

The New Regional Transport Strategy for Strathclyde

Draft RTS

Child Rights and Wellbeing Duties Assessment Report (supporting the main Equalities Duties Report)

On behalf of the **Strathclyde Partnership for Transport**



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1 Introduction and Approach

1.1 Purpose

1.1.1 This report sets out the findings of the assessment of equalities impacts of the draft Regional Transport Strategy (RTS) for Strathclyde where they relate to the requirements of the Child Rights and Wellbeing (CRW) Duty. The report sets out the framework used to consider equalities impacts, the evidence base supporting the assessment and the findings of the assessment of the draft RTS.

1.2 Approach to the Assessment

Child Rights and Wellbeing Duties

- 1.2.1 The Children and Young People (Scotland) Act 2014 requires public bodies to consider whether existing and emerging legislation, policy and guidance have an impact on children and young people and to assess what further action is required to ensure compliance with the United Nations Convention on the Rights of the Child (UNCRC). Child Rights and Wellbeing Impact Assessments (CRWIAs) are one of the general measures of implementation under the Convention. It recommends that all levels of government complete a CRWIA as part of their policy development.
- 1.2.2 There are four general principles of the UNCRC which must always be considered in policy appraisal:
 - apply rights without discrimination (Article 2);
 - best interests of the child to be a principal consideration (Article 3);
 - right to life, survival and development (Article 6); and
 - right to express a view and have that view taken into account (Article 12).
- 1.2.3 These articles underpin all other rights in the Convention and have formed the basis for consideration in this Child Rights and Wellbeing (CRW) impact assessment. Additional articles considered to be relevant to this appraisal are set out in Section 3.2.
- 1.2.4 The following criteria have been applied to test and confirm the implementation of relevant Scottish Ministers' duties under the Children and Young People (Scotland) Act 2014 and the UNCRC in the emerging RTS. They have been formulated with reference to the approach recommended within the Scottish Government's Child Rights and Wellbeing (CRW) Impact Assessment Guidance (Scottish Government, 2021).

Assessment Framework: Child Rights and Wellbeing Duties

- How does the intervention relate to, promote, or inhibit the provisions of the UNCRC, other relevant international treaties and standards, or domestic law?
- Have children and young people been consulted on the intervention?
- What impact might the intervention have on the rights of children and young people?
- Will the rights of one group of children in particular be affected, and to what extent?
- Are there competing interests between the groups of children, or between children and other groups, who would be affected by the intervention?

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Assessment Framework: Child Rights and Wellbeing Duties

- Is the intervention the best way of achieving its aims, taking into account children's rights?
- Will the intervention protect and enhance access to high quality community facilities, public services and key amenities for children and young people?
- Will the intervention improve access using active travel and public transport to educational, social and economic opportunities for children and young people?
- How will the RTS support or otherwise affect the implementation of relevant UNCRC Articles?
- The overall question to be answered in relation to the UNCRC is: to what extent does the policy help progress the realisation of children's rights, and safeguard support and promote the wellbeing of children and young people?
- 1.2.5 The framing questions have been applied in relation to the UNCRC articles and taking account of the Scottish Government's wellbeing indicators developed for the Getting it Right for Every Child (GIRFEC) approach to children's services provision in Scotland. These indicators were developed from the UNCRC and are incorporated in the Children and Young People (Scotland) Act 2014. They are: safe, healthy, achieving, nurtured, active, respected, responsible and included.

Assessment of Draft RTS Equalities Impacts

- 1.2.6 The equalities framework has been used to provide a structured basis for consideration of the principal components of the RTS through the development of the Strategy. At the Case for Change stage a relatively high level approach was taken to the assessment of the compatibility of the RTS Vision, Priorities, Targets and Objectives with the key equalities duties including the PSED. Following this stage, the project team developed a long list of potential transport options (in 29 themed groups) which were appraised as part of the STAG process and which incorporated an equalities assessment commentary.
- 1.2.7 The findings of this equalities assessment work is presented in the main Equalities Duties Report as it provides a strategic foundation for the development of draft RTS policies which represent the core mechanism for future delivery and implementation of transport improvements in the SPT region over the life of the Strategy. They have been subject to commensurately more detailed consideration of equalities impacts (in this case for the CRW duties).
- 1.2.8 The equalities framework presented above has been used to inform this detailed assessment and to provide a structured appraisal of each draft RTS policy. In addressing these questions, the assessment team has also taken account of the evidence base gathered on key equalities issues for children and young people (as drawn from the wider equalities evidence base, and presented in Section 2 of this report) relevant to RTS preparation. The findings of the assessment are set out in a series of matrices in Section 3 of this report. A summary of the findings is set out in the main RTS Equalities Duties Report.
- 1.2.9 The scoring criteria used to help assess the scale of the predicted equalities impacts of the RTS policies, and as presented in the assessment framework in Section 3 of this report are based on the assessment criteria which are set out in **Table 1.1**. These draw closely on the criteria set out in the Scottish Government's CRWIA guidance.



Table 1.1 Child Rights and Wellbeing Equalities Duties Assessment Criteria

Impact Score	Description	Symbol
Major Beneficial Effect	The policy complies with the UNCRC requirements and contributes significantly to advancement of the realisation of children's rights and improved wellbeing	++
Minor Beneficial Effect	The policy complies with the UNCRC requirements and may contribute to advancement of the realisation of children's rights and improved wellbeing, but not significantly	+
Neutral / Negligible Effect	The policy has no clear relationship with the requirements of the CRW Duties or the relationship is negligible	0
Minor Adverse Effect	The policy does not comply with the UNCRC requirements and may adversely affect the realisation of children's rights and improved wellbeing	-
Major Adverse Effect	The policy does not comply with the UNCRC's requirements and may significantly adversely affect the realisation of children's rights and improved wellbeing	1
Uncertain Effect	The policy has an uncertain relationship to the CRW Duties requirements or insufficient detail or information may be available to enable an assessment to be made.	?
No Clear Relationship	There is no clear relationship between the proposed policy and the achievement of the CRW Duties	~

1.2.10 The assessment criteria provide an objective means of undertaking and reporting the equalities assessments of the transport policies on a consistent basis. The colour coding also allows for rapid identification of the impacts most likely to be significant, generally those assessed as having a major positive or negative effect.

1.3 Report Structure

- 1.3.1 This report is structured as follows:
 - Section 2 presents the equalities evidence base relevant to CRW Duties issues which
 has informed the consideration of equalities issues through development and assessment
 of the draft RTS; and
 - Section 3 sets out the findings of the detailed assessment of the equalities implications of the draft RTS which has focused on the policies and options of the Strategy.



2 Evidence Base

2.1 Introduction

- 2.1.1 This section sets out the evidence base which has been collated through the process of RTS development to inform and underpin the consideration of equalities issues relevant to the CRW Duties and the assessment of relevant equalities impacts of the proposed Strategy.
- 2.1.2 The EqIA Scoping Document identified an evidence-based suite of key equalities issues which should be addressed in the emerging RTS (Peter Brett Associates, 2019). Having regard to all consultation responses and policy developments in the interim, including the publication of the NTS2 (Transport Scotland, 2020) with a strong equality focus, an updated suite of key equalities issues for the RTS are summarised below.
- 2.1.3 This section reviews the key literature and research findings relevant to public transport and equalities issues for the duty. A more general baseline review of socio-economic and demographic characteristics of the SPT region is presented in the main Strategy reporting including the Draft RTS (chapter 5) and baseline data collated and reported at the Case for Change stage (including (Stantec, 2021)).

2.2 Child Rights and Wellbeing Duties Evidence Base

Introduction

2.2.1 There are clear overlaps between the requirements of this duty and the issues considered under part of the protected characteristic for 'age' under the Public Sector Equalities Duty (PSED). There are also overlaps with the evidence bases presented for the Fairer Scotland Duty and Islands Community assessments (see separate FSD and ICIA Assessment Reports) where children and young people live within families who experience socio-economic disadvantage.

Key Evidence

Transport and Accessibility

- 2.2.2 The key factors affecting the ability of children and young people to access transport are their socio-economic background, geographical location and the accessibility and safety of public transport available (Transport Scotland, 2021). The ability to access safe, convenient and cost-effective transport has an impact on the ability of children and young people to access education, public services and economic opportunities, particularly for children from low income and deprived socio-economic backgrounds (Transport Scotland, 2022a). Young people in Scotland were less likely (in 2019) to drive every day, less likely to hold a driving licence and (along with older people) travel by bus more regularly than other groups (Strathclyde Partnership for Transport 2021).
- 2.2.3 In the survey undertaken in the west of Scotland by SPT to support the RTS, young people most frequently reported challenges associated with the cost, frequency, reliability and directness of public transport services when accessing college or university. In some areas of the region, the lack of direct public transport services and safety and security were raised as the top challenges. These problems also have wider impacts on the ability of young people to take up part time employment.
- 2.2.4 There are significant socio-economic and geographic disparities in educational attainment and related access to educational opportunities and facilities within the SPT region (Stantec UK, 2021).



- 2.2.5 Children and young people in rural areas are typically more dependent on public transport, particularly for accessing education and training, public services, social and economic opportunities. The availability, cost and frequency of public transport in rural areas is often a significant challenge for young people. For many young people in rural areas, having a driving licence and being able to access a car is essential to reach key education, training and employment destinations (Transport Scotland, 2020a).
- 2.2.6 According to Davis (2014), young people may have a more local focus than the population as a whole. This suggests that young people from deprived areas may look for jobs and training opportunities only in their local area and those easily accessible via public transport. Feedback from the SPT public consultation in 2018 identified that in some rural communities the infrequent nature of public transport is a constraint on young people's ability to travel to other destinations such as for social purposes, particularly in the evening (Stantec UK, 2021).

Affordability

- 2.2.7 Location, convenience and cost of public transport are typically the key factors affecting inequality and transport, particularly for low income families. Children and young people are more likely to rely on public transport, and active travel is a key mode for journeys to school by children particularly for those in more urban areas (and lower income groups). Being able to access education, employment and training is critical for low income households as a means of escaping poverty and for general wellbeing (McHardy & Robertson, 2021).
- 2.2.8 The cost of transport can act as a barrier to accessing employment and education and can act as a barrier to educational choices and progress into employment. Young people can be particularly hit by the cost of travelling to college or work, especially if they have to travel some distance or are only earning the lower minimum wage for young people. Where there are concessionary fares available for young people they may not include peak time travel which typically means they will not benefit those travelling to work or college (Poverty and Inequality Commission, 2019)¹.
- 2.2.9 A survey of young people (aged 16-26) found that almost half of respondents said that transport costs had prevented them from accessing suitable employment, and a fifth of respondents had missed out on education opportunities (Scottish Rural Action 2018). SPT reports that a survey of young people by the Scottish Youth Parliament found that many young people considered the cost of fares was too high in relation to the wages they earn (Scottish Youth Parliament 2019). Rail and particularly bus fare rises above levels of inflation in recent years have a disproportionate effect on young people and other protected groups who are more likely to use buses to meet everyday travel needs.
- 2.2.10 The rate of child poverty is higher in the SPT region than in Scotland as a whole and there are large variations within the region. The highest proportion of children living in relative low income families (in 2018/19) was within Glasgow where nearly 30% of children were in this group (Strathclyde Partnership for Transport 2021). Local authorities and regional health boards are required under the Child Poverty (Scotland) Act 2017 to produce Local Child Poverty Action Reports to set out ongoing and planned action to tackle child poverty at the local level.
- 2.2.11 Recent research on behalf of Transport Scotland (McHardy & Robertson, 2021) into transport and child poverty identified that transport was an essential part of the lives of low income families and critical in shaping their experience of poverty. Choices for parents and carers were shaped by transport costs which could place additional stress on families with some drawing on support networks with access to private transport. Young people reported transition points such as moving into further/higher education or accessing employment as financial pressures in their usage of public transport.

¹ Some of the challenges in relation to affordability of bus fares for young people may have been alleviated since the introduction across Scotland in early 2022 of a concessionary bus scheme for people under 22.



Health and Active Travel

- 2.2.12 Previous research by Sustrans (White 2019) has shown the importance of walking and cycling to school to increase children's physical activity rates and establish sustainable behaviours at an early age. Nevertheless, in the SPT region increasing walking and cycling to school remains a challenge despite the high proportion of children living within a 20 minute walk of primary and secondary schools. In 2019 only 52% of school children in the west of Scotland region travelled to school by walking or cycling. Access to bicycles may be a contributing issue, particularly in lower income households. Only around 29% of households in the region have access to a bike for private use.
- 2.2.13 Data from the Scottish Health Survey indicates 26% of children aged 2-15 are at risk of being overweight including 13% at risk of obesity. Access to active travel that encourages regular physical activity is therefore important in addressing these trends and generally benefiting mental health and wellbeing of young people (Transport Scotland, 2022b). Previous research by Sustrans (White 2019) has shown the importance of walking and cycling to school to increase childrens' physical activity rates and establish sustainable behaviours at an early age.
- 2.2.14 Children and young people are more vulnerable than other age groups to the adverse effects on health of traffic related noise and air pollution and as they are more likely to use active travel, they are potentially more vulnerable to the adverse effects of noise and emissions from other forms of (motorised) transport. Conversely, access to active travel and transport systems that encourage regular physical activity in a key factor in combating rising levels of childhood obesity and contributing to improved mental health and wellbeing.
- 2.2.15 Safety is also a key issue for children with child pedestrian casualties in Scotland in 2019 accounting for 44% of all pedestrian casualties and with children most at risk of road traffic accidents on their journeys to and from school. Children from deprived areas and certain ethnic minority groups are also more at risk of accidents as pedestrians (Transport Scotland, 2022b). Research by Sustrans identified that children living in socio-economically disadvantaged areas are more likely to be adversely affected by road traffic and safety problems (Sustrans 2019).



3 Assessment Findings

3.1 Introduction

3.1.1 This section sets out the findings of the detailed equalities assessment of the substantive components of the draft RTS. These components comprise the policies (and with consideration of their linked options) in the draft Strategy as these form the basis for the future 'delivery' elements which would have the potential for adverse and beneficial equalities impacts

3.2 Relevant Articles of the UNCRC

- 3.2.1 The UNCRC has been reviewed in the context of the type of plan being developed for the RTS, the level of assessment, and the nature of the packages being assessed for the CRW duties assessment. The articles of the UNCRC which are considered to be relevant to this assessment are as follows:
 - Non-discrimination (Article 2).
 - Best interests of the child to be a principal consideration (Article 3).
 - Right to life, survival and development (Article 6).
 - Children with a disability (Article 23).
 - Health and health services (Article 24).
 - Access to primary and secondary education (Article 28).
 - Leisure, play and culture (Article 31).
- 3.2.2 At a higher level, the CRW assessment and consideration of CRW duties has also inherently taken account of Article 12 of the UNCRC (Right to express a view and have that view taken into account) through the consultation and engagement process on the Strategy.
- 3.2.3 The CRW duties assessment therefore has implicitly taken account of these articles, and the issues they represent, when considering the potential for the RTS transport packages to have impacts on children and young people.

3.3 Assessment of RTS Policies

- 3.3.1 The findings of the general assessment of the draft RTS policies are presented in Error! Reference source not found.. The assessment uses the criteria underpinning the framework (as set out in Section 1.2) to provide a consistent and structured approach to consideration of the potential impacts of the policies on the relevant needs of the CRW duty. The predicted impacts of the policies are considered under each of the ten policy themes for the RTS and the identified 'score' for each criteria is assigned in the table using the system described in Section 1.2 (**Table 1.1**).
- 3.3.2 The tables then set out a short description of the key predicted equalities issues on a policy specific basis, drawing on the findings of the appraisals completed for the CRW criteria and commenting where relevant on any issues specific to the relevant UNCRC articles and thematic indicators in the Scottish Government's GIRFEC framework.



Table 3.1 Predicted Impacts of RTS Policies – Child Rights and Wellbeing Duty

Policy theme 1	Accessing and using transport
Policy theme 2	Reducing the need to travel and managing demand for car travel
Policy theme 3	Enabling walking, wheeling and cycling
Policy theme 4	Enhancing quality and integration of public transport
Policy theme 5	Improving road safety
Policy theme 6	Decarbonising vehicles and improving air quality
Policy theme 7	Moving goods sustainably
Policy theme 8	Increasing resilience and adapting to climate change
Policy theme 9	Protecting and enhancing natural and built environments
Policy theme 10	Connecting places

CRW Framework Criteria		Δ	ssessme	ent of Po	olicy Th	eme Eq	ualities	Impacts		
Will the emerging RTS and its associated delivery mechanisms		2	3	4	5	6	7	8	9	10
Does the intervention relate to, promote, or inhibit the provisions of the UNCRC, other relevant international treaties and standards, or domestic law?	+	+	+	+	+	+	0	0	0	0
What impact might the intervention have on the rights of children and young people?	+	+	+	+	+	+	0	0	0	0
Will the rights of one group of children in particular be affected, and to what extent?	0	0	0	0	0	0	0	0	0	0
Are there competing interests between the groups of children, or between children and other groups, who would be affected by the intervention?	0	0	0	0	0	0	0	0	0	0



CRW Framework Criteria		Α	ssessme	ent of Po	olicy Th	eme Eq	ualities	Impacts							
Will the emerging RTS and its associated delivery mechanisms	1	2	3	4	5	6	7	8	9	10					
Is the intervention the best way of achieving its aims, taking into account children's rights?	+	+	+	+	+	?	0	0	0	0					
Will the intervention protect and enhance access to high quality community facilities, public services and key amenities for children and young people?	++	+	+	++	+	+	0	+	+	++					
Will the intervention improve access using active travel and public transport to educational, social and economic opportunities for children and young people?	+	+	++	++	+	+	0	+	+	?					
Will the RTS support or otherwise affect the implementation of relevant UNCRC Articles?	+	+	+	+	+	+	0	0	0	+					
Overall consideration with respect to relevant UNCRC Articles Does the policy help progress the realisation of children's rights, and safeguard support and promote the wellbeing of children and young people?	+	+	+	+	+	+	0	0	+	0					
Overall consideration with respect to GIRFEC approach (indicators: safe, healthy, achieving, nurtured, active, respected, responsible & included)	+	+	+	+	+	+	0	0	+	+					
Overall Assessment	+	+	+	+	+	+	0	0	+	+					

Policy Assessment Summary

Policy Theme 1 (Accessing and using transport): The policies are generally beneficial in relation to the objectives of the CRW duty framework and policies P.A3 and P.A4 in particular make reference to younger people in seeking to improve availability and safety of public transport.

Policy Theme 2 (Reducing the need to travel and managing demand for car travel): The policies are compatible with and supportive of most of the aims of the duty framework particularly where changes in land use and reduced use of cars would promote better opportunities for journeys made by children and young people by active travel and/or through enhanced public transport.



CRW Framework Criteria	Assessment of Policy Theme Equalities Impacts									
Will the emerging RTS and its associated delivery mechanisms		2	3	4	5	6	7	8	9	10

Policy Theme 3 (*Enabling walking, wheeling and cycling*): Provided that the active travel measures and support introduced by the policies was developed to take account of the needs of children and young people, the implementation of these policies is predicted to have beneficial impacts on the health and wellbeing of all groups of young people who are able to benefit from the facilities.

Policy Theme 4 (Enhancing quality and integration of public transport): The policies in this group offer significant improvements to public transport across all modes which would be predicted to provide improved opportunities for children and young people to access education, recreation and other facilities, with beneficial impacts on their rights and wellbeing.

Policy Theme 5 (*Improving road safety*): Accident reduction and road safety policies, if implemented at scale and effectively, have potential for significant beneficial impacts on child rights and wellbeing. Children and young people are vulnerable users given their propensity to make pedestrian and other active travel journeys and would particularly benefit from improved safety not least on the journey to and from school.

Policy Theme 6 (*Decarbonising vehicles and improving air quality*): The policies for decarbonisation offer potential for upgraded and improved public transport which would indirectly benefit children and young people. Similarly implementation of measures to improve air quality (through LEZs and AQMAs) would have beneficial impacts on health and support this equalities duty.

Policy Theme 7 (Moving goods sustainably): The policies on moving goods sustainably may have some minor beneficial indirect effects for children and young people such as improvements to air quality if measures were implemented sufficiently widely to generate modal shift however overall the impacts on the CRW framework are assessed as neutral.

Policy Theme 8 (*Increasing resilience and adapting to climate change*): Implementation of measures from the policies on climate adaptation and resilience would have some indirect benefits for children and young people primarily through helping to reduce potential adverse effects of disruption to transport infrastructure and services. The policies are therefore not directly relevant to the CRW framework and overall assessed as being neutral in relation to its intended outcomes.

Policy Theme 9 (*Protecting and enhancing natural and built environments*): The enhancement of public places through creation and integration of green networks with active travel, access to nature, and complementary measures to improve built up spaces has the potential for indirect beneficial impacts for children and young people through improved active travel networks and contribution to better place making in their communities.

Policy Theme 10 (Connecting places): The policies on connecting places offer the potential to enhance access for children and young people to local destinations for education, health and community centres albeit this relates to a sub-set of the policy theme. Some beneficial impacts on the CRW framework are therefore predicted particularly in relation to measures which would support accessibility in town centres, 20 minute neigbourhoods and rural areas and for those young people travelling to locations for tertiary education.



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