooters, are classed as Personal Light Electric Vehicles (PLEVs), and at present are illegal to use in public places in Scotland.

However, they are legal to buy in Scotland, and increasing numbers of people are illegally using e-scooters without the necessary safety gear or adequate consideration of other street users. We oppose the illegal use of e-scooters; however, should any e-scooter rental trials take place in Scotland there must be minimum safety requirements including a ban on use on pavements and footways.

Safety measures, including speed limits and audible detection, are advisable. The maximum speed limit should be 12.5 mph in line with many European cities. All e-scooters should make a sound that is standardised across operators. The speed, weight and power of these vehicles mean collisions with pedestrians could cause serious injuries or fatalities. Making them easier to hear could help avoid some of those collisions. It's important that the sound be the same, no matter what make or rental scheme the e-scooter belongs to, so that the sound can fulfil its function of sending a consistent message that clearly and unambiguously indicates the presence of an e-scooter.



In England, several e-scooter rental trials have taken place, and some are continuing. However, serious concerns remain around their safety given the rise in e-scooter accidents and fatalities since 2020.

As Scotland considers other sustainable transport modes, including the goal of achieving a 20 per cent reduction in car kilometres by 2030, there must be serious consideration of how some initiatives may have adverse unintended consequences on the safety and accessibility of physical environments.

As one RNIB Scotland supporter explained:

“Electric vehicles of all kinds are a silent menace and pose a real threat to the safety of visually impaired people. I’ve still got some remaining sight, but I’ve also had drivers shout abuse at me when I haven’t seen cars when I’m crossing the road. I can’t hear them so how do I know they are there?!... It’s the same with cyclists who use e-bikes and people on scooters and e-scooters, who come hurtling towards you at speed, often with no warning, then expect you to move out of their way at the last minute.” (Angela, Inverness).

4. The legal context

Devolution sets the policy context for Scotland covering most aspects of everyday life. However, there are layers of reference points for street design ranging over international charters and conventions, UK-wide legislation, Great Britain legislation and Scottish law and guidance.

International obligations

In Scotland, human rights are protected by the European Convention on Human Rights (the Convention), the UK Human Rights Act and the Scotland Act, 1998. An inaccessible street environment may be considered a breach of Article 8 and Article 14 of the UK Human Rights Act, as well as of Articles 5, 9, 19 and 20 of the United Nations Conventions on the Rights of Persons with a Disability.

UK-wide and Great Britain legislation

Some guidance relating to street design is followed across the UK such as the Department for Transport (DfT) Guidance on the Use of Tactile Surfaces. Local authorities and designers will also refer to DfT's publication, Inclusive Mobility: A Guide to Best Practice on Access to Pedestrian and Transport Infrastructure. The Highway Code applies across the UK.

The Equality Act 2010 applies in England, Scotland, and Wales. It makes it unlawful for public authorities, including highways authorities, to discriminate in the exercise of a public function. They also have a duty to make reasonable adjustments including changing practices, policies and procedures which have a discriminating effect. In addition, reasonable steps must be taken to ensure disabled people are not disadvantaged by physical features.



5. Scotland: Law and guidance

Law

There is a devolved element to equalities legislation, that is, the Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012. In 2012, Scottish Ministers made regulations that placed specific duties on Scottish public bodies to help them meet the Public Sector Equality Duty (PSED). PSED requires public authorities to consider equality in all their functions, including decision-making, design of policies and in the delivery of services, and for these to be kept under review.

These specific duties include the requirement on public authorities to carry out and publish Equality Impact Assessments (EQIAs). These identify where action can be taken to mitigate any negative impacts on individuals and groups with “protected characteristics,” including disabled people. In the context of inclusive street design, this may include steps to actively involve disabled street-users, including blind and partially sighted people. Details may be given on where design changes have been made in response to feedback or reasonable adjustments made. EQIAs should be published, and kept under review should new regulations, legislation or evidence emerge.

Part 1 of the Equality Act 2010, the Fairer Scotland Duty, came into force in April 2018. The Fairer Scotland Duty is intended to reduce the inequalities of outcome,

which refers to measurable differences between those who experience socio-economic disadvantage and the rest of the population. Socio-economic disadvantage is multi-faceted. However, living with a long-term health condition or impairment puts people at greater risk of living in poverty.

In addition to equalities legislation, the main laws that apply in Scotland are:

- Roads (Scotland) Act 1984 – this makes it a criminal offence to wilfully obstruct free passage along the road and to deposit anything on the highway which causes an interruption to, or obstruction of, the road.
- Transport (Scotland) Act 2019 – this includes a ban on pavement parking in Scotland with implementation anticipated by the end of 2023.
- From 31 March 2023, hospitality businesses will be able to place tables and chairs on the pavement outside their premises without submitting a planning application. Councils, however, retain powers to prevent and deal with obstructions that make it difficult for people to access pavements safely and effectively, for example, people in wheelchairs or with sight loss, or families with children in pushchairs.

Guidance

Local authorities follow Scottish Government guidance on street design such as:

- Designing Streets: A Policy Statement for Scotland.
- Cycle infrastructure design (LTN 1/20).
- Transport Scotland Cycling by Design.
- Roads for all: good practice for roads – much of the source information comes from DfT's Inclusive Mobility.

Designing Streets

Designing Streets, (Scottish Government, 2010), is the main street design guidance in use by Scottish Local Authorities. They must adopt it or ensure that it provides the basis for local and site-specific policy guidance.

The policy principle set by Designing Streets is: "Good street design should derive from an intelligent response to location rather than rigid application of standards."

When it comes to issues of disability equality, this is concerning – accessibility requirements are often standards-based and work best when applied consistently.

The key principles of Designing Streets emphasise the importance of place before movement, of creating a "sense of place" and designing spaces that are less dominated by cars.



It states: "For the purposes of this guidance, a level surface is a street surface that is not physically segregated by kerb or level differences into areas for particular users..."

"The lack of defined areas for pedestrians and vehicles is intended to indicate that the street is meant to be shared equally by all users. Motorists are expected to adapt their behaviour to that of other street users, driving slowly and giving way as appropriate."

This creates shared spaces which blind and partially sighted people find very difficult to navigate. Designing Streets acknowledges that shared spaces, especially level surfaces and the absence of detectable kerbs, can cause problems for some disabled people.

It says: "It is therefore important that level surface schemes include an alternative means by which visually impaired people can navigate. Such elements can be designed in collaboration with local people, including representatives from local disability groups and access panels."

We are concerned that Designing Streets doesn't suggest what those alternative measures should be, or even urge caution in the use of level surfaces because of the negative impact on blind and partially sighted people. It does not provide any guidance on the use of controlled and uncontrolled crossings in shared space schemes. Perhaps because it focuses on residential areas, there is

also no discussion about traffic flows and speeds which are of crucial importance in whether shared spaces are appropriate, especially in high street environments. It acknowledges that "level surfaces work best in relatively calm traffic environments".

Considerable controversy has since surrounded shared space developments, including in Scotland, particularly in high street environments. Several key reports have been extremely critical, including The Holmes Report (2015) and The House of Commons Women and Equalities Committee Inquiry recommendations (2017).

The Holmes Report found that 63 per cent of respondents reported a negative experience of shared space, and 35 per cent said they actively avoided it. Lord Holmes attacked the concept as a recipe for "confusion, chaos and catastrophe".

RNIB Scotland is increasingly concerned by the adverse impact of shared space street designs upon blind and partially sighted people. Moreover, when responding to concerns raised by RNIB Scotland – and other sight loss charities – local authorities have told us that they have followed the guidance available (which is often true).

Consequently, RNIB Scotland has recognised the need to secure changes to the national standards, guidance, laws, and rules that direct the construction and compliance testing of public realm schemes. Several reviews are currently underway.

Ongoing review

Transport Scotland set up an Inclusive Design working group in October 2017 as part of the Scottish Government response to a petition lodged with the Scottish Parliament in December 2015, which called for a moratorium on shared space developments. Initially, its work was carried out in a Scotland-only context, and it was expected that Transport Scotland would commission research to inform reviews of Scottish guidance, notably of Designing Streets.

However, in mid-2018, reflecting disquiet over shared space schemes, the UK Government's Inclusive Transport Strategy recommended that local authorities in England paused the development of shared space schemes in high streets, until further research was undertaken. UK Government Local Transport Note 1/11 Shared Space was also withdrawn.

As the Scottish working group was close to commissioning research, the DfT opted to work with Transport Scotland and the Scottish Government Planning and Architecture Division to review current guidance on what makes streets fully accessible for all.

The international engineering professional services firm WSP was subsequently appointed (with support from Napier University and KSO Research) to undertake research into methods and approaches to help deliver inclusive street design environments within town centres and busy street areas. The research report Inclusive

Design in Town Centres and Busy Street Areas was published by Transport Scotland in February 2021. Its key recommendations underlined the need for further research, which is currently underway.

The areas identified for further research are zebra crossings, kerb heights and kerbing, continuous footways, and bus stop bypasses. RNIB Scotland has consistently expressed concern relating to these features in responses to public consultations on street designs. The research outcomes may inform future Inclusive Design Guidance. However, the timetable has been extended several times and the result remains uncertain.

RNIB Scotland recommends that existing guidance – in particular, Designing Streets – should be reviewed and updated to take account of accessibility and inclusion.



Coronavirus and Spaces for People

In early 2020 the pressure to implement City Deal streetscape transformations in Scotland and review of guidance seemed the likely drivers of street design. However, within weeks, the global coronavirus pandemic changed everything; populations around the world entered lockdowns on an unprecedented scale.

Public health messages requiring individuals to keep a social distance of two metres from people outside a household had obvious implications for people moving around on the streets and on public transport.

The Scottish Government was the first national administration within the UK to make provision for temporary schemes to allocate more space to allow for social distancing and active travel. The then cabinet Secretary for Transport, Michael Matheson, announced a Spaces for People initiative to be managed by Sustrans, to allow Scottish local authorities to make temporary changes to road layouts. Schemes emerged across Scotland – and the rest of the UK.

While RNIB Scotland understood the need for social distancing, we were keenly aware that blind and partially sighted people found it impossible to adhere to, especially in the context of rapidly changing street layouts and in shops and supermarkets.

RNIB Scotland and 13 other Scottish sight loss charities wrote to the Scottish Government to highlight concerns that the new street layouts would effectively extend lockdown for blind and partially sighted people. Public Health Scotland's report, Road space reallocation in Scotland: A public health assessment, subsequently outlined "challenges in navigating public spaces reported by people with different types of disabilities."

Current context

Some Spaces for People changes have since been removed but others may become permanent. At the same time, the pressure to push on with street developments delayed during the pandemic, coupled with a desire to address the demands of climate change, mean that significant changes to the streetscape in Scotland are imminent.

We currently await findings from research on certain aspects of street design in Scotland and hope this will help pave the way forward and provide clarity for guidance set at a national level. When streets are designed inclusively, they benefit everyone, including those with sight loss.

Conclusion

While we recognise the monumental task of transforming Scotland's towns, villages, and cities, it is essential to ensure that the increased pace and scale of changes doesn't exclude accessibility.

The built environment can prove either enabling or disabling. Designing streets and spaces with the needs of blind and partially sighted people in mind can benefit everyone.



Legislative requirements such as those in the Equality Act, as well as the Public Sector Equality Duty, are there to protect disabled groups from discrimination. It is a legal requirement that public consultations on any new street and public realm proposals run by or on behalf of councils must be accessible.

An informed understanding of the range of access needs of disabled people, including the distinct needs of blind and partially sighted people, will improve designs at the development stage, and help avoid lengthy public consultations and expensive retrofitting at later stages.

We hope the observations and recommendations made can help build a better understanding between planners and decision makers as well as local people and foster productive dialogue and collaboration, so spaces are accessible and inclusive to people with sight loss, as well as everyone else.

Inclusive street design comes down to three key principles: reducing the hazard of cluttered pavements, the importance of kerbs and crossings, and avoiding moving vehicles. These three key principles provide the basis for Street Credibility and making street design inclusive for blind and partially sighted people.

Contact us

If you have questions, or want advice, just get in touch with RNIB Scotland and we'll do our best to help.

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