

Appendix 2 - Equalities Impact Assessment – Moving Traffic Enforcement

Equality Impact Assessment / Equality Analysis

(updated May 2021)

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| Title of service or policy | Decriminalisation and Enforcement of Moving Traffic Offences |
| Name of directorate and service | Place Management, Parking Services |
| Name and role of officers completing the EIA | Andy Dunn |
| Date of assessment | 11 th April 2022 |

Equality Impact Assessment (or 'Equality Analysis') is a process of systematically analysing a new or existing policy or service to identify what impact or likely impact it will have on different groups within the community. The main aim is to identify any discriminatory or negative consequences for a particular group or sector of the community, and also to identify areas where equality can be better promoted. Equality impact Assessments (EIAs) can be carried out in relation to services provided to customers and residents as well as employment policies/strategies that relate to staffing matters.

This toolkit has been developed to use as a framework when carrying out an Equality Impact Assessment (EIA) or Equality Analysis. **Not all sections will be relevant – so leave blank any that are not applicable.** It is intended that this is used as a working document throughout the process, and a final version will be published on the Council's website.

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| 1. | Identify the aims of the policy or service and how it is implemented. | |
| | Key questions | Answers / Notes |
| 1.1 | <p>Briefly describe purpose of the service/policy e.g.</p> <ul style="list-style-type: none"> ● How the service/policy is delivered and by whom ● If responsibility for its implementation is shared with other departments or organisations ● Intended outcomes | <p>Local Authorities in England can now apply to the Department of Transport (DfT) for powers to enforce moving traffic offences such as banned turns; box junctions; and driving in formal cycle lanes, offenses currently only enforceable by the Police. Speeding will remain solely the responsibility of the Police.</p> <p>The enforcement of these traffic restrictions is not a core priority for the Police, and the use of these powers within civil enforcement processes by the Council will help us meet our statutory traffic management needs, make our roads safer and reduce congestion at proposed locations which may also help to reduce carbon emissions from transport.</p> |

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| <p>1.2</p> | <p>Provide brief details of the scope of the policy or service being reviewed, for example:</p> <ul style="list-style-type: none"> ● Is it a new service/policy or review of an existing one? ● Is it a national requirement?). ● How much room for review is there? | <p>This is a new policy as local authorities in England (outside London) have not previously had the powers to enforce moving traffic restrictions.</p> <p>It is not a national requirement for local authorities to adopt these powers, and the police will still be able to take enforcement action where they consider it appropriate to do so.</p> <p>The restrictions which are to be included within these powers are set out in Schedule 7 of the Traffic Management Act 2004.</p> <p>Locations where these powers can be applied are at the Council's discretion and the use of camera enforcement is to achieve greater compliance with the restriction and not intended for the purpose of raising revenue. Whilst most restrictions will be in place for safety reasons, it is not expected that all existing or future restrictions will have cameras installed.</p> |
| <p>1.3</p> | <p>Do the aims of this policy link to or conflict with any other policies of the Council?</p> | <p>This policy meets the Councils core policies of</p> <ul style="list-style-type: none"> ● tackling the climate and ecological emergencies and ● giving people a bigger say. <p>Its in line with Transport Policies, the Parking Strategy, and is consistent with the objectives of the Clean Air Zone and the prioritisation of active travel.</p> |
| <p>2. Consideration of available data, research and information</p> | | |

Monitoring data and other information should be used to help you analyse whether you are delivering a fair and equal service. Please consider the availability of the following as potential sources:

- **Demographic** data and other statistics, including census findings
- Recent **research** findings (local and national)
- Results from **consultation or engagement** you have undertaken
- Service user **monitoring data** (including ethnicity, sex, disability, religion/belief, sexual orientation and age)
- Information from **relevant groups** or agencies, for example trade unions and voluntary/community organisations
- Analysis of records of enquiries about your service, or **complaints** or **compliments** about them
- Recommendations of **external inspections** or audit reports

| | Key questions | Data, research and information that you can refer to |
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| 2.1 | What equalities training have staff received to enable them to understand the needs of our diverse community? | All staff within Parking Services have completed Equalities training during their induction to ensure compliance with corporate standards. A structured training plan is in place for all new staff to ensure they do receive equalities training in a timely manner after commencing employment and this also received regular refresh using the corporate programme. |
| 2.2 | What is the equalities profile of service users? | The service users are all road users and pedestrians that travel into or near to the locations where moving traffic restrictions are proposed to be enforced by the Council and are therefore likely to be representative of the national population. |
| 2.4 | Are there any recent customer satisfaction surveys to refer to? What were the results? Are there any gaps? Or differences in experience/outcomes? | Parking Services also uses the Voicebox survey to measure customer satisfaction. The results of the Voicebox 28 survey (2019) record 57% of respondents rating the provision and operation of on street parking areas as acceptable to good. |

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| <p>2.5</p> | <p>What engagement or consultation has been undertaken as part of this EIA and with whom? What were the results?</p> | <p>A public consultation on the use of moving traffic enforcement powers at the proposed locations was undertaken for a period of six weeks between 28 February and 11 April 2022 to seek the views from all stakeholders.</p> <p>This consultation is available online at https://beta.bathnes.gov.uk/moving-traffic-enforcement-powers-consultation</p> <p>142 responses were received, with 65% indicating support for the proposals. Of the 35% who objected, 62% (31 in total) of these were objecting to the broader principle of the Council having MTE powers, rather than their use at the locations proposed.</p> <p>No specific feedback regarding adverse impacts on individuals or groups with received from those that participated within the consultation.</p> |
| <p>2.6</p> | <p>If you are planning to undertake any consultation in the future regarding this service or policy, how will you include equalities considerations within this?</p> | <p>Consultation for a minimum period of six weeks will be undertaken for all future additional locations where the enforcement of a moving traffic restrictions is proposed.</p> <p>Any feedback received from those with disabilities or where an adverse impact is raised will be assessed as part of the outcomes from the consultation and this impact assessment will be updated accordingly.</p> <p>It's important to note that this policy relates to the civil enforcement by the Council of traffic restrictions that are already in place on the highway and that all drivers are therefore expected to comply with. Each restriction has been progressed through the statutory consultation process previously for the restriction to be included within a Traffic Regulation Order.</p> <p>Where a driver fails to comply with a correctly signed traffic restriction on the highway the impact will potentially be felt by all road users, but this impact may be more greatly experienced by more vulnerable road users or those that have a disability.</p> <p>The adoption of these powers will benefit road users most affected when drivers contravene traffic restrictions that are implemented to improve road safety.</p> |

3. Assessment of impact: 'Equality analysis'

Based upon any data you have considered, or the results of consultation or research, use the spaces below to demonstrate you have analysed how the service or policy:

- Meets any particular needs of equalities groups or could help promote equality in some way.
- Could have a negative or adverse impact for any of the equalities groups

| | | Examples of what the service has done to promote equality | Examples of actual or potential negative or adverse impact and what steps have been or could be taken to address this |
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| 3.1 | Issues relating to all groups and protected characteristics | | No impact |
| 3.2 | Sex – identify the impact/potential impact of the policy on women and men. | | No impact |
| 3.3 | Pregnancy and maternity | | No impact |
| 3.4 | Gender reassignment – identify the impact/potential impact of the policy on transgender people | | No impact |

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| 3.5 | Disability – identify the impact/potential impact of the policy on disabled people (ensure consideration both physical, sensory and mental impairments and mental health) | <p>Where a driver fails to comply with a correctly signed traffic restriction on the highway the impact will potentially be felt by all road users, but this impact may be more greatly experienced by more vulnerable road users or those that have a disability.</p> <p>The adoption of these powers will benefit road users most affected when drivers contravene traffic restrictions that are implemented to improve road safety.</p> | |
| 3.6 | Age – identify the impact/potential impact of the policy on different age groups | <p>Where a driver fails to comply with a correctly signed traffic restriction on the highway the impact will potentially be felt by all road users, but this impact may be more greatly experienced by more vulnerable road users.</p> <p>The adoption of these powers will benefit road users most affected when drivers contravene traffic restrictions that are implemented to improve road safety.</p> | |
| 3.7 | Race – identify the impact/potential impact on across different ethnic groups | | No impact |
| 3.8 | Sexual orientation – identify the impact/potential impact of the policy on lesbian, gay, bisexual, heterosexual people | | No impact |
| 3.9 | Marriage and civil partnership – does the policy/strategy treat married and civil partnered people equally? | | No impact |

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| 3.10 | Religion/belief – identify the impact/potential impact of the policy on people of different religious/faith groups and also upon those with no religion. | | No impact |
| 3.11 | Socio-economically disadvantaged* – identify the impact on people who are disadvantaged due to factors like family background, educational attainment, neighbourhood, employment status can influence life chances (this is not a legal requirement, but is a local priority). | | No impact |
| 3.12 | Rural communities* identify the impact / potential impact on people living in rural communities | | No impact |

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| 3.13 | Armed Forces Community ** serving members; reservists; veterans and their families, including the bereaved. Public services will soon be required by law to pay due regard to the Armed Forces Community when developing policy, procedures and making decisions, particularly in the areas of public housing, education and healthcare (to remove disadvantage and consider special provision). | | No impact |
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*There is no requirement within the public sector duty of the Equality Act to consider groups who may be disadvantaged due to socio economic status, or because of living in a rural area. However, these are significant issues within B&NES and have therefore been included here.

** The Equality Act does not cover armed forces community. However, when the Armed Forces Bill becomes law there will be a requirement to pay 'due regard' to make sure the Armed Forces Community are not disadvantaged when accessing public services.

4. Bath and North East Somerset Council & NHS B&NES Equality Impact Assessment Improvement Plan

Please list actions that you plan to take as a result of this assessment/analysis. These actions should be based upon the analysis of data and engagement, any gaps in the data you have identified, and any steps you will be taking to address any negative impacts or remove barriers. The actions need to be built into your service planning framework. Actions/targets should be measurable, achievable, realistic and time framed.

| Issues identified | Actions required | Progress milestones | Officer | By when |
|-------------------|------------------|---------------------|---------|---------|
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| | | | responsible | |
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| EIA to be reviewed annually or if significant changes happen within the service provision | To review the EIA, | completion of annual review | Team Manager – Parking Services | April 2023 |
| EIA to be reviewed following consultation for the implementation of moving traffic enforcement at new locations. | Staff to review feedback and identify equalities issues and actions required as necessary. | Completion of review of any feedback received. | Project Lead | within one month after a consultation ends |
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5. Sign off and publishing

Once you have completed this form, it needs to be ‘approved’ by your Divisional Director or their nominated officer. Following this sign off, send a copy to the Equalities Team (equality@bathnes.gov.uk), who will publish it on the Council’s and/or NHS B&NES’ website. Keep a copy for your own records.

Signed off by: Chris Major – Director of Place Management **Date:** 12th April 2022