

# Impact Assessment



Assessment of: Moving Traffic Enforcement

Service: Climate Change, Environment and Transport

Head of Service: Meg Booth

Version / date of sign off by Head of Service: 25 October 2022

Assessment carried out by (job title): Traffic Management Team Manager

## 1. Description of project / service / activity / policy under review

Proposal to adopt Moving Traffic enforcement powers utilising new legislation "The Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022"

## 2. Reason for change / review

The proposal is to adopt Moving Traffic enforcement powers where there is benefit to traffic management.

The ability for local highway authorities to take on these powers will give increased ability to fulfil the Network Management Duty and through compliance, will aim to improve safety, reduce congestion, give priority for active travel and public transport and may help to reduce carbon emissions.

### 3. Aims / objectives, limitations and options going forwards (summary)

The aim is to give increased ability to fulfil the Network Management Duty and through compliance, will aim to improve safety, reduce congestion, give priority for active travel and public transport and may help to reduce carbon emissions.

The success of the scheme will be monitored by the Traffic Management Team, informed by Member and customer feedback. Data from enforcement will also be analysed to monitor compliance levels.

### 4. People affected, diversity profile and analysis of needs

Residents, local businesses, or visitors within / or visiting areas subject to moving traffic enforcement. Along with key users of the network such as bus services and emergency vehicles.

The enforcement of moving traffic offences has equal impact across all population profiles and characteristics.

### 5. Stakeholders, their interest and potential impacts

The enforcement of moving traffic offences will affect local residents, visitors / shoppers, and local businesses.

The scheme will improve safety, reduce congestion, give priority for active travel and public transport and may help to reduce carbon emissions.

### 6. Additional research used to inform this assessment

A Scrutiny Working Group has been held to consider the benefits of moving traffic powers for the Authority and to consider experiences of other Authorities who have adopted similar powers. Prior to launch individual assessments of compliance will be made at sites considered for enforcement.

### 7. Description of consultation process and outcomes

A Scrutiny Working Group has been held to consider the benefits of moving traffic powers for the Authority and to consider experiences of other Authorities who have adopted similar powers.

Prior to launch public consultation will be undertake for a 6 week period.

Any restriction considered for enforcement will have already been through a statutory consultation process.

## 8. Equality analysis

### Giving Due Regard to Equality and Human Rights

The local authority must consider how people will be affected by the service, policy or practice. In so doing we must give due regard to the need to: eliminate unlawful discrimination, harassment and victimisation; advance equality of opportunity and foster good relations.

Where relevant, we must take into account the protected characteristics of age, disability, gender, gender reassignment, pregnancy and maternity, marriage and civil partnership, sexual orientation, race, and religion and belief. This means considering how people with different needs get the different services they require and are not disadvantaged, and facilities are available to them on an equal basis in order to meet their needs; advancing equality of opportunity by recognising the disadvantages to which protected groups are subject and considering how they can be overcome.

We also need to ensure that human rights are protected. In particular, that people have:

- A reasonable level of choice in where and how they live their life and interact with others (this is an aspect of the human right to 'private and family life').
- An appropriate level of care which results in dignity and respect (the protection to a private and family life, protection from torture and the freedom of thought, belief and religion within the Human Rights Act and elimination of discrimination and the promotion of good relations under the Equality Act 2010).
- A right to life (ensuring that nothing we do results in unlawful or unnecessary/avoidable death).
- The Equality Act 2010 and other relevant legislation does not prevent the Council from taking difficult decisions which result in service reductions or closures for example, it does however require the Council to ensure that such decisions are:
  - Informed and properly considered with a rigorous, conscious approach and open mind, taking due regard of the effects on the protected characteristics and the general duty to eliminate discrimination, advance equality and foster good relations.
  - Proportionate (negative impacts are proportionate to the aims of the policy decision)
  - Fair
  - Necessary

- Reasonable, and
- Those affected have been adequately consulted.

The proposal to adopt Moving Traffic enforcement powers will be beneficial to traffic management. The ability for local highway authorities to take on these powers will give increased ability to fulfil the Network Management Duty and through compliance, will aim to improve safety, reduce congestion, give priority for active travel and public transport and may help to reduce carbon emissions.

Characteristics	Potential or actual issues for this group.  [Please refer to the <a href="#">Diversity Guide</a> and <a href="#">See RED</a> ]	How will the project / service / policy / activity: <ul style="list-style-type: none"> <li>eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary.</li> <li>advance equality (meet needs / ensure access, encourage participation, make adjustments for disabled people, 'close gaps').</li> <li>foster good relations between groups (tackled prejudice and promoted understanding), if relevant?</li> </ul> <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the <a href="#">DCC Equality Policy</a>?</p>
All residents (include generic equality provisions)	Within enforcement areas the impact for all drivers is that existing moving traffic restrictions will be subject to enforcement using civil powers. Enforcement by the Police will also continue.	Within enforcement areas road users will benefit from improved safety, reduced congestion, greater priority for active travel and public transport and reduction in carbon emissions.
Age	The change does not affect any particular group specifically.	The change does not affect any particular group specifically.
Disability (incl. sensory, mobility, mental health, learning disability, neurodiversity, long term ill health) and carers of disabled people	The change does not affect any particular group specifically.	The change does not affect any particular group specifically.
Culture and ethnicity: nationality/national origin, ethnic origin/race, skin	The change does not affect any particular group specifically.	The change does not affect any particular group specifically.

Characteristics	Potential or actual issues for this group.  [Please refer to the <a href="#">Diversity Guide</a> and <a href="#">See RED</a> ]	How will the project / service / policy / activity: <ul style="list-style-type: none"> <li>• eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary.</li> <li>• advance equality (meet needs / ensure access, encourage participation, make adjustments for disabled people, 'close gaps').</li> <li>• foster good relations between groups (tackled prejudice and promoted understanding), if relevant?</li> </ul> <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the <a href="#">DCC Equality Policy</a>?</p>
colour, religion and belief		
Sex, gender and gender identity (including men, women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed)	The change does not affect any particular group specifically.	The change does not affect any particular group specifically.
Sexual orientation and marriage/civil partnership	The change does not affect any particular group specifically.	The change does not affect any particular group specifically.
Other relevant socio-economic factors such as family size/single people/lone parents, income/deprivation, housing, education and skills, literacy, sub-cultures, 'digital exclusion', access	The change does not affect any particular group specifically.	The change does not affect any particular group specifically.

Characteristics	Potential or actual issues for this group.  [Please refer to the <a href="#">Diversity Guide</a> and <a href="#">See RED</a> ]	How will the project / service / policy / activity: <ul style="list-style-type: none"> <li>• eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage, where necessary.</li> <li>• advance equality (meet needs / ensure access, encourage participation, make adjustments for disabled people, 'close gaps').</li> <li>• foster good relations between groups (tackled prejudice and promoted understanding), if relevant?</li> </ul> <p>In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?</p> <p>Are you complying with the <a href="#">DCC Equality Policy</a>?</p>
to transport options, rural/urban		

## 9. Human rights considerations:

The change does not affect any particular group specifically.

## 10. Supporting independence, wellbeing and resilience. Give consideration to the groups listed above and how they may have different needs:

In what way can you support and create opportunities for people and communities (of place and interest) to be independent, empowered and resourceful?

Within enforcement areas road users will benefit from improved safety, reduced congestion, greater priority for active travel and public transport and reduction in carbon emissions. This will increase walked and cycled journeys and usage of bus services allowing more people to be independent in how they travel.

In what way can you help people to be safe, protected from harm, and with good health and wellbeing?

Within enforcement areas road users will benefit from improved safety, reduced congestion, greater priority for active travel and public transport and reduction in carbon emissions. This will increase walked and cycled journeys and improve safety for those choosing to travel this way. Air quality will benefit all users.

In what way can you help people to be connected, and involved in community activities?

Within enforcement areas road users will benefit from improved safety, reduced congestion, greater priority for active travel and public transport and reduction in carbon emissions. This will increase walked and cycled journeys and usage of bus services allowing more people to be connected.

## 11. Environmental analysis

An impact assessment should give due regard to the following activities in order to ensure we meet a range of environmental legal duties. The policy or practice does not require the identification of environmental impacts using this Impact Assessment process because it is subject to (please mark X in the relevant box below and proceed to the 4c, otherwise complete the environmental analysis table):

Devon County Council's Environmental Review Process	
Planning Permission	
Environmental Impact Assessment	
Strategic Environmental Assessment	

	<b>Describe any actual or potential negative consequences. (Consider how to mitigate against these).</b>	<b>Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).</b>
Reduce, reuse, recycle and compost:	There is no specific impact to this activity	There is no specific impact to this activity
Conserve and enhance wildlife:	There is no specific impact to this activity	There is no specific impact to this activity
Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:	There is no specific impact to this activity	There will be a positive impact on congestion which will improve public spaces.
Conserve and enhance Devon's cultural and historic heritage:	There is no specific impact to this activity	There is no specific impact to this activity
Minimise greenhouse gas emissions:	There is no specific impact to this activity	Within enforcement areas road users will benefit from improved safety, reduced congestion, greater priority for active travel and public transport and reduction in carbon emissions.
Minimise pollution (including air, land, water, light and noise):	There is no specific impact to this activity	Within enforcement areas road users will benefit from improved safety, reduced congestion, greater priority for active travel and public transport and reduction in carbon emissions.
Contribute to reducing water consumption:	There is no specific impact to this activity	There is no specific impact to this activity
Ensure resilience to the future effects of climate change (warmer, wetter winters; drier,	There is no specific impact to this activity	There is no specific impact to this activity

hotter summers; more intense storms; and rising sea level):		
Other (please state below):	N/A	N/A

## 12. Economic analysis

	<b>Describe any actual or potential negative consequences. (Consider how to mitigate against these).</b>	<b>Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).</b>
Impact on knowledge and skills:	None	None
Impact on employment levels:	None	None
Impact on local business:	None	Within enforcement areas road users will benefit from improved safety, reduced congestion, greater priority for active travel and public transport and reduction in carbon emissions. This will improve access to communities and businesses.

## 13. Describe and linkages or conflicts between social, environmental and economic impacts (Combined Impacts):

No specific links

14. How will the economic, social and environmental well-being of the relevant area be improved through what is being proposed? And how, in conducting the process of procurement, might that improvement be secured?

The main benefits will be in terms of improved safety, reduced congestion, greater priority for active travel and public transport and reduction in carbon emissions.

**How will impacts and actions be monitored?**

The success of the scheme will be monitored by the Traffic Management Team, informed by Member and customer feedback. Data from enforcement will also be analysed to monitor compliance levels.