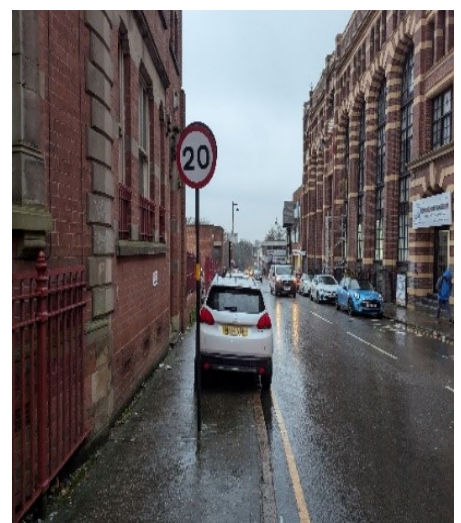


Road Safety

An Overview and Scrutiny Report

December 2024



Contents	
Chair's Foreword	4
Summary of Recommendations	6
1 Introduction	13
1.1 Background	13
1.2 Outcomes	14
1.3 Why the Committee decided to look at Road Safety	14
1.4 Partnership Scrutiny	14
1.5 Evidence Gathering	15
1.6 Statutory and Legal Responsibilities	16
1.7 Strategic Framework – local and regional	16
2 Key Findings	18
2.1 Scale and Nature	18
2.2 Strategy & Policy	23
Road Harm Reduction Strategy	23
Road Safety Emergency	24
Community Role	25
2.3 Physical Infrastructure	28
Speed Limits	30
2.4 Parking	32
Legislation	33
Council's Parking Service Review	35
Reporting illegal and antisocial parking	36
How are parking complaints responded to by the Council?	38
Enforcement	39
2.5 Other Enforcement Activity (by Council or West Midlands Police)	45
Speed Camera Enforcement	45
Street Racing	46
Moving Traffic Offences	47
Appendix A: Survey Results	50
Appendix B: Legislation	55
Appendix C: Inquiry Activities	58
Appendix D: Contributors	60

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Reports that have been submitted to Council can be downloaded from
www.birmingham.gov.uk/scrutiny

Chair's Foreword

Councillor David Barker, Chair of Inquiry and Deputy Chair of Sustainability and Transport Overview and Scrutiny Committee



Road safety is an issue that unites communities across the city, in that every corner of Birmingham faces fears of yet another incident. Many neighbourhoods are haunted by incidents on our roads where lives were lost or changed. This drives many councillors like me to run for elected office. It dominated my election in 2022, and since then I can scarcely recall a week without one incident or another appearing in the news or brought to my attention. What this inquiry seeks to address is how the Council can do better to make our streets and roads safer.

This inquiry began in part to scrutinise the parking enforcement service run by the Council. While it always included a broader look at what the Council does and can do better, a central issue reported by councillors across the city is the lack of adequate parking enforcement in their wards. As shown through evidence gathering, illegal or poor parking, particularly around schools, can have a severe impact on road safety. We are enormously grateful to all the community groups and members who gave up their time to give evidence to this inquiry, and who also continue to campaign extensively across the city for safer streets.

Throughout the inquiry we have gathered a significant amount of evidence, much of which helps us all to understand how individual aspects of prevention and enforcement delivered by the Council are falling short and must be improved. This inquiry contains many findings and recommendations that recognise how no one road safety measure can solve the problem in isolation of the others. The Council too must deliver solutions with its partner organisations to achieve its goal of Vision Zero. I am incredibly grateful for the time given by the West Midlands Combined Authority, West Midlands Police, and Office of the Police and Crime Commissioner to share their views on how we can all do better together.

This inquiry is all about finding solutions through collaboration. On that note, I would like to thank my three colleagues, who worked hard on this inquiry and shaped its findings and recommendations: Cllr Richard Parkin, who reminded us of the importance of individual responsibility on the road; Cllr Izzy Knowles, who kept a focus on partnership working; and Cllr Waseem Zaffar, whose wealth of experience as a former Cabinet Member ensured we never lost sight of Birmingham City Council's role.

Partner agencies and campaign groups praised the Council's transport policy team for its ambition and the quality of their work. Too often the Council looks outside of itself when searching for improvements, but, as the findings and recommendations demonstrate, there is an enormous amount of progress that can be made through bold, ambitious, and brave leadership within the Council. Previous inquiries, such as the 2024 Active Travel Inquiry, have noted that the Council often struggles to manage and deliver projects. In the summer of this year, the Executive declared a road safety emergency. Now is the time to follow words with actions and demonstrate to the residents of Birmingham how this Council will make changes to deliver safer streets and roads for all of us.

The role of scrutiny is to provide challenge, to criticise constructively, and reflect the insights and concerns of the residents we serve. Birmingham City Council has been criticised for weak scrutiny in a report by the Centre for Governance and Scrutiny. Road safety is a subject that has always been important to the public but has grown even more so in recent years in this city. It merits the strongest inquiry findings and recommendations possible. The whole inquiry group has worked hard together to provide the most challenging recommendations we can. We have put these forward because we believe the Council, its leadership, and Council staff can achieve all that we recommend. The level of our challenge reflects the level of hope and belief we have in them.

We have been particularly fortunate to be supported throughout this inquiry by some incredibly diligent and passionate Council officers, particularly Amelia Wiltshire and Baseema Begum. We have also seen throughout this inquiry how many members of Council staff work tirelessly to make Birmingham's streets safer. We hope this inquiry provides practical steps to support their work reducing road harm. We owe it to those we were elected to represent to deliver real change that means an inquiry like this will never be needed again.

Councillor Lee Marsham, Chair of Sustainability and Transport Overview and Scrutiny Committee

As Councillors embedded in our communities, we will all be aware of the desire of our residents to see improved pedestrian and road safety in our great city. But the background is one of repeated tragedies. In recent months, too many pedestrians and cyclists, both adults and children, have died or been seriously injured on our streets. We need to stop these tragedies by working together.



That is why the Sustainability and Transport Overview and Scrutiny Committee set up this inquiry on road safety, which complements our previous Active Travel Inquiry. This inquiry was agreed by Council in July 2024 and contained 13 realistic recommendations to speed up delivery of active travel schemes, which in turn helps improve pedestrian and road safety and to encourage more walking and cycling.

I wish to praise all the members of the Task and Finish Group, led by the Committee's Deputy Chair, Councillor David Barker, alongside cross-party members Councillors Izzy Knowles, Richard Parkin and Waseem Zaffar. As part of their work, we held two public sessions where the full committee contributed to the evidence gathering. This has meant that all committee members have played their part, including Councillors Raqeeb Aziz, Colin Green, Timothy Huxtable and Lauren Rainbow. Combined, we have made well-meaning yet deliverable recommendations which will help save lives and tackle the many issues highlighted from the evidence.

To everyone who has contributed to this inquiry, from outside bodies and other Councils, community witnesses who provided written and/ or oral evidence, to all elected members for their contributions, the hardworking Council officers and scrutiny team, thank you for your efforts.

Finally, thank you in advance for taking the time to read the report in full, which I believe can and will make a difference if implemented

Summary of Recommendations

Ref	Recommendations to Cabinet Members	Responsibility	Completion Date
Scale and Nature			
R01	Recommendation: Council asks the Cabinet Member for Environment and Transport to engage with the West Midlands Police and Crime Commissioner and West Midlands Police to understand how the Council can support activities to tackle driving without insurance offences.	Cabinet Member for Environment and Transport	March 2025 (3 months)
R02	Recommendation: Council requests the Cabinet Member for Environment and Transport with the Leader of the Council, Deputy Leader, Mayor for West Midlands and all Birmingham MPs to write a letter and continue to lobby the Department for Transport to request funding for a London quality public transport and active travel network so there are alternatives to driving.	Cabinet Member for Environment and Transport	January 2025 (1 month)

Ref	Recommendations to Cabinet Members	Responsibility	Completion Date
Strategy and Policy			
R03	Recommendation: Council asks the Leader of the Council and Executive, to share the action plan for the Road Safety Emergency with a report to Council. This action plan should clearly set out how it commits to deliver, including what will happen, timescales and how any council activity will be funded. It should also be clear on how it will demonstrate how it is making a difference.	Leader of the Council/ Cabinet Member for Environment and Transport	March 2025 (3 months)
R04	Recommendation: Council seeks assurances from the Leader that the current Cabinet Member portfolio arrangements enable the Council to deliver on the Road Safety Emergency.	Leader of the Council/ Cabinet Member for the Environment and Transport/ Cabinet Member for Social Justice, Community Safety and Equalities	June 2025 (6 months)
R05	Recommendation: Council to ask the Deputy Leader to provide assurances that the Council's adopted policies are sufficient to tackle car dependency by supporting the transformation of the city through improving the quality and scale of public transport and active travel provision, whilst systemically reducing road harm risk. This should also consider the level of population density needed to sustain integrated public transport and active travel networks.	Deputy Leader	December 2025 (12 months)

Ref	Recommendations to Cabinet Members	Responsibility	Completion Date
Physical Infrastructure			
R06	Recommendation: Council seeks assurances from the Cabinet Member for Environment and Transport that the cost recovery model in place for schemes delivers value for money with a report to the Sustainability and Transport Overview and Scrutiny Committee. This report should outline how alternative options (such as a set fee for each scheme) have been considered and why they have been rejected.	Cabinet Member for Environment and Transport	March 2025 (3 months)
R07	Recommendation: Council requests that the Cabinet Member for Environment and Transport ensures all ward members have a plain-speaking guide to support them to utilise effectively their Environment & Transport Neighbourhood Fund allocation. This guide should provide information on evidence based 'what works'. It should also be regularly reviewed and updated when new ideas are tested.	Cabinet Member for Environment and Transport	March 2025 (3 months)

Ref	Recommendations to Cabinet Members	Responsibility	Completion Date
Parking			
R08	Recommendation: Council requests that the Cabinet Member for Environment and Transport commits as part of the current Parking Enforcement service review: <ul style="list-style-type: none"> That the review is completed by end March 2025 to enable its recommendations to be implemented as soon as possible for Birmingham. Leads to a fully data led service (including use of information 	Cabinet Member for Environment and Transport	March 2025 (3 months)

	<p>provided through third party evidence)</p> <ul style="list-style-type: none"> • Contract tender developed • Agrees to publish information to the public on a quarterly basis to understand what activity is taking place and whether it is making a difference. • Is satisfied that the current maximum parking charges cover the costs of running the service and considers appropriate next steps if this is not the case. • Reintroduces the Annual Parking report. 		
R09	<p>Recommendation: Council requests the Cabinet Member for Environment and Transport to outline the approach to the Sustainability and Transport Overview and Scrutiny Committee to tackle pavement parking across the city and the plan to achieve this. This should cover but not exclusively:</p> <ul style="list-style-type: none"> • How the current Traffic Regulation Order can be better utilised. • How to tackle anti-social parking caused by businesses (including their third party delivery services). <p>Further, activity to address this including its impact should be included in the Annual Parking report.</p>	Cabinet Member for Environment and Transport	June 2025 (6 months)
R10	<p>Recommendation: Council requests the Leader, Cabinet Member for Environment and Transport and the Cabinet Member for Digital, Culture, Heritage and Tourism to:</p> <ol style="list-style-type: none"> 1. explore how to improve the existing reporting system to make it easier for people to 	Cabinet Member for Environment and Transport/ Cabinet Member for Digital, Culture, Heritage and Tourism	June 2025 (6 months)

	<p>report parking issues to the Council. This new system should include the following:</p> <ul style="list-style-type: none"> • Enables people to provide third party evidence • Provides feedback on action taken • Be user experience tested • Launched with a communications plan to inform and upskill residents so they can use it effectively • Integrated with council systems to minimise service interface <p>and;</p> <p>2. Explore with West Midlands Police and the other Local Authorities within the West Midlands Combined Authority if they can adopt a single reporting system. This will make it easier for all residents by sending the complaint to the right authority for them.</p>	Cabinet Member for Environment and Transport	June 2025 (6 months)
R11	<p>Recommendation: Council requests the Cabinet Member for Environment and Transport to urgently write a letter to the Department for Transport to request Councils are supported through legislation to be able to make more use of third party reporting for enforcement, as police forces are able to. This letter should be cosigned by all Birmingham MPs, the Police and Crime Commissioner and the Mayor for the West Midlands.</p>	Cabinet Member for Environment and Transport	January 2025 (1 month)

Ref	Recommendations to Cabinet Members	Responsibility	Completion Date
Other Enforcement Activity (Council and West Midlands Police)			
R12	Recommendation: Council requests that an implementation plan setting out how it intends to reduce speed limits across the city is provided to the Sustainability and Transport Overview and Scrutiny Committee. This plan should include how it will engage and inform ward members.	Cabinet Member for Environment and Transport	March 2025 (3 months)
R13	Recommendation: Council requests the Cabinet Member for Environment and Transport with the Leader of the Council, Deputy Leader, Mayor for West Midlands, West Midlands Police and Crime Commissioner and all Birmingham MPs to urgently write a letter to the Department for Transport asking that they introduce legislation for the police and councils to retain funds received from speeding fines in the region.	Cabinet Member for Environment and Transport	January 2025 (1 month)
R14	Recommendation: Council requests the Cabinet Member for Environment and Transport to urgently write a cross-party letter to the Department for Transport to request an increase in the maximum charges for Moving Traffic contraventions. This letter should be cosigned by all Birmingham MPs, the Police and Crime Commissioner and the Mayor for the West Midlands.	Cabinet Member for Environment and Transport	January 2025 (1 month)
R15	Recommendation: Council requests the Cabinet Member for Environment and Transport to urgently write a letter to the Police and Crime Commissioner and Chief Constable asking them to expand the remit and resources of traffic officers to work closely with neighbourhood police teams, and local councils, to gather intelligence to target individuals who: routinely	Cabinet Member for Environment and Transport	January 2025 (1 month)

	break speed limits; use illegal modifications of engines and exhausts and tinted windows; and remove number plates to escape detection.		
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Ref	Recommendations to Cabinet Members	Responsibility	Completion Date
Tracking			
R16	Recommendation: Council agrees that the Executive Member reports on progress towards achievement of these recommendations no later than June 2025	Cabinet Member for Environment and Transport	June 2025 (6 months)

1 Introduction

1.1 Background

- 1.1.1 The Sustainability and Transport Overview and Scrutiny Committee decided to undertake an Inquiry into Road Safety on 20 July 2023.
- 1.1.2 As the Committee had also agreed to undertake an Inquiry into Active Travel, the Committee agreed that this Inquiry would commence following the conclusion of the Active Travel Inquiry. A [Terms of Reference](#) were, therefore, agreed in February 2024¹.
- 1.1.3 A cross-party Inquiry Task and Finish Group was established comprising:
- [Councillor David Barker](#), Deputy Chair of the Sustainability and Transport Overview and Scrutiny Committee and Chair of the Inquiry
 - [Councillor Izzy Knowles](#)
 - [Councillor Richard Parkin](#)
 - [Councillor Waseem Zaffar](#)
- 1.1.4 The key question the Inquiry Task and Finish Group asked was:
“How can the Council deliver better road safety outcomes while also meeting its budget challenges and moving towards financial recovery?”
- 1.1.5 In seeking to answer this the Task and Finish Group considered the following lines of inquiry:
- What is an acceptable level of compliance with the rules of the road? What enforcement activity is required to achieve this?
 - What are the roles and responsibilities for individual organisations and their services? How are the Council and partner organisations currently working together?
 - What is the financial modelling for Council enforcement activity?
 - How are the Council using data and information to deliver a better service? How does the Council use information from citizens to inform their service?
 - What does an effective cross-Council enforcement (including reporting) approach look like? What are the key measures which make a difference? What

¹ [Sustainability and Transport Overview and Scrutiny Committee's Work Programme, Appendix 1, Page 16-19, February 2024](#)

is their cost base? What can we learn from other Local Authorities and their partner organisations to deliver better outcomes on enforcement?

- What are the legislative tools available to the Local Authority, and how are they currently being used? How do these tools differ from those available to other partner organisations?
- How can the Council build support within neighbourhoods and communities for enforcement?

1.2 Outcomes

1.2.1 The specific outcomes for this inquiry are:

- Outcome 1: Safer roads for pedestrians, cyclists and motorists.
- Outcome 2: Service transformation for Highways
- Outcome 3: Contribute towards the Council's financial recovery programme
- Outcome 4: Build trust and confidence in Birmingham citizens to effectively address road safety issues

1.3 Why the Committee decided to look at Road Safety

1.3.1 Making our city's roads safer has been and always will be a priority for communities across the city. The impact of fatalities and serious injuries for survivors and their families cannot be easily described. Committee members felt that the level of public concern demonstrated when meeting or speaking with constituents or expressed in local media articles meant that this was a vital issue for the committee to explore. In the months before this Inquiry commenced, there had been several tragic incidents on our city's streets where pedestrians, cyclists, as well as drivers, had been killed or seriously injured. More have taken place since.

1.4 Partnership Scrutiny

1.4.1 The Inquiry recognises that an effective citywide approach to make Birmingham's roads safer will only be achieved through organisations and the community working together. Organisations such as West Midlands Combined Authority, West Midlands Police, West Midlands Fire Service and West Midlands Ambulance Service have a critical role to play. As such, the Inquiry has welcomed evidence from external organisations and is grateful for their valuable contributions.

1.4.2 Overview and Scrutiny Inquiries report their key findings and make recommendations to Council for the Executive to take forward. As Council can only agree recommendations which the Council can action, this Inquiry will not be making

recommendations to external organisations. Nevertheless, the Inquiry encourages all organisations involved in tackling road safety to review this report and seek to support its recommendations, where possible.

1.5 Evidence Gathering

1.5.1 Evidence gathering mainly took place between April and August 2024. A schedule of the Inquiry's activities is summarised in Appendix C. The activities were:

- Call for Evidence (Members) – responses were invited by email
- Call for Evidence (Community) – Be Heard survey (open 9 July 2024 – 6 August 2024)
- Two evidence gathering sessions – these were held informally with community members (April) and West Midlands Combined Authority and West Midlands Police (June).
- Two committee meetings – these were held in public involving the Cabinet Member for Environment and Transport and Birmingham City Council officers in July and August.

1.5.2 Some evidence previously provided to the Active Travel Inquiry was also relevant and was reconsidered for this Inquiry². This was relevant for 20s Plenty for Birmingham; City of Wolverhampton Council; London Borough of Waltham Forest; Transport for West Midlands; Sustrans; Pushbikes and Birmingham Living Streets.

1.5.3 Details of all organisations who provided evidence to the inquiry, either in person or in writing, is set out in Appendices C and D.

1.5.4 The Inquiry received one response from Members contributing to this inquiry. This information has been referred to within the report.

1.5.5 The Inquiry received 212 responses from community organisations. Appendix A sets out the results from this survey. The Inquiry Group would like to thank everyone who took the time to respond. Responses were submitted from over 60 identified community organisations and groupings within approximately 27 different neighbourhoods (Birchfield; Boldmere; Bournville; Brandwood; Castle Vale; Cotteridge; Edgbaston; Erdington; Great Barr; Gravelly Hill; Hall Green North; Handsworth; Handsworth Wood; Jewellery Quarter; Kings Heath; Moseley; Nechells; Perry Barr; Quinton; Selly Oak; Small Heath; Soho; Sparkhill; Sutton Coldfield; Tyseley; Ward End and Winson Green).

² The Active Travel Inquiry reported to Council in July 2024. The final report can be accessed [here](#).

1.6 Statutory and Legal Responsibilities

1.6.1 Appendix B sets out the relevant legislation for the Council as regards road safety. Specifically, this report relates to:

- [Section 39, Road Traffic Act \(1988\)](#)
- [Section 16, Traffic Management Act \(2004\)](#)

1.6.2 While not a statutory or legal responsibility, the [Public Health Outcomes Framework](#) includes indicators on unintended road related injury prevention³.

1.7 Strategic Framework – local and regional

1.7.1 As well as the statutory and legal duties for the Council, activities to contribute towards making the city's roads safer fall within the following strategic framework:

- [Regional Road Safety Strategy 2023-2030](#) – this strategy covers the West Midlands and its 7 Local Authority areas after its former strategy (2019-2028) was refreshed and updated. It was developed by the West Midlands Combined Authority (WMCA). An [action plan](#) to deliver this strategy was launched on 6 November which is based on the Safe System approach. It focuses on Safe Speeds; Safe Vehicles; Safe Road and Roadsides, and Safe Road Use.
- [West Midlands Police and Crime Plan 2021-2025](#) – again, this plan covers the West Midlands region. It seeks to support the regional road safety strategy above as well as set out the commitments for the Police and Crime Commissioner to be delivered through West Midlands Police. A new Police and Crime Plan is currently under development.
- Birmingham Road Harm Reduction Strategy – a new citywide strategy is in development to reduce road harm risk and aligned to the regional road safety strategy and Birmingham Transport Plan.
- [Birmingham Transport Plan](#) – this plan contains a set of principles to guide investment in transport so that it is able to serve a future Birmingham that is home to more people and that is a better environment in which to live and work for everyone irrespective of age, disability or income. It complements the region's [Local Transport Plan](#).

Specifically for road safety, the measures in the Birmingham Transport Plan are designed to:

³ The Public Health outcomes framework concentrates on increased healthy life expectancy, reduced differences in life expectancy and healthy life expectancy between communities. Included in Part B – Wider determinants of Health is the indicator, B10- Killed and seriously injured (KSIs) casualties on England's roads.

- Eliminate road danger particularly in residential areas
- Connect people with new job and training opportunities
- Reconnect communities by prioritising people over cars
- Revitalise the city centre and local centres

2 Key Findings

2.1 Scale and Nature

- 2.1.1 There are significant concerns about the safety of all road users within the city. This is demonstrated from the information directly provided to the inquiry from community organisations across the city in the survey findings (as set out in Appendix A).

“The speeds some people reach on my local roads...are highly dangerous”

“The situation is dire and needs urgent attention, and co-operation with the police. People drive and park in deeply dangerous ways, and people are being killed by it. The entitlement of drivers and their general disregard for pedestrian and cyclist safety is genuinely scary”.

“I have 3 small children. We live a 5 minute walk away from school. They like to take their bikes or scooters. It is extremely difficult to get them to school in a calm, safe manor (*sic*). Often cars don't slow down around the school because they're in a rush to find a space. Every day I see unsafe parking on double yellows and cars blocking the very few drop curbs. It needs to change. We need safer roads around the school which in my opinion means closing the road to vehicles at appropriate times to allow children to feel safe”.

- 2.1.2 Reviewing local media coverage in recent years and months further reinforces the concerns of the community, as well as highlighting the impact road fatalities has had on families living in our city. In February 2024, the Birmingham Mail front page headline was ‘Stop the Fatal Road Carnage’ and ‘Call for Action as death toll soars since start of 2023⁴. In July 2024, three people were killed and four people injured on the city's roads in less than one single week. So far in 2024, 14 people have been killed on our city's roads⁵.

- 2.1.3 The Inquiry was advised that between 2019-2022 (excluding 2020⁶), 40% of fatalities associated with Road Traffic Collision in the West Midlands occurred in Birmingham. This is broadly proportionate with the comparative size and population of Birmingham compared to the other Local Authorities within the region. During this same time frame,

⁴ Birmingham Mail, 27 February 2024 accessed via Hold the Front Page
<https://www.holdthefrontpage.co.uk/2024/news/city-daily-highlights-road-safety-crisis/>

⁵ As of 31 October 2024 and based on STATS19 data provided by West Midlands Police. This compares with 18 (2023) and 23 (2022). STATS19 also indicates that there were 417 killed and seriously injured (KSIs) through total road traffic collisions in 2023 compared with 449 in 2022 and 399 in 2021.

⁶ As the year of pandemic restrictions inevitably led to significant fewer journeys, this year is not considered as representative for comparison purposes.

there was an 8% reduction in killed and seriously injured (pedestrians) and 5.5% reduction (cyclists) across the West Midlands⁷.

2.1.4 The West Midlands Combined Authority indicated that a more detailed ‘deep dive’ as regards vulnerable road users may be helpful to inform future activity⁸.

2.1.5 The Inquiry Group were advised that the four main causes of road deaths, ‘the fatal four’ are linked to⁹:

- Distraction – for example, the use of mobile phones while driving
- Speeding
- Impairment – for example, driving while under the influence of alcohol or drugs
- Seatbelt compliance – i.e. driving without a seatbelt.

2.1.6 This supports the key issues highlighted by community organisations to the inquiry, both in the face-to-face evidence gathering session as well as through the survey¹⁰. The range of issues raised included:

- Speeding – feedback included that people were exceeding the speed limit, as well as the actual limits on some roads were too high
- Dangerous or inconsiderate parking – both on the road and on the pavement
- People using mobile phones while driving
- Congestion around schools

2.1.7 Community evidence also referred to dissatisfaction with how well organisations are currently tackling these issues¹¹. For example:

- Lack of enforcement to tackle parking
- People driving without insurance

⁷ Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024. It is also important to note that the absolute number for cyclists is low and so any percentage change can seem disproportionately significant.

⁸ Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024.

⁹ Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024. For further reference, see [Department of Transport, reported road casualties Great Britain, fatal 4 factsheet, 2023](#). However, as this is STATS19 data, Council officers raised subsequent concerns that because of the way this data is collected and compiled, it is likely to be variable dependent on the person recording the data. As such, whilst this data provides a valuable resource, conclusions drawn from this data should be treated cautiously.

¹⁰ Inquiry Evidence Gathering session with community members, 16 April 2024 and survey, Appendix A

¹¹ Inquiry Evidence Gathering session with community members, 16 April 2024 and survey, Appendix A

- 2.1.8 The Inquiry Group heard about links between driving without insurance and committing other offences¹². At a national level, the Motor Insurers' Bureau (MIB) advised that 'every 20 minutes someone in the UK is hit by an uninsured or hit-and-run driver and, tragically, each day at least one person suffers injuries so severe they need life-long care'¹³. The inquiry was concerned to learn that 5 out of the top 15 postcodes nationally for uninsured drivers are in Birmingham¹⁴. West Midlands Police highlighted two current operations: [Operation Tutelage](#) – a joint operation between the Police and [Motor Insurers' Bureau \(MIB\)](#) to increase levels of compliance; and [Operation Scalp](#) to remove unsafe vehicles from our roads. There were 123 vehicles were removed in 2022.
- 2.1.9 When someone dies or is injured on the city's roads, survivors and bereaved families are the ones most directly affected. However, it indirectly affects everyone within the city too. The total societal cost of killed and seriously injured casualties in the West Midlands for 2023 was £444 million. Road deaths and serious injuries in Birmingham during 2023 account for approximately £205 million of the regional costs (almost 50%). The costs are calculated annually based on estimated real costs for lost output, medical and ambulance, police, insurance and damage to property. Currently every fatality is estimated to cost £2.4 million, and when a person is seriously injured, £271,000¹⁵.
- 2.1.10 The Inquiry was advised that there is a correlation between miles travelled by vehicles and the numbers of killed and seriously injured (KSIs) road users. For example, the number reduced in 2020 (year of pandemic) but rose again as the number of vehicle journeys increased again¹⁶. West Midlands Combined Authority and West Midlands Police highlighted that supporting people to make choices to use other modes of transport (for example, to walk, cycle or use public transport) will make roads safer¹⁷. Community evidence indicates that the city's current public transport network

¹² Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024.

¹³ Motor Insurers' Bureau (MIB) Uninsured driving crackdown takes over 3, 700 cars off the road, 28 December 2023 <https://www.mib.org.uk/media-centre/news/2023/december/uninsured-driving-crackdown-takes-over-3-700-cars-off-the-road/>

¹⁴ Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024 but updated on 11 November 2024 to reflect [latest figures](#).

¹⁵ Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024. Updated 8 November 2024.

¹⁶ Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024.

¹⁷ This is also reflected in the Committee's recent Active Travel Inquiry. This Inquiry was reported to Council in July 2024. The final report can be accessed [here](#).

(compared to other UK cities) did not enable people to always have a realistic choice from driving¹⁸.

- 2.1.11 The community evidence also indicated that if people do not feel safe using other transport options, they are less likely to choose them over their own vehicle. From the community survey, 70.8% felt either unsafe or very unsafe walking in their neighbourhood. This rose even higher when people were driving (71.7%) and cycling (86.8%)¹⁹.
- 2.1.12 The Inquiry Group felt that these feelings are not only about road safety but may be influenced by fears of other crime and anti-social behaviour as well as the overall feel of their neighbourhood²⁰. One of the community members at the face-to-face session described how Coventry Road (A45) 'is like a motorway now'. As a result, she felt uncomfortable walking near it or letting her children walk near it²¹.
- 2.1.13 **Key Finding 1:** Despite reductions over the years 2019-2022, incidents of road harm caused by KSIs (Killed or Seriously Injured) remain at an alarming and unacceptable level. This is not an inevitability for cities like Birmingham. Communities are concerned and our road safety crisis has become increasingly more prominent in the local media.
- 2.1.14 **Key Finding 2:** The main four causes of road harm are likely to be distraction, speeding, impairment and seatbelt non-compliance.
- 2.1.15 **Key Finding 3:** Road harm, including KSIs, carries an enormous financial burden to the public, with road casualties costing approximately £205 million in Birmingham annually.
- 2.1.16 **Key Finding 4:** Birmingham has four of the top 15 postcodes for driving uninsured. National evidence shows a correlation between drivers with no insurance and increased risks for road safety.
- 2.1.17 **Key Finding 5:** Unsafe roads contribute to more people feeling unsafe to walk, to cycle, or use public transport, and instead opt to drive.
- 2.1.18 **Key Finding 6:** Residents often feel they must use private vehicles due to limited public transport infrastructure. Birmingham lacks a fully integrated, city-wide mass transit public transport and active travel network compared to London. Furthermore, how safe people feel is also an important factor in choosing to use public transport. Improving safety and perceptions of safety is equally important.

¹⁸ Inquiry Evidence Gathering session with community members, 16 April 2024

¹⁹ Inquiry Survey, Appendix A

²⁰ Note that the survey did not ask people to identify other reasons why they may feel safe/ unsafe in their neighbourhood.

²¹ Inquiry Evidence Gathering session with community members, 16 April 2024

2.1.19 **Key Finding 7:** Reducing the number of individual vehicle journeys and speeds improves road safety. Other partner organisations such as the West Midlands Combined Authority and West Midlands Police also recognise this. People need to have other choices through reallocation of road space. This Council needs to rapidly increase and improve its delivery of pedestrianisation and segregated cycling infrastructure to meet its targets (this was also raised by the Active Travel Inquiry agreed by Council in July 2024). The Council needs to ensure this change of pace and delivery considers the needs of all Birmingham's communities and citizens, in particular, people with disabilities and long-term health conditions through its Equality Impact Assessments.

2.1.20 **Key Finding 8:** Some journeys, particularly over longer distances, may require people to use a car. All drivers have a personal responsibility to not drive dangerously.

Ref	Recommendation to Cabinet Members	Responsibility	Completion Date
R01	Recommendation: Council asks the Cabinet Member for Environment and Transport to engage with the West Midlands Police and Crime Commissioner and West Midlands Police to understand how the Council can support activities to tackle driving without insurance offences.	Cabinet Member for Environment and Transport	March 2025 (3 months)
R02	Recommendation: Council requests the Cabinet Member for Environment and Transport with the Leader of the Council, Deputy Leader, Mayor for West Midlands and all Birmingham MPs to write a letter and continue to lobby the Department for Transport to request funding for a London quality public transport and active travel network so there are alternatives to driving.	Leader of the Council/ Cabinet Member for Environment and Transport	January 2025 (1 month)

2.2 Strategy & Policy

Road Harm Reduction Strategy

- 2.2.1 At the time of writing, it is anticipated that a new Road Harm Reduction Strategy for Birmingham is shortly to be adopted. The current [Road Safety Strategy](#) has not been refreshed since 2016 and no longer aligns as it should with relevant regional and local strategies. This includes the West Midlands regional refreshed road safety strategy and the Birmingham Transport Plan. A new Road Harm Reduction Strategy is a welcome step. It ensures both strategic and delivery activity will, in the future, fit together and pull in the same direction, thereby maximising its impact.
- 2.2.2 This new strategy is intended to enable the Council to discharge its statutory duties under the [Road Traffic Act 1988](#) to promote road safety and to take appropriate measures to prevent collisions.
- 2.2.3 The ambition of the proposed strategy is to end death and serious injuries for users of Birmingham's roads, in line with the 'Vision Zero' concept, which aspires to eliminate all traffic fatalities and serious injuries. It follows 'Safe System' principles and adopts the globally successful 'Healthy Streets' to gradually transform Birmingham's streets²².



Diagram 1: Healthy Streets Indicators

- 2.2.4 The [Healthy Streets](#) approach includes 10 evidence-based Healthy Streets Indicators, each describing an aspect of the human experience of being on streets. These ten must be prioritised and balanced to improve social, economic and environmental sustainability through how our streets are designed and managed (Diagram 1). This

²² [Road Harm Reduction Strategy consultation](#), accessed 8 November 2024. This is the Birmingham City Council consultation on the proposed new strategy, which was open from 8 January 2024 until 5 April 2024.

approach can be applied to any streets, anywhere in the world. It builds improvements on existing conditions rather than seeking a fixed end goal. Taking this approach requires incremental changes in all aspects of the decision-making processes related to streets and transport²³.

- 2.2.5 The proposed Road Harm Reduction Strategy aligns with the Birmingham Transport Plan Delivery Plan spatial framework of corridors, neighbourhoods and centres.

Road Safety Emergency

- 2.2.6 In July 2024, the Council declared a [Road Safety Emergency](#) in response to calls from the community. When providing evidence to the Inquiry, the Cabinet Member for Environment and Transport, Councillor Majid Mahmood, emphasised how any response to this emergency ‘...needs to be done in partnership to make an impact...’²⁴. Both Cllr Majid Mahmood and the Cabinet Member for Social Justice, Community Safety and Equalities, Councillor Nicky Brennan, collectively [wrote to the Chief Constable on 26 July 2024](#) to request a Road Safety Gold meeting was set up, which would enable a multi-agency response to be coordinated. This letter also requested additional mobile speed enforcement vehicles to be deployed and additional road traffic policing units.
- 2.2.7 The Inquiry Group was advised that the first Gold meeting had taken place involving senior officers from West Midlands Police and Birmingham City Council. As a result, positive developments had already taken place including²⁵:
- Timely information sharing between the Police and the Council to ensure Council activity can have greatest impact – this has included a proposal for debriefs between Police and Council officers within 7 days following any fatality as well as intelligence to support the deployment of civil parking enforcement officers and highways maintenance staff from KIER. A further discussion on other ways to achieve better information sharing has also been scheduled.
 - West Midlands Police have increased staff resources dedicated to road safety.
- 2.2.8 While the Inquiry Group welcomed the declaration of this commitment and the information provided on activity to date in its August’s committee meeting, the Inquiry

²³ [Healthy Streets](#) is an evidence-based approach to creating fairer, sustainable and attractive urban spaces. Every decision we make about our built environment, however small, is an opportunity to deliver better places for people to live in and thereby improve their health. The Healthy Streets Approach is a human-centred framework for embedding public health in transport, public realm and planning.

²⁴ Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

²⁵ Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

Group felt it needed further information on what it will tangibly mean and expressed concerns how it will be delivered upon without firm resource commitments.

Community Role

- 2.2.9 The Inquiry Group heard how there was a greater role community stakeholders can play around the development of strategy and policy as well as operational interventions. The Inquiry Group heard examples from Better Streets for Birmingham about how it was working with Birmingham City Council. This was in addition to other examples highlighted by community organisations to the Active Travel Inquiry. There were also examples provided by the Sheldon Traffic Action Group (STAG) about how the Council was not working with them.
- 2.2.10 The Inquiry Group heard how these community organisations felt there were unexplored opportunities for the community to work alongside statutory services to achieve common goals around safer roads. They described how ‘communities need to see ownership of what isn’t working and inspiration on what we can do even if it is a long journey (such as asking for legislation change)’. When asked to give a score out of 10 for how empowered they felt to make a change, the average score was 3 and no score was higher than 5. They asked what more could be done, how can we work better together to prevent issues happening in the first place and how can community capacity be strengthened²⁶.
- 2.2.11 The Inquiry Group was advised that people needed to have more information on what works and will make a difference. Another suggestion referred to professionals ‘in the room’ engaging with residents in engagement activities, so the Council and communities can map solutions together²⁷.
- 2.2.12 The session with community members also referred to the challenges of securing a consensus within different neighbourhoods and communities and acknowledging that this may not be possible. There was discussion that attention is often with those who do not like change and too little work with the majority in favour of intervention: “We need to put in infrastructure and enforcement rather than asking nicely”²⁸. The Low Traffic Neighbourhoods were cited as examples which have led to frustrations.
- 2.2.13 Community members at this session also highlighted that there was a ‘disconnect (in the Council) between ambition and delivery. The volume of change needed has to be approached more decisively’²⁹. Similar points had been made in the Active Travel

²⁶ Inquiry Evidence Gathering session with community members, 16 April 2024

²⁷ Inquiry Evidence Gathering session with community members, 16 April 2024

²⁸ Inquiry Evidence Gathering session with community members, 16 April 2024

²⁹ Inquiry Evidence Gathering session with community members, 16 April 2024

Inquiry³⁰. They requested more transparency and accountability to hold the Council to account.

2.2.14 **Key Finding 9:** Failure to make in-roads to prevent road harm has led to increased pressure on the Council and partners to deal with incidents. While a proposed new Road Harm Reduction Strategy is in the pipeline, the current strategy has not been updated since 2016. The Road Safety Emergency is welcomed but there remains a lack of understanding about what this means and how this changes partner and Council operations.

2.2.15 **Key Finding 10:** There is a disconnect between policy and delivery: transport policy by Birmingham City Council is praised by all partners, whereas our delivery of projects is criticised in equal measure. This was also raised in the Active Travel Inquiry agreed by Council in July 2024.

³⁰ This Inquiry was reported to Council in July 2024. The final report can be accessed [here](#).

Ref	Recommendation to Cabinet Members	Responsibility	Completion Date
R03	Recommendation: Council asks the Leader of the Council and Executive, to share the action plan for the Road Safety Emergency with a report to council. This action plan should clearly set out how it commits to deliver including what will happen, timescales and how any council activity will be funded. It should also be clear on how it will demonstrate how it is making a difference.	Leader of the Council/ Cabinet Member for Environment and Transport	March 2025 (3 months)
R04	Recommendation: Council seeks assurances from the Leader that the current Cabinet Member portfolio arrangements enable the Council to deliver on the Road Safety Emergency.	Leader of the Council / Cabinet Member for the Environment and Transport/ Cabinet Member for Social Justice, Community Safety and Equalities	June 2025 (6 months)
R05	Recommendation: Council to ask the Deputy Leader to provide assurances that the Council's adopted policies are sufficient to tackle car dependency by supporting the transformation of the city through improving the quality and scale of public transport and active travel provision, whilst systemically reducing road harm risk. This should also consider the level of population density needed to sustain integrated public transport and active travel networks.	Deputy Leader	December 2025 (12 months)

2.3 Physical Infrastructure

- 2.3.1 The community session highlighted that they felt that the city had a ‘car centric’ approach. Roads seem to be designed for the benefit of cars only, rather than people. They also felt that the available budget to tackle road safety is very small. Sheldon Traffic Action Group suggested that monies generated from fines (for example, speeding) should be ringfenced and reinvested into local areas for road safety physical measures.³¹
- 2.3.2 In response to this, the Inquiry Group welcomed the suggestion from Lea Forest Primary Academy how the Council needs to consider places holistically, and this included highlighting the value of investment to support different travel options³². They suggested ‘road condition and collision study considering broader issues than just the road itself’. For example, the street lighting or foliage as well – all of which may have an impact on safety for road users.
- 2.3.3 Lea Forest Primary Academy also highlighted concerns about how road improvements are assessed. For example, the assessment criteria are based on the number of killed or serious injured people. There is a question whether this criteria effectively captures the level and nature of the risk. They stressed how 560 children attend their school and inferred that information such as this should also be considered³³.
- 2.3.4 Officers from the Council’s Place, Prosperity and Sustainability Directorate advised that the potential for traditional engineering solutions had been reached as a city³⁴. This supported the need to explore other ways to make roads safer within Birmingham. The Birmingham Transport Plan and proposed Road Harm Reduction Strategy are in response to this.
- 2.3.5 At the evidence session with community groups, there were concerns raised about how long it took to implement schemes (both schemes designed to address road safety directly, as well as schemes with other benefits such as Active Travel). The Inquiry Group were aware through evidence provided to the Active Travel Inquiry and through their own ward work, as well as from other Members, that the delivery of schemes, including local ward based schemes, is not always timely³⁵.
- 2.3.6 These schemes are delivered through two Council directorates – City Operations (Highways and Infrastructure) and Place, Prosperity and Sustainability (PPS)

³¹ Inquiry Evidence Gathering session with community members, 16 April 2024

³² Letter from Lea Forest Primary Academy dated 17 May 2024. This letter was submitted to the Inquiry by Councillor Marj Bridle as part of the Member evidence gathering (see 1.5.1 and Appendix C).

³³ Letter from Lea Forest Primary Academy dated 17 May 2024.

³⁴ Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

³⁵ This Inquiry was reported to Council in July 2024. The final report can be accessed [here](#).

(Transport and Connectivity). However, the Inquiry Group felt it is difficult to know who is accountable for the delivery of a scheme. The visibility and transparency of all schemes to councillors and the public is important.

- 2.3.7 Officers from the Council's Place, Prosperity and Sustainability directorate (PPS) advised, if implemented, the relevant recommendations from the Active Travel Inquiry will make a difference to the delivery timeframe of schemes and accountability³⁶.
- 2.3.8 The Inquiry Group also raised concerns whether the current delivery model for schemes generates delays in the pace of delivery. For example, there are no penalties for delays in delivering schemes as well as the governance pathways.
- 2.3.9 The Cabinet Member for Environment and Transport highlighted opportunities for ward members to access funds for schemes in their local wards through the new Environment and Transport Neighbourhood Fund (ETNF)³⁷. Schemes that aim to make a positive contribution towards road harm reduction, active travel, air quality improvements, reductions to carbon emissions and climate change mitigations may be supported through this fund.
- 2.3.10 This new fund replaces the former Ward Minor Transport Measures (WMTM) and incorporates Brum Breathes fund and additional budget from net surplus revenues from the Clean Air Zone. The Inquiry Group heard that some wards had not accessed the WMTM budget, as ward plans had not been in place³⁸. However, the Inquiry Group was concerned that the overall level of funding in place for the ETNF is not on par with the total available funding to individual wards through the previous schemes. They also felt that wards which had been proactive and had developed approved schemes through the Brum Breathes fund would be penalised³⁹.
- 2.3.11 The types of measures that might be supported through the ETNF could include, but are not limited to, the following: minor junction re-design, traffic reduction measures, active travel improvements, school streets, parking controls or restrictions, verge protection measures, green infrastructure (planting, trees, parklets, but not high-maintenance floral displays), provision of parking facilities for those with disabilities and mobility difficulties such as advisory disabled bay markings, de-cluttering of street

³⁶ Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

³⁷ This fund was approved by Cabinet on 25 June 2024 (Transportation & Highways Delivery Programme 2024/25 to 2029/30 - Annual Programme Update). In both 2024/25 and 2025/26, the total funding available through this scheme will be £20,000 per annum (single member ward) and £40,000 per annum (two member wards).

³⁸ Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

³⁹ As the ETNF includes an element of unused funding from the Brum Breathes Fund the allocation of funding to wards, up to the end of March 2026, will be on a pro-rata basis.

In practice this will mean that any ward with an approved application to the Brum Breathes Fund (up to the end of August 2024) will have that funding allocation deducted from any allocation they may have received from the ETNF.

infrastructure and road markings, inclusive streetscapes (dropped kerbs, crossing enhancements, benches, etc) and air quality monitors. Officers from PPS suggested that there may be cost efficiencies through economies of scale for the ETNF fund. For example, if multiple wards wanted to invest in schemes requiring new kerbing, the Council will be able to secure cheaper unit costs if this is purchased together rather than by individual scheme⁴⁰. This will require coordination throughout the programme to achieve.

Speed Limits

- 2.3.12 There is a link between reducing area speed limits and reducing the numbers of people killed or seriously injured on roads⁴¹. The Council's Place, Prosperity and Sustainability directorate advised that a key area for future delivery will be to reduce remaining 40mph speed limits to 30mph to provide city wide consistency. A business case for £600,000 has been approved to support this work, and consultation on new Traffic Regulation Orders (TROs) to deliver it, commenced in November. Subject to the consultation outcome, works for some of the approved schemes could start in early 2025.
- 2.3.13 The Cabinet Member for Environment and Transport, Councillor Majid Mahmood, also advised he had sent a letter to Government requesting 20mph zone for the whole of Birmingham; he is currently awaiting a response. He highlighted that the recent introduction of this zone in Wales had highlighted there would be cost implications for the Council in implementing this⁴².
- 2.3.14 **Key Finding 11:** Birmingham's roads have been designed around motor vehicles. Residents who contributed to the inquiry felt there is more the Council can do with the design of roads to prevent road harm incidents.
- 2.3.15 **Key Finding 12:** The pace of scheme delivery may be undermined by the current delivery model. The Inquiry Group felt that this was due to the cost recovery business model in place as well as the governance pathways.
- 2.3.16 **Key Finding 13:** Members struggle to have clarity on who is responsible for schemes. This is particularly problematic to understand when delays in delivery occur; who is accountable and what are the actions to be taken. This Inquiry recognises that the Council has already made recommendations through the recent Active Travel Inquiry

⁴⁰ Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

⁴¹ [Safe Systems – Safe Speeds factsheet](#), BRAKE (accessed 9 November 2024)

⁴² Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

to address this, however what this Inquiry has learned reiterates the need for this to be addressed.

Ref	Recommendation to Cabinet Members	Responsibility	Completion Date
R06	Recommendation: Council seeks assurances from the Cabinet Member for Environment and Transport that the cost recovery model in place for schemes delivers value for money with a report to the Sustainability and Transport Overview and Scrutiny Committee. This report should outline how alternative options (such as a set fee for each scheme) have been considered and why they have been rejected.	Cabinet Member for Environment and Transport	March 2025 (3 months)
R07	Recommendation: Council requests that the Cabinet Member for Environment and Transport ensures all ward members have a plain-speaking guide to support them to utilise effectively their Environment & Transport Neighbourhood Fund allocation. This guide should provide information on evidence based 'what works'. It should also be regularly reviewed and updated when new ideas are tested.	Cabinet Member for Environment and Transport	March 2025 (3 months)

2.4 Parking

2.4.1 The Royal Society for the Prevention of Accidents (RoSPA) provides data on various types of parking controls and their implications on road safety⁴³. While this summary was produced in 2012, it still indicates that on-street parking may be linked with an increased number of incidents for all road users. West Midlands Police and West Midlands Combined Authority supported this view when they met with the Inquiry Group⁴⁴.

2.4.2 The inquiry group session with community members as well as the survey responses highlighted the level of concern with illegal and poor parking⁴⁵.

“Parking on corners is frequently an issue as a clear view of the road to left and right can be obscured”.

“My biggest concern is the parking of cars on pavements with no consideration for parents with prams and pushchairs and more importantly people with mobility problems who use wheelchairs or scooters. Parking on pavements should be made illegal across the whole of Birmingham. These inconsiderate drivers are forcing the young and the vulnerable onto the cities (*sic*) roads which is unsafe”.

“...the scale of terrible, inconsiderate and dangerous parking is unbelievable and seems to be growing”.

2.4.3 From a resident perspective, the Inquiry was advised that there is confusion about which organisation deals with enforcement of which type of parking, as well as frustrations about how to report the issue and the response. 80.7% of survey respondents were either unsatisfied or very unsatisfied with the level of parking enforcement in their neighbourhood⁴⁶.

2.4.4 Better Streets for Birmingham highlighted that the Council does not have the resources to tackle everything on road safety and should focus on what is achievable. They highlighted pavement parking as an example of this⁴⁷. West Midlands Police questioned whether it would be possible to meet expectations for parking enforcement.

⁴³ The Royal Society for the Prevention of Accidents (RoSPA) hosts a Road Safety Observatory which aims to provide information on road safety to anyone working in the sector and members of the public. Their factsheet on parking can be accessed [here](#).

⁴⁴ Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024.

⁴⁵ Inquiry Evidence Gathering session with community members, 16 April 2024 and survey, Appendix A

⁴⁶ Inquiry Evidence Gathering session with community members, 16 April 2024 and survey, Appendix A

⁴⁷ Inquiry Evidence Gathering session with community members, 16 April 2024

Officers from the Council's Highways and Infrastructure service also shared these concerns⁴⁸.

- 2.4.5 Through the different evidence sessions with the Council and the Police, a discussion point focused on 'how can we help people to understand the difference in enforcement roles between Council and Police, so people are going to the right organisation the first time'. However, the feedback from the evidence session with community organisations suggested that residents want things to be done without having to understand which organisation is responsible⁴⁹.

Legislation

- 2.4.6 The Inquiry Group received information from officers in Highways and Infrastructure on the relevant legislation they can use to tackle parking (set out in Appendix B). Key points from the Inquiry Group are:

- Council and use of Third Party evidence – more use of third party evidence would be welcomed by the community members the inquiry group spoke to⁵⁰. It could potentially enable more extensive coverage of the city and deliver better levels of service and satisfaction for residents (subject to effective resource levels to process the information). The current legislation does not allow the Council to use third party evidence to issue a Penalty Charge Notice (PCN), although it does enable the Council to use it for intelligence purposes⁵¹.
- Police and use of Third Party evidence – the powers available to the Police do allow them to use Third Party evidence for enforcement. This inconsistency, although rooted in legislation, frustrates residents. The Office for the West Midlands Police and Crime Commissioner highlighted how they had secured funding through the Safer Streets funding, round 5 to support third party reporting mechanisms.
- Evidence required for a PCN⁵² – a Civil Enforcement Officer (CEO) is required to gather information including vehicle registration number, make and model of

⁴⁸ Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024 and Evidence Gathering session, Work Programme at the Sustainability and Transport Overview and Scrutiny Committee, 13 June 2024

⁴⁹ This point was raised at all of the evidence gathering sessions outlined in Appendix C.

⁵⁰ Inquiry Evidence Gathering session with community members, 16 April 2024

⁵¹ Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 13 June 2024

⁵² "The cost of PCNs for parking contraventions in England (outside London) has not been increased for a number of years. The current costs are £70 or £50 (depending on the offence), reduced to £35 or £25 if paid within 14 days. Compared to the [road danger of the parking activity](#), this is a very low cost. It also means there are locations where parking illegally and paying the charge are similar to the cost of paid for legal parking."

vehicle, details of the contravention, location and time (to provide evidence that the vehicle was parked in contravention). Set observation periods by the CEO may also be required before the PCN can be issued. This information can only be recorded on devices that have been officially certified to be used to collect evidence that may result in PCNs being issued. This certification helps ensure that the evidence gathered is legally robust and can withstand scrutiny if challenged via appeals to the Traffic Penalty Tribunal (TPT).

- 2.4.7 The Inquiry Group also noted that the legislation underpinning pavement and verge parking enforcement is different for Greater London than for the rest of England, including Birmingham⁵³. Outside of Greater London, pavement parking is generally not prohibited unless specific Traffic Regulation Orders (TROs) are in place. The previous Government consulted upon options to amend legislation to provide additional powers for Local Authorities outside Greater London in 2019⁵⁴. Officers from Highways and Infrastructure are monitoring current Government intent with regards to this subject.
- 2.4.8 The Inquiry Group was advised that a relevant and overarching Traffic Regulation Order is in place to prohibit parking on pavements and verges⁵⁵. However, adequate signage would need to be provided and maintained on specific streets to make the Order enforceable. This would incur costs and the approach would not generate the funding required to resource associated enforcement⁵⁶. There was some concern from the Inquiry Group that measures to tackle issues such as this were not more consistently known amongst ward councillors and officers, and this may mean opportunities are being missed.
- 2.4.9 The only other relevant legislation which has been used by Local Authorities is section 72 of the 1835 Highways Act. This section deals with the prohibition of allowing animals and carriages to travel on footways. It has been accepted by magistrates as

⁵³ [Section 15, Greater London Council \(General Powers\) Act 1974](#) prohibits vehicles from parking on footways, grass verges, and other parts of the highway that are not designated carriageways. This provision is geographically specific to Greater London and grants Local Authorities in that area the powers to regulate and enforce restrictions on parking in these non-carriageway areas.

⁵⁴ This consultation took place in 2020. The Department for Transport consulted on the DfT is seeking your views on whether its ongoing work to improve the TRO process, under which local authorities can already prohibit pavement parking, is sufficient and proportionate to tackle pavement parking where it is a problem; or whether legislative change to allow local authorities with civil parking enforcement (CPE) power enforce against 'unnecessary obstruction of the pavement) or legislative change to introduce a London-style pavement parking prohibition throughout England would provide better tools for local authorities. (These options had been identified through the department's review of pavement parking and echoed by the Transport Committee). They were also interested in understanding any other alternative proposals you may have for managing pavement parking

⁵⁵ Where specific parking restrictions are in place, these cover the entire extent of the public highway, including verges and footway. This means that Civil Enforcement Officers are able to issue Penalty Charge Notices for vehicles parked in contravention, including on the footway. In this regard, permit parking controls are particularly effective, offering a degree of self-enforcement and providing a revenue stream to fund formal enforcement activity.

⁵⁶ Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

meaning that a parked vehicle can only have got on the footway by travelling across it and is therefore guilty of an offence. The very age and nature of this legislation reinforces the idea that the legislation is not meeting the needs of today.

- 2.4.10 It would still be required (to use section 72, 1835 Highways Act) to have evidence to identify the driver at the time the offence occurs, which may be challenging to resource adequately through both the Police and Council. The Cabinet Member for Environment and Transport highlighted he was keen to support a regional request to Government for the West Midlands to receive similar powers to London and [Scotland](#), which may be a more achievable approach⁵⁷.

Council's Parking Service Review

- 2.4.11 The Inquiry Group was advised that the Council Parking Service is undergoing a full and detailed service review. This will lead to a new service specification and procurement of a new enforcement contract. (The current contract expires on 31 January 2026). The review commenced in July 2024 and is scheduled to conclude by end March 2025.
- 2.4.12 This independent review will provide an initial baseline of the service, as well as further advice regarding future service strategy and direction. The aim of the review is to assess all areas across the service to:
- Develop a new operating model and future enforcement contract which aligns with and supports the Council's strategic ambition and policies. It should also provide the Council with the flexibility to change direction, as and when required.
 - Ensure the future enforcement contract promotes coherency across services to further drive efficiencies and savings.
 - Ensure the service is robust, operates efficiently with streamlined processes and demonstrates value for money.
 - Benchmark fees and charges for On- and Off-Street parking, ensuring they are in line with the market and Council policies⁵⁸.
 - Ensure the service is data and information led, responsive to customer, stakeholder and Council demand and can make information led decisions.
 - Set out a strategic asset management plan and future digital technology strategy road map.

⁵⁷ Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

⁵⁸ Officers confirmed that a benchmarking exercise is being undertaken with Leeds.

- 2.4.13 Officers from the Council's Highways and Infrastructure service advised that they would like to carry out more parking enforcement⁵⁹. Their intention had been initially to tender a new 5-10 year enforcement contract. However, they had reviewed this decision and instead, decided to tender a 2 year extension (at a cost of £4.35m per annum); this would enable this root and branch service review. The review will inform a new long-term contract from 2026, which will be fit for purpose to meet the policy and direction the Council needs to go in.
- 2.4.14 Parking reports are made to the Council via a web form. These reports are then collated and details shared with the current enforcement provider, NSL, to action. Where reports are received outside of working hours, there may be a delay in passing the details to NSL.
- 2.4.15 The Inquiry Group heard that an Annual Parking report will be reintroduced. Data has now started to be collected this year to inform it⁶⁰.

Reporting illegal and antisocial parking

- 2.4.16 45.8% of the survey respondents had reported parking issues to Birmingham City Council. 65.1% were either unsatisfied or very unsatisfied with the level of service after reporting to the Council. While the actual percentage should be treated with some caution (the numbers of respondents reporting levels of satisfaction exceeded the number of respondents who had actually reported to the Council), the further comments provided by respondents indicate areas for the Council to explore and are summarised in 2.4.20⁶¹. This was further reinforced by the feedback from the community evidence session.

"Parking action is not swift and flexible enough to respond".

"No response at all. Submitted multiple reports a month over a year and received not a single response back. Described several scenarios ranging from obstructive parking preventing access for my wheelchair, to abuse shouted at me by business owner who parks their vehicles on double yellows repeatedly. Appalling that there was no response at all".

"When I reported a car which was on double yellow lines and partly blocking the pavement. The Council replied with a thank you for contacting us, and I heard nothing since. The Council seems very good at the first contact, i.e. sending out a

⁵⁹ Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 13 June 2024

⁶⁰ Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

⁶¹ Inquiry Survey, Appendix A

communication to say we have received a report but absolutely terrible at actually doing anything. You never hear from them again. I have absolutely no idea if my report actually led to the car being prosecuted?”

- 2.4.17 As well as confusion over which organisation to report to, the Inquiry Group found there are multiple platforms for people to use to report related issues including the Council (phone/ website) for parking enforced by the Council⁶²; Nextbase (used by West Midlands Police) for parking enforced by the Police and Fix My Street (for parking enforced by the Council)⁶³. Each platform has a different user experience. A significant majority of the survey respondents had not used either Nextbase or Fix My Street to report issues⁶⁴.
- 2.4.18 The Inquiry Group was concerned that multiple platforms added extra confusion to reporting issues to residents. Community members at the evidence gathering session also agreed. The Inquiry Group was also concerned about how effectively these platforms integrated with Council systems. Without this, it will be more challenging to respond to the issues residents are raising.
- 2.4.19 While the Council’s reporting system has been used more by survey respondents than the other platforms highlighted, the satisfaction levels for the Council compared to other options are lower. Nextbase, in particular, was highlighted for its feedback loop⁶⁵. West Midlands Police described Nextbase as ‘easy to use, accessible and intuitive. It provided clear reporting lines and timelines with reported results’. The Council’s Highways and Infrastructure service agreed that more work could be carried out to improve the user experience for residents, and this is part of the service review (set out in 2.4.11-2.4.13). They intended to learn from other Local Authorities to find out if, and how, they could deliver better. They recognised that this would require a multi-service approach⁶⁶.
- 2.4.20 In summary, the areas highlighted by the community evidence gathering session and survey for the Council to improve include⁶⁷:

⁶² Enforcement requests are currently received from members of the public through various reporting channels such as the Online web form for reporting illegal parking (www.birmingham.gov.uk/reportparking), telephone calls and emails. The service also receives requests through Member Enquiries.

⁶³ Nextbase is national dashcam reporting portal. West Midlands Police’s investigation of reports via this portal is called [Operation Snap](#). Nextbase does not send reports to the council. Fix My Street is a third party website which sends reports to local councils on a variety of issues including parking enforced by the council. It does not send reports to the Police.

⁶⁴ Inquiry Survey, Appendix A

⁶⁵ Inquiry Evidence Gathering session with community members, 16 April 2024

⁶⁶ Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

⁶⁷ Inquiry Evidence Gathering session with community members, 16 April 2024 and Inquiry Survey Appendix A

- Website could be improved to make it easier to make a report. The menus are too long and it doesn't feel worth investing the time in.
- It takes too long for parking reports to be processed and for the complainant to see any action (if at all).
- There is no feedback to complainants about what action has been taken.

How are parking complaints responded to by the Council?

2.4.21 In the first quarter of 2024/25, 1222 enforcement requests were logged with our enforcement contractor following the requests received from members of the public. (There were also an additional 54 enforcement requests received from ward members) A breakdown of how these requests were reported to the Council is set out in Table 1⁶⁸:

Reported Via	No. of Requests	% Split
Online Web Form	817	66.9%
Phone call	164	13.4%
FixMyStreet	92	7.5%
Email	149	12.2%

Table 1: Parking Enforcement Requests to Birmingham City Council

2.4.22 A summary of the Council process is outlined as follows⁶⁹:

1. Each enforcement request is assessed. This includes reviewing the details provided within the request (and any photos, if provided) to determine whether the vehicle(s) reported are parking in contravention.
2. If it is considered as a potential parking violation, the request is logged internally and then emailed to NSL (enforcement contractor) for action. The nature of the instruction for action to the contractor may vary according to the nature of the request and the potential violation. Examples of instructions could be for a one-off visit, or alternatively multiple follow up visits to be planned over a set period.
3. NSL will assign a Civil Enforcement Officer (CEO) to attend the location as soon as possible. If a CEO is close to the location, they may be assigned; alternatively, a NSL Customer Response vehicle may be allocated instead.

⁶⁸ Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024. Table 1 excludes requests from Members.

⁶⁹ Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

4. Data is then collated from each CEO visit. This confirmed the number of Penalty Charge Notices (PCNs) and the number of vehicles moved on.

2.4.23 The Inquiry Group was advised that where reports are received outside of working hours, there may be a delay in passing the details to NSL⁷⁰.

Enforcement

2.4.24 The Inquiry Group recognised that to be a Parking Enforcement Officer in Birmingham is an incredibly challenging job, and where staff have experienced physical violence and verbal abuse; this is unacceptable⁷¹.

2.4.25 Table 2 shows the number of occasions our enforcement contractor has carried out enforcement in the first quarter, in relation to the enforcement requests logged with them. The table splits the requests out by enforcement beat⁷²:

Beats	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	A	B	C	D	E	F	Totals
Apr-24	22	0	1	30	3	0	17	1	17	7	1	1	1	25	10	182	194	117	228	177	144	1178
May-24	5	0	0	21	3	0	1	1	3	0	2	6	4	8	10	263	253	280	274	206	178	1518
Jun-24	0	2	0	5	20	2	18	1	0	2	6	24	4	10	27	316	364	265	319	147	188	1720
Totals	27	2	1	56	26	2	36	3	20	9	9	31	9	43	47	761	811	662	821	530	510	4416

Table 2: Number of Enforcement visits in Q1 (April – June 2024) per enforcement beat

2.4.26 Table 3 shows the volume of both requested enforcement checks and the Penalty Charges Notices (PCNs) issued for the first quarter of 2024/25. The table also shows the full year statistics for 2023/24⁷³. Specific requests associated to illegal footway crossings are reported separately. These would usually lead to a single enforcement visit rather than repeated inclusion in forthcoming beats.

⁷⁰ Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

⁷¹ <https://www.bbc.co.uk/news/uk-england-birmingham-66732741>

⁷² Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024. Beats 1 to 15 are City Centre Beats, Beats A, E and F cover the North/East areas of the city and Beats B, C and D covers the South/West areas of the city.

⁷³ Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

	2024-25				2023-24			
	Requests	PCNs Issued	D-Kerb Req	D-Kerb PCNs	Requests	PCNs Issued	D-Kerb Req	D-Kerb PCNs
Apr	1178	763	92	41	1123	944	70	34
May	1518	1040	94	34	1080	956	69	31
Jun	1720	1135	78	27	1155	1058	90	30
Jul					1058	1110	78	35
Aug					1312	946	88	34
Sep					886	724	101	41
Oct					1161	911	114	50
Nov					1104	617	115	47
Dec					1144	793	106	46
Jan					1378	1275	92	33
Feb					1566	1203	70	26
Mar					1126	779	82	37
Totals	4416	2938	264	102	14093	11316	1075	444

Table 3: Total Enforcement visits and total Penalty Charge Notices per month

2.4.27 The graph (diagram 2) below shows the yearly volumes of all Civil Parking Enforcement (CPE) PCNs issued. Since Covid19, we are seeing a year-on-year uplift for PCNs being issued to vehicles parked in violation⁷⁴.

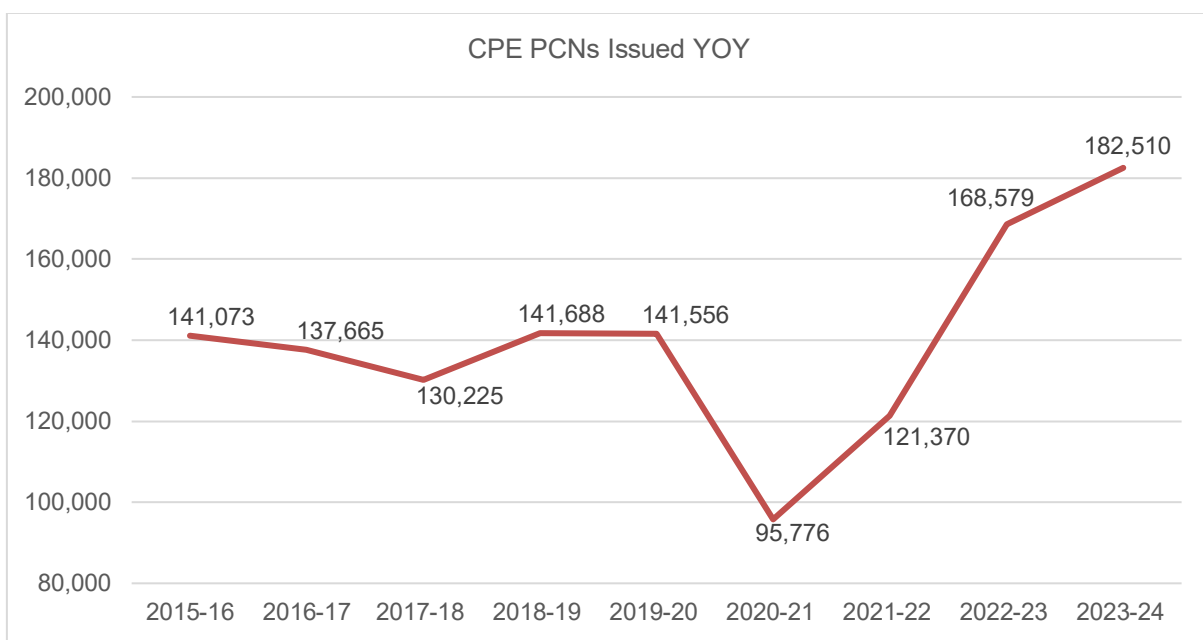


Diagram 2: Volume Penalty Charge Notices, year on year

2.4.28 The below data (table 4) shows the total volume of PCNs issued for parking violations by month for the first quarter of 2024/25 and the comparison vs last year, continuing to show an upward trend in CPE PCN volumes.

⁷⁴ Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024. The number of PCNs issued by CEO per hour have been on the increase Year On Year. There are multiple factors that will be impacting this including; continued illegal parking, pro-active deployment of CEOs to locations based on experience of issues, responding to enforcement requests. There has also been a steady increase in CEO hours deployed.

Parking PCNs by Year			2024/25 vs 2023/24		Cumulative	
Month	2024-2025	2023-2024				
April	18,522	15,720	2,802	17.82%		
May	17,445	16,659	786	4.72%	3,588	11.08%
June	17,971	14,865	3,106	20.89%	6,694	14.17%
Totals	53,938	47,244				

Table 4: Total number of Penalty Charge Notices for parking violations, 2024 vs 2023

- 2.4.29 During the first quarter of 2024/25, NSL attended 24 joint enforcement operations across the city at the request of West Midlands Police, with the aim of raising enforcement presence and visibility, obtaining compliance with the parking restrictions and reducing congestion in targeted areas. The Council is pro-actively engaging with West Midlands Police for their support in joining the Service for further joint operations.
- 2.4.30 West Midlands Combined Authority proposed that increased enforcement action around parking should be taken when poor parking was impacting upon the public transport network, due to its wider impact. For example, parked cars in bus lanes⁷⁵.
- 2.4.31 **Key Finding 13:** The Inquiry Group feels that the Council is not able to provide a fully effective parking enforcement service. The community evidence gathering session and survey respondents demonstrate that residents lack confidence in our ability to enforce upon illegal parking. The Inquiry welcomes the service review underway, which has been urgently needed.
- 2.4.32 **Key Finding 14:** Specifically, residents tell us how difficult it is to report parking issues to the Council using the existing portal or an often engaged telephone line and deters people from using it. As a result, the Council does not have an accurate picture of its issues nor is it best able to deploy its resources on an intelligence led basis.
- 2.4.33 **Key Finding 15:** The Council cannot take direct enforcement action (for example, issue Penalty Charge Notices) based on third party evidence. This is not the case with West Midlands Police, and this is due to the current legislation. This limits the potential opportunities for the Council to take the action it can.
- 2.4.34 **Key Finding 16:** To be a Parking Enforcement Officer in Birmingham is an incredibly challenging job and where staff have experienced physical violence and verbal abuse, this is unacceptable. However, the service is poorly viewed by residents as inconsistent, particularly outside of working hours.

⁷⁵ Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024.

- 2.4.35 **Key Finding 17:** The Inquiry Group feel that the Parking Enforcement service could capture more data to improve its service delivery. Furthermore, while information has been provided for this Inquiry, performance information is not routinely available to Councillors and to the public.
- 2.4.36 **Key Finding 18:** There is an overlap between council and police powers. Residents are often not clear who they should report different issues to. As a result, the Inquiry is concerned issues are often passed back and forth between the agencies rather than dealt with.
- 2.4.37 **Key Finding 19:** The Council has a city-wide Traffic Regulation Order banning pavement parking. However, the inquiry is concerned that there is confusion amongst officers about whether this is in place and how it can be applied. In light of this, other measures may be put in place, potentially wasting resource.

Ref	Recommendation to Cabinet Members	Responsibility	Completion Date
R08	<p>Recommendation Council requests that the Cabinet Member for Environment and Transport commits as part of the current Parking Enforcement service review:</p> <ul style="list-style-type: none"> • That the review is completed by end March 2025 to enable its recommendations to be implemented as soon as possible for Birmingham. • Leads to a fully data led service (including use of information provided through third party evidence) • Contract tender developed • Agrees to publish information to the public on a quarterly basis to understand what activity is taking place and whether it is making a difference. • Is satisfied that the current maximum parking charges cover the costs of running the service and considers 	Cabinet Member for Environment and Transport	March 2025 (3 months)

	<p>appropriate next steps if this is not the case.</p> <ul style="list-style-type: none"> Reintroduces the Annual Parking report. 		
R09	<p>Recommendation: Council requests the Cabinet Member for Environment and Transport to outline the approach to the Sustainability and Transport Overview and Scrutiny Committee to tackle pavement parking across the city and the plan to achieve this. This should cover but not exclusively:</p> <ul style="list-style-type: none"> How the current Traffic Regulation Order can be better utilised. How to tackle anti-social parking caused by businesses (including their third party delivery services). <p>Further, activity to address this including its impact should be included in the Annual Parking report.</p>	Cabinet Member for Environment and Transport	June 2025 (6 months)
R10	<p>Recommendation: Council requests the Leader, Cabinet Member for Environment and Transport and the Cabinet Member for Digital, Culture, Heritage and Tourism to:</p> <ol style="list-style-type: none"> explore how to improve the existing new reporting system to make it easier for people to report parking issues to the Council. This new system should include the following: <ul style="list-style-type: none"> Enables people to provide third party evidence Provides feedback on action taken Be user experience tested 	Cabinet Member for Environment and Transport/ Cabinet Member for Digital, Culture, Heritage and Tourism	June 2025 (March 2025)

	<ul style="list-style-type: none"> • Launched with a communications plan to inform and upskill residents so they can use it effectively • Integrated with council systems to minimise service interface, and: <p>2. Explore with West Midlands Police and the other Local Authorities within the West Midlands Combined Authority if they can adopt a single reporting system. This will make it easier for all residents by sending the complaint to the right authority for them.</p>	Cabinet Member for Environment and Transport	June 2025 (6 months)
R11	<p>Recommendation: Council requests the Cabinet Member for Environment and Transport to urgently write a letter to the Department for Transport to request Councils are supported through legislation to be able to make more use of third party reporting for enforcement, as police forces are able to. This letter should be cosigned by all Birmingham MPs, the Police and Crime Commissioner and the Mayor for the West Midlands.</p>	Cabinet Member for Environment and Transport	January 2025 (1 month)

2.5 Other Enforcement Activity (by Council or West Midlands Police)

- 2.5.1 From the Inquiry Group session with community members reinforced by the survey results, people felt that there was insufficient enforcement to meet the level of problems they were experiencing⁷⁶.
- 2.5.2 West Midlands Police highlighted that there were variations in the enforcement approaches for different issues across the seven Local Authority areas. This presented challenges for them⁷⁷.
- 2.5.3 West Midlands Police advised the Inquiry that the Chief Constable, Craig Guildford, had invested heavily in road safety, and is the only force in the country to reinvest so heavily in Roads Policing⁷⁸. This included more resources including ANPR as well as increased numbers of staff. Three new camera vans to support speed enforcement operations have been purchased as a result of [Safer Streets 5 funding, which was successfully secured from the Home Office](#) by the West Midlands Police and Crime Commissioner, Simon Foster.

Speed Camera Enforcement

- 2.5.4 The Inquiry Group was advised that speed camera enforcement comprises a range of options including static cameras, mobile enforcement vans and average speed cameras. Each location (and its problem) needs to be assessed to determine the best option. Legislation as well as guidance from the Department of Transport supports this assessment. The West Midlands Combined Authority (WMCA) highlighted that they had commissioned Agilysis to undertake a study of speed enforcement⁷⁹. A regional working group including all seven Local Authorities and the Police has also been set up to explore the business case to enable the ongoing viability of Average Speed Enforcement (ASE) cameras across the region⁸⁰.

⁷⁶ Inquiry Evidence Gathering session with community members, 16 April 2024 and survey, Appendix A

⁷⁷ Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024.

⁷⁸ Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024.

⁷⁹ Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024.

⁸⁰ Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

- 2.5.5 Council officers recognised that the current camera locations may not reflect where problems are being faced now. Addressing this issue is a component of the regional business case⁸¹.
- 2.5.6 10% of all speed enforcement cameras for the West Midlands are located in Birmingham⁸². The Inquiry Group was concerned that this means there are disproportionately fewer cameras in Birmingham compared to other areas. Average Speed Enforcement cameras are deployed at six locations across the city. The Inquiry Group has been advised that the level of enforcement linked to these cameras has increased significantly in recent months⁸³.
- 2.5.7 The installation and maintenance costs related to enforcement cameras physically installed on the highway network (for example static or average speed cameras) are mostly picked up by the Council. The costs related to processing any enforcement are picked up by West Midlands Police. Therefore, any additional investment in capital costs for cameras by Local Authorities (for example, purchase and installation of new cameras) will lead to a corresponding increase in operational costs for West Midlands Police. However, there may be opportunities for West Midlands Police to mitigate this increase through economies of scale⁸⁴.
- 2.5.8 The Inquiry Group learned that the current income from average speed cameras and speed awareness courses did not cover the Police's costs. (These costs related to the administration of these schemes). The Police are currently undertaking work to better understand these its costs. The West Midlands Police and Crime Commissioner has also written to the Government requesting that these fines be retained locally⁸⁵.

Street Racing

- 2.5.9 The Inquiry Group was advised that a section 222 Injunction is in place to tackle street racing across Birmingham⁸⁶. This is supported by a joint operation – Operation

⁸¹ Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 22 August 2024

⁸² Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024.

⁸³ This linked to information provided initially at the Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024, and which was later updated in November 2024 by the Council to reflect the current position.

⁸⁴ Relevant information provided to the Sustainability and Transport Overview and Scrutiny Committee at their pre decision scrutiny session with Council officers on the Road Harm Reduction Strategy, 10 October 2024.

⁸⁵ Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024.

⁸⁶ Some of the worst street racing in the region takes place in Birmingham (A47 Nechells Parkway). Part of the reason street racing takes place here based on feedback from street racers is the design of the road - wide, straight dual carriageway with no active surveillance. This affects similar locations across the West Midlands. Prioritising

Hercules – between the Police and the Council. For individuals who have been identified as involved with street racing, they are offered an education course which is delivered by West Midlands Fire Service (WMFS) and 204 people had been on the course. The course is very resource intensive⁸⁷.

- 2.5.10 A review of the street racing enforcement joint activity with West Midlands Police is planned.

Moving Traffic Offences

- 2.5.11 In England and Wales, moving traffic offences are defined in law in Schedule 7 of the Traffic Management Act 2004 (as amended)⁸⁸. They include:

- Stopping in a yellow box junction
- Banned right or left turns
- Illegal U-turns
- Going the wrong way in a one-way street
- Ignoring a Traffic Regulation Order (TRO)

- 2.5.12 Previously, moving traffic offences had only been enforceable by the Police in England (excepting London). From May 2022, the Government gave Local Authorities these powers under Part 6 of the Traffic Management Act. It also set out the level of fines that Local Authorities can issue for moving traffic offences, and the kinds of cameras that can be used to detect offences⁸⁹. Local Authorities must apply to the Secretary of State requesting to be given enforcement powers⁹⁰.

- 2.5.13 Derby became the first Local Authority to implement the new Moving Traffic Offences legislation across four pilot sites. In their first six months of operation, Derby focused on warning and signage. (Current guidance requires this long period of soft enforcement, which undermines the ability to recover the costs of the scheme). At the end of this six months, compliance had improved by 80%. However, their cost basis for the service did not factor in such high levels of compliance and subsequent level of income. The West Midlands Combined Authority (WMCA) felt that Birmingham had

engineering measures on this route could have a significant impact on reducing incidences of street racing in Birmingham as a whole. Engineering measures have previously been used on locations in Central Birmingham for street racing, which prevented this issue reoccurring.

⁸⁷ Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 13 June 2024

⁸⁸ <https://commonslibrary.parliament.uk/councils-in-england-to-get-new-powers-over-traffic-offences/>

⁸⁹ The existing level of fines which can be issued is low. The Council have requested that this is reviewed.

⁹⁰ <https://commonslibrary.parliament.uk/councils-in-england-to-get-new-powers-over-traffic-offences/>

taken a sensible approach to consider the lessons learnt from other Local Authorities in developing its own model⁹¹.

2.5.14 Birmingham's own Moving Traffic Enforcement (MTE) camera trial is currently in the process of being developed⁹². The four trial sites are as follows:

- Newhall Street/ Great Charles Queensway – banned left and right turns
- Bristol Road (A38)/ Priory Road (B4217) – banned left and right turns
- Kingsbury Road/ Gravelly Hill (A5127) – banned right turn
- Corporation Street/ James Watt Queensway (B4114) – banned left turn.

2.5.15 It is intended to monitor the operation of the four trial sites for at least 12 months. This will enable the Council to review the financial implications of camera based moving traffic enforcement and to monitor any changes to guidance provided by the current Government before considering any further installations across the city. This will limit the Council's exposure to financial risk.

2.5.16 **Key Finding 20:** Road safety issues and roads themselves cross council boundaries within the West Midlands Combined Authority (WMCA), but enforcement is not consistent across them, with the exception of West Midlands Police (WMP). This may cause additional confusion to residents.

2.5.17 **Key Finding 21:** The police currently run average speed camera enforcement at a loss. This may impact upon their capacity to expand their operations.

2.5.18 **Key Finding 22:** Birmingham has 10% of cameras but its roads represent approximately 50% of KSIs, and 40% of fatalities across the West Midlands. Altogether, this indicates that Birmingham needs to increase its enforcement camera capacity to bring it into line with neighbouring Local Authorities.

Ref	Recommendation to Cabinet Members	Responsibility	Completion Date
R12	Recommendation: Council requests that an implementation plan setting out how it intends to reduce speed limits across the city is provided to the Sustainability and Transport Overview and Scrutiny Committee.	Cabinet Member for Environment and Transport	March 2025 (3 months)

⁹¹ Inquiry Evidence Gathering session with West Midlands Combined Authority, West Midlands Police and Crime Commissioners Office and West Midlands Police, 6 June 2024.

⁹² Evidence Gathering session, Road Safety Inquiry at the Sustainability and Transport Overview and Scrutiny Committee, 13 June 2024

	This plan should include how it will engage and inform ward members.		
R13	Recommendation: Council requests the Cabinet Member for Environment and Transport with the Leader of the Council, Deputy Leader, Mayor for West Midlands, West Midlands Police and Crime Commissioner and all Birmingham MPs to urgently write a letter to the Department for Transport asking that they introduce legislation for the police and councils to retain funds received from speeding fines in the region.	Cabinet Member for Environment and Transport	January 2025 (1 month)
R14	Recommendation: Council requests the Cabinet Member for Environment and Transport to urgently write a cross party letter to the Department for Transport to request an increase in the maximum charges for Moving Traffic contraventions. This letter should be cosigned by all Birmingham MPs, the Police and Crime Commissioner and the Mayor for the West Midlands.	Cabinet Member for Environment and Transport	January 2025 (1 month)
R15	Recommendation: Council requests the Cabinet Member for Environment and Transport to urgently write a letter to the Police and Crime Commissioner and Chief Constable asking them to expand the remit and resources of traffic officers to work closely with neighbourhood police teams, and local councils, to gather intelligence to target individuals who: routinely break speed limits; use illegal modifications of engines and exhausts and tinted windows; and remove number plates to escape detection.	Cabinet Member for Environment and Transport	January 2025 (1 month)

Appendix A: Survey Results

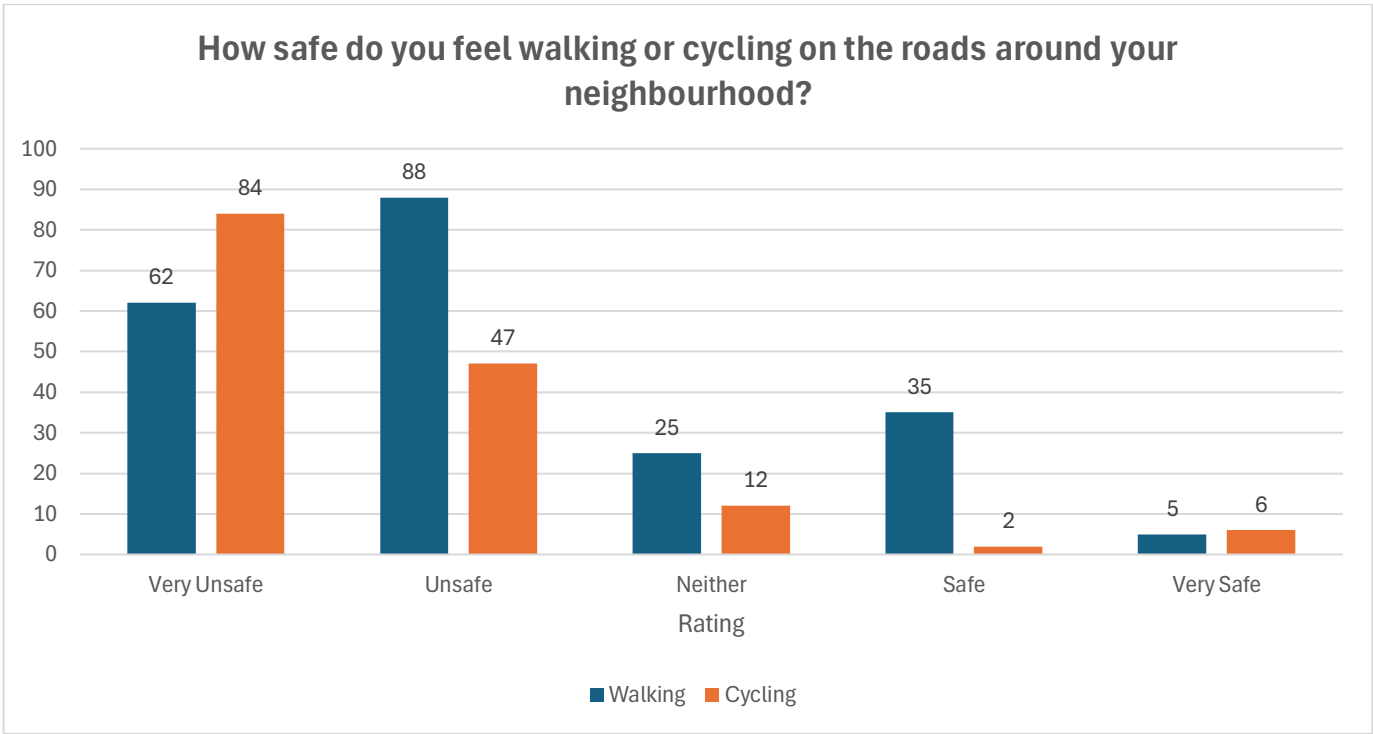
As part of this Inquiry, a survey was added to the Council’s consultation website (Be Heard) to gather the views of resident’s groups and community organisations about their experiences of road safety, reporting these issues and enforcement in their local neighbourhoods. The survey was open between 9 July – 6 August 2024.

The survey asked participants 18 questions. A total of 212 online responses were received. A further written response was also submitted. An individual response with their particular experiences was also received.

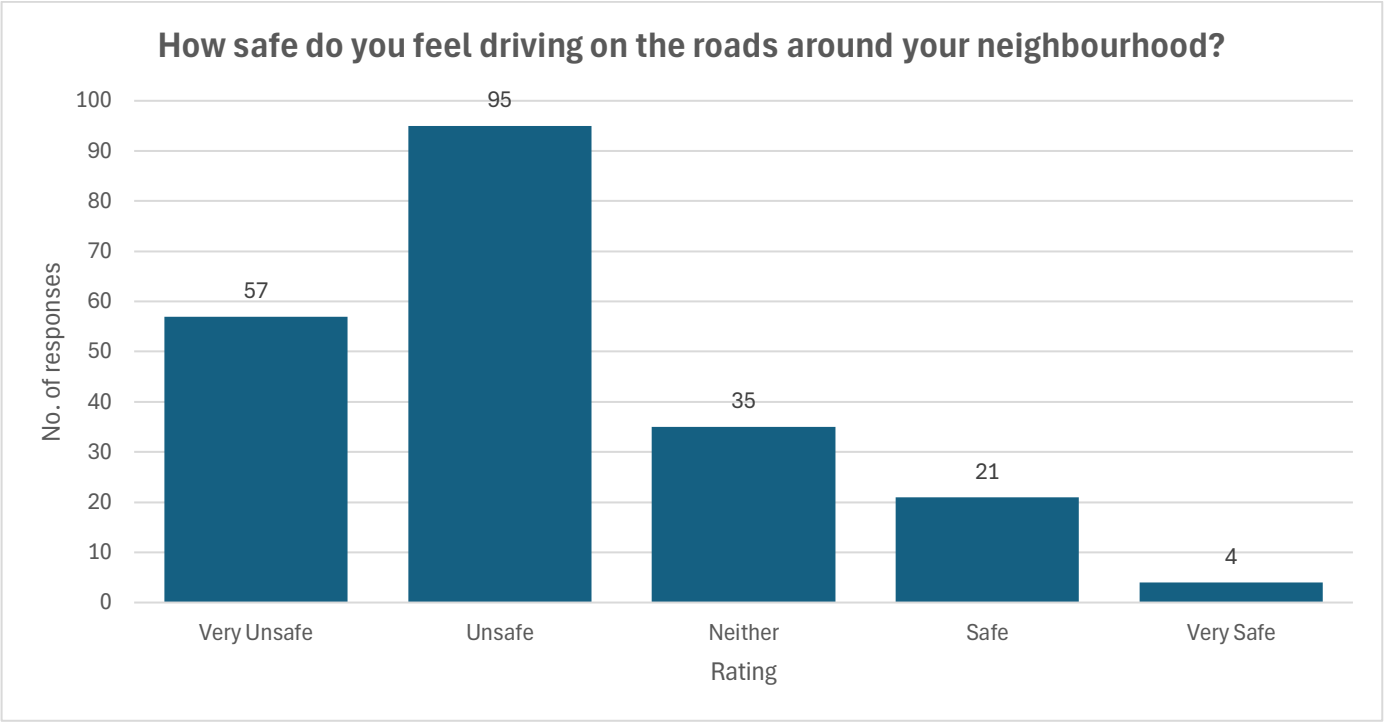
The first question asked respondents to provide details of their community/residents group to which there were 191 responses. These were from individuals as well as those submitted on behalf of community or residents’ groups. In some cases, more than 1 response was submitted by an organisation by separate individuals.

Respondents may have answered more than 1 question i.e. both walking and cycling for any of the categories. In some cases, there was no response and the recorded number of ‘no response’ is as recorded by the consultation database. Therefore, in some cases the numbers do not add up to the total number of completed online survey respondents of 212.

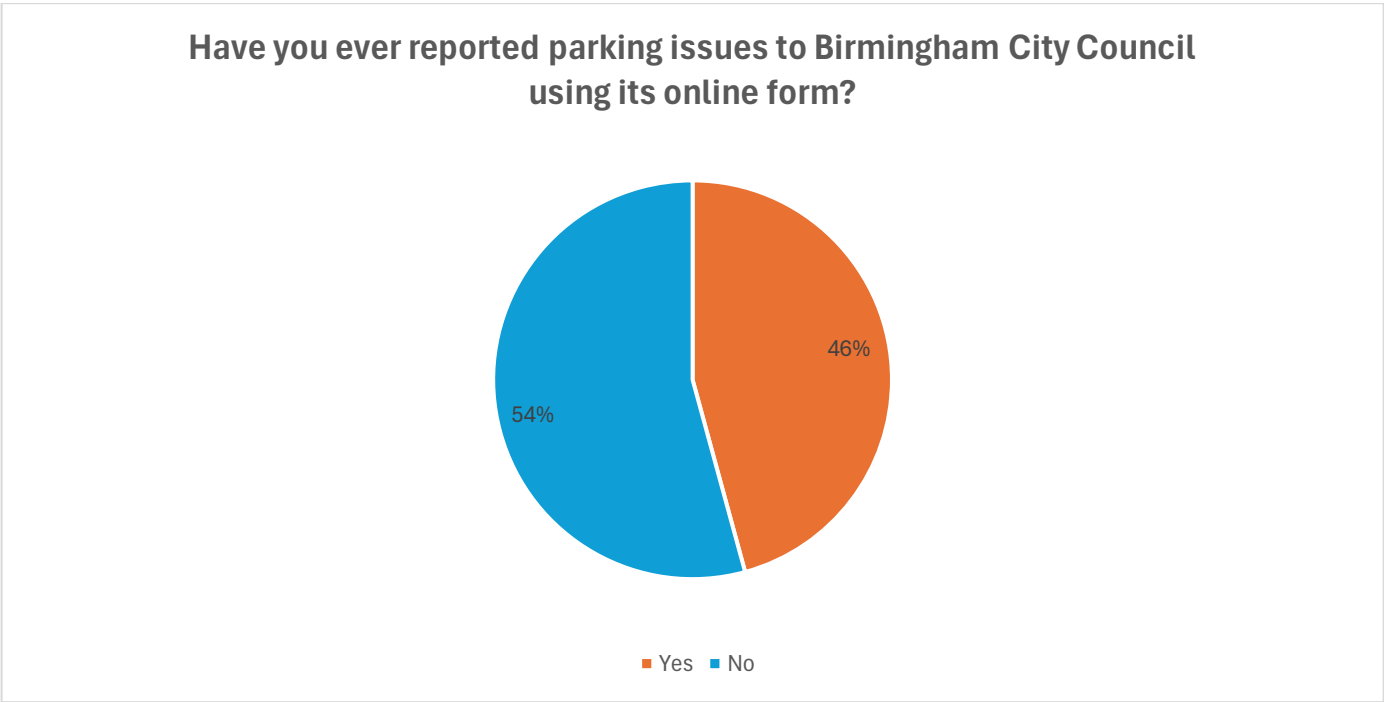
Q: How safe do you feel walking or cycling on the roads around your neighbourhood?



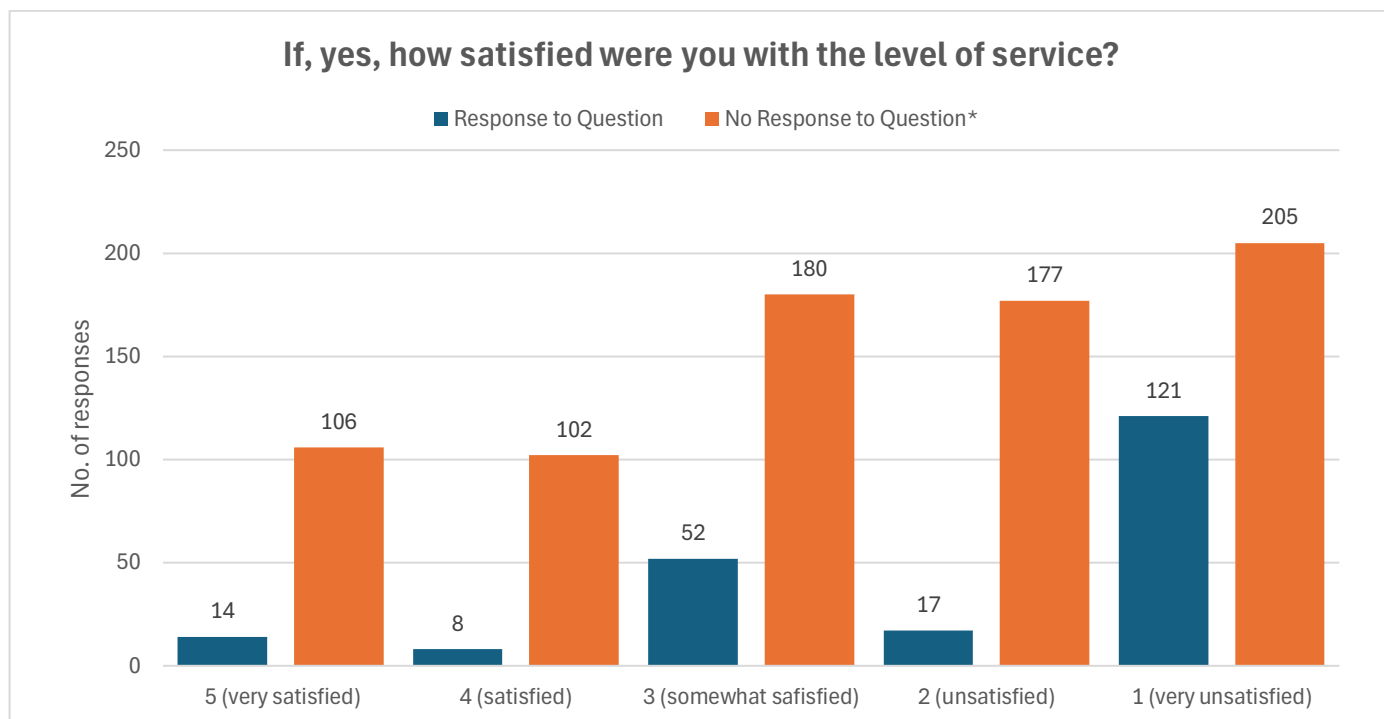
Q: How safe do you feel driving on the roads around your neighbourhood? Respondents were asked to rate on a scale from very unsafe, unsafe, neither, safe or very safe.



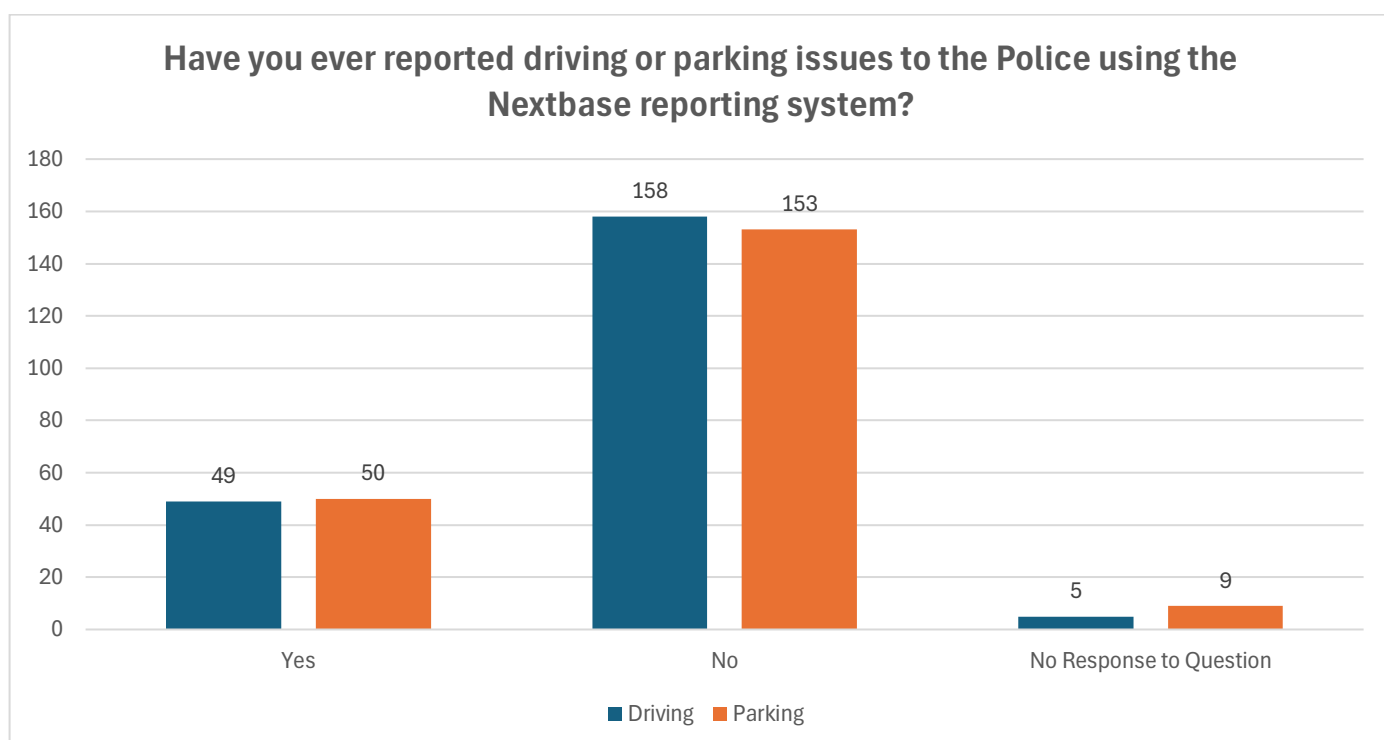
Q: Have you ever reported parking issues to Birmingham City Council using its online form?



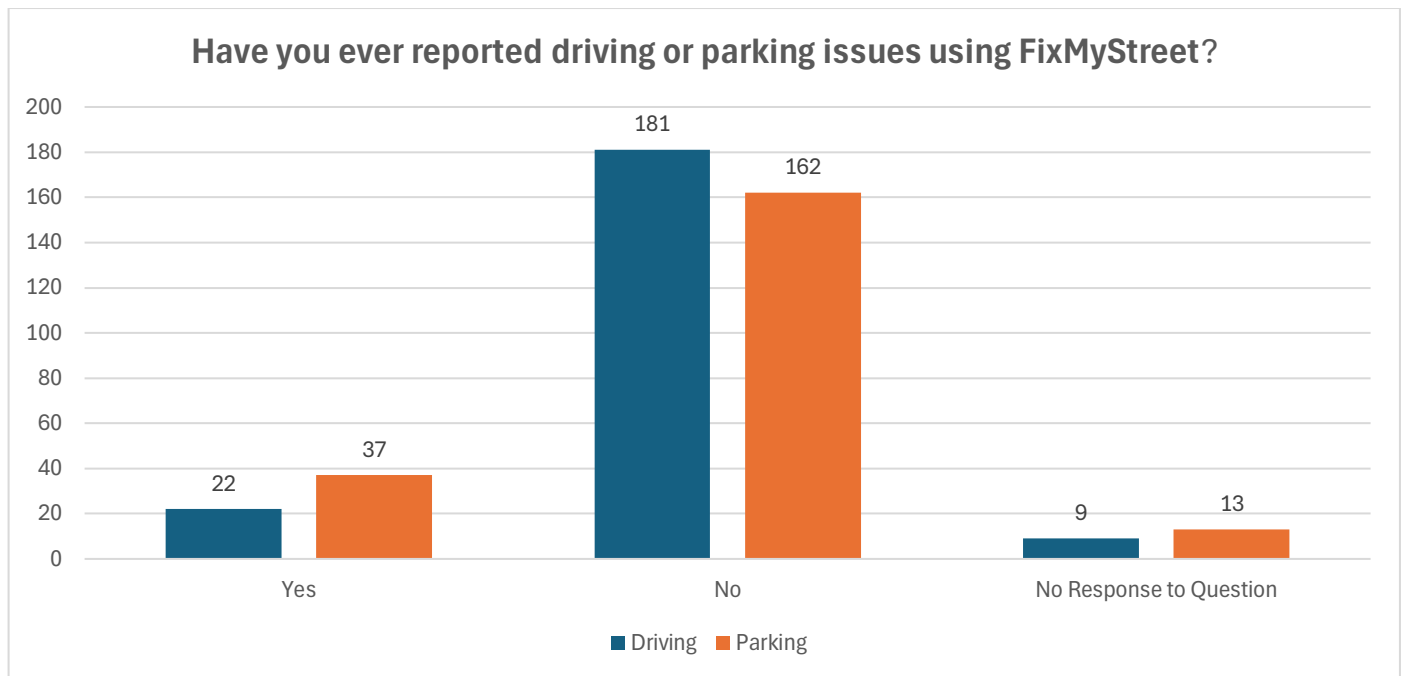
Q: If yes, how satisfied were you with the level of service? (Score 1-5; 1 is the lowest, 5 is the highest)



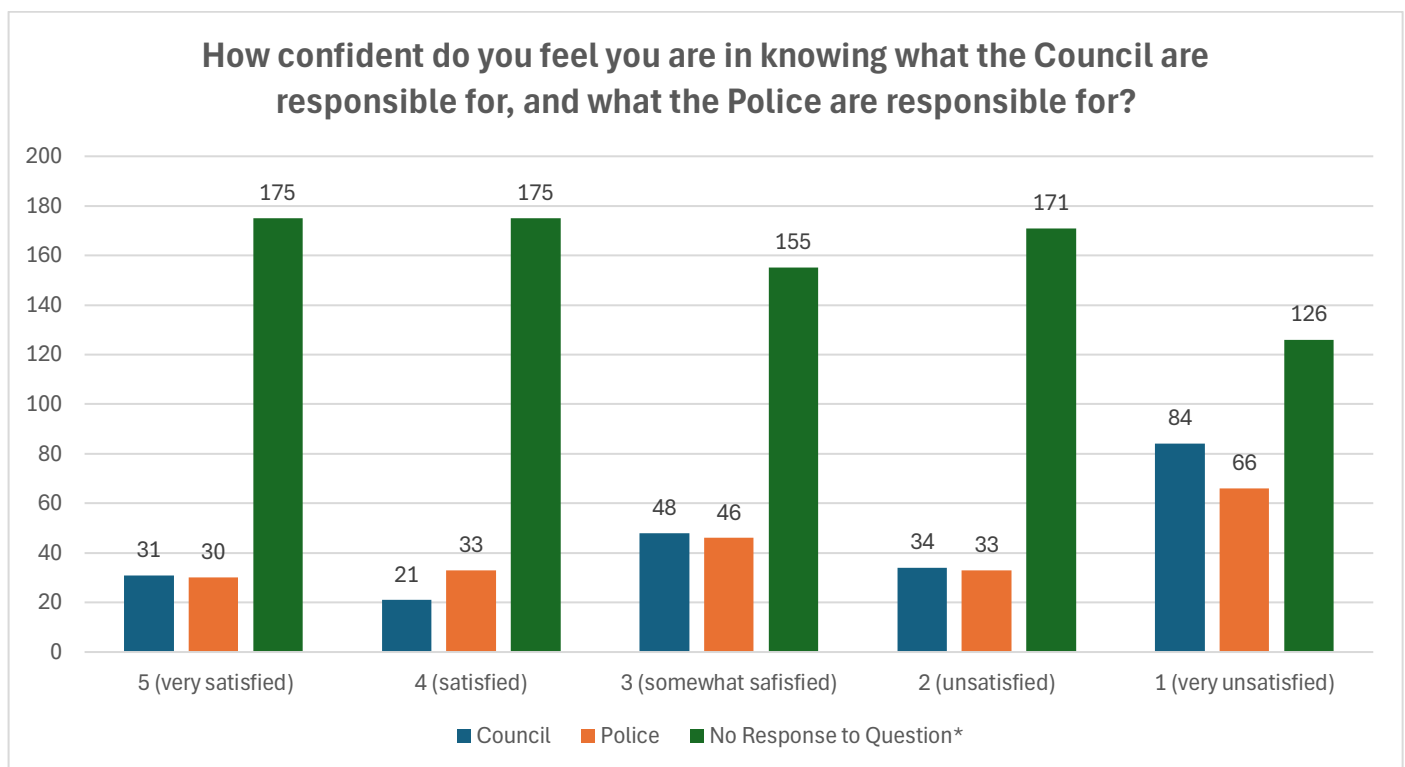
Q: Have you ever reported driving or parking issues to the Police using the Nextbase reporting system?



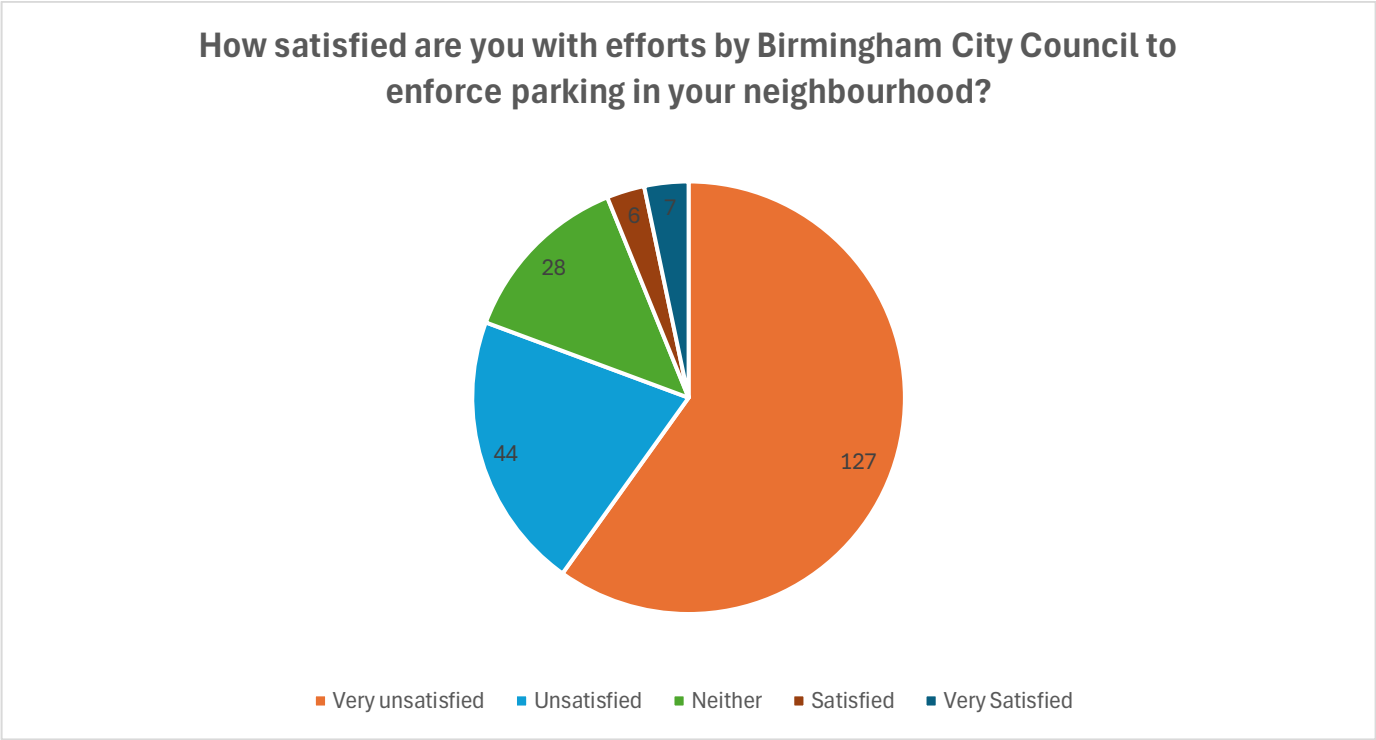
Q: Have you ever reported driving or parking issues using Fix My Street?



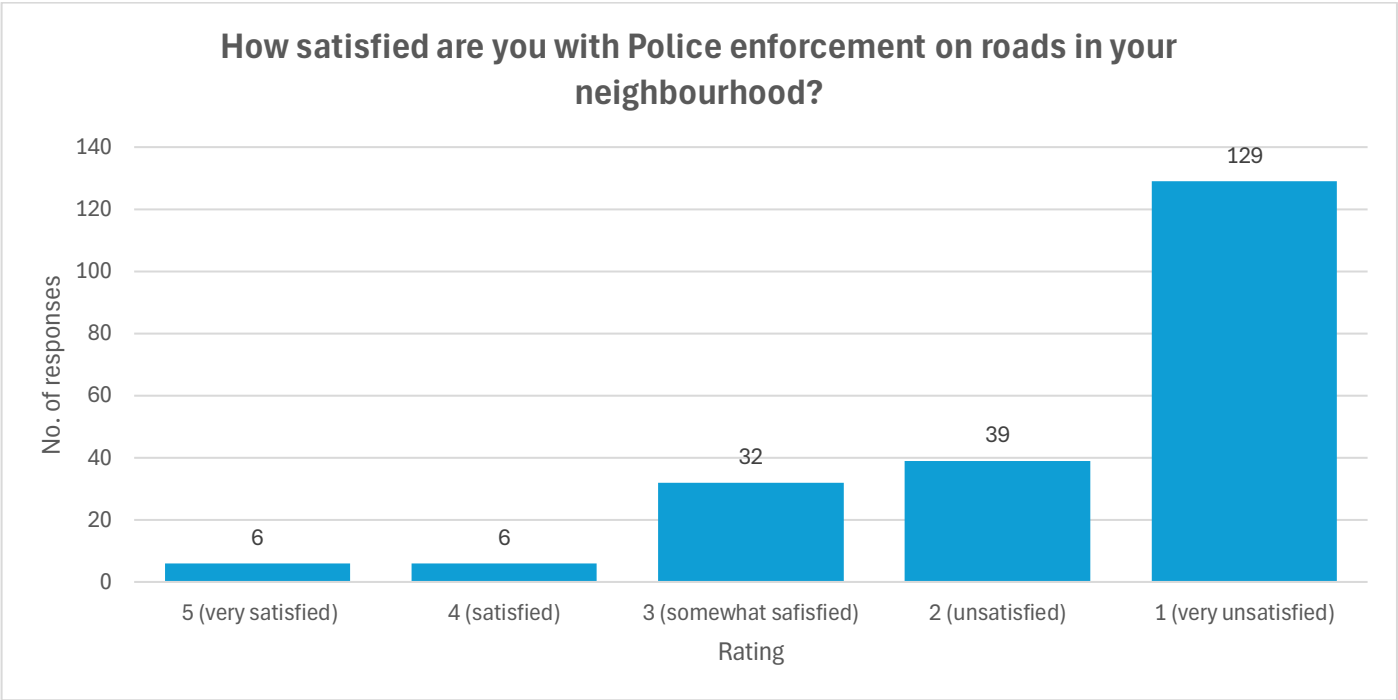
Q: How confident do you feel you are in knowing what the Council are responsible for, and what the Police are responsible for? (Score 1-5; 1 is the lowest, 5 is the highest)



Q: How satisfied are you with efforts by Birmingham City Council to enforce parking in your neighbourhood?



Q: How satisfied are you with Police enforcement on roads in your neighbourhood? (Score 1-5; 1 is the lowest, 5 is the highest)



Appendix B: Legislation

Road Traffic Act (1988)

Local authorities have a statutory duty under [section 39 of the 1988 Road Traffic Act](#) to “take steps both to reduce and prevent accidents”. Specifically, this relates to:

- Each local authority must prepare and carry out a programme of measures designed to promote road safety and may contribute towards the cost of measures for promoting road safety taken by other authorities or bodies
- Each local authority:
 - [a] must carry out studies into accidents arising out of the use of vehicles on roads or part of roads, other than trunk roads, within their area;
 - [b] must, in the light of those studies, take such measures as appear to the authority to be appropriate to prevent such accidents, including the dissemination of information and advice relating to the use of the roads, the giving of practical training to road users or any class or description of road users, the construction, improvement, maintenance or repair of roads for which they are the highway authority (in Scotland, local roads authority) and other measures taken in the exercise of their powers for controlling, protecting or assisting the movement of traffic on roads, and;
 - [c] in constructing new roads, must take such measures as appear to the authority to be appropriate to reduce the possibilities of such accidents when the roads come into use.

[Traffic Management Act \(TMA 2004\)](#)

It is the duty of a local traffic authority to manage their road network with a view to achieving, so far as may be reasonably practicable having regard to their other obligations, policies and objectives, the following objectives

- a) Securing the expeditious movement of traffic on the authority’s road network; and
- b) Facilitating the expeditious movement of traffic on road networks for which another authority of the traffic authority.

The TMA provides the Council specific tools to manage parking policies, implement measures like speed limits, coordinate street works and enforce moving traffic offences. Some examples of how the Council is currently utilising the TMA include civil parking enforcement, bus lane enforcement and the operation of a permit scheme to support the coordination of street works.

[Road Traffic Regulation Act \(RTRA 1984\)](#)

Local Authorities are allowed to create Traffic Regulation Orders (TROs) to implement various traffic controls, including speed limits, parking restrictions, and road closures. Traffic Regulation Orders do require adequate signage to be provided on specific streets to make the Order enforceable.

Greater London has different legislation in place to control pavement and verge parking. Some areas have also used [section 72, Highways Act 1835](#) as a means of prosecuting parking on footways. (This is the only section of this Act still remaining due to repeals). The section deals with the prohibition of allowing animals and carriages to travel on the footway. It has been accepted by

magistrates as meaning that a parked vehicle can only have got onto the footway by travelling across it, and therefore, the driver is guilty of the offence.

[New Road and Street Works Act \(NRSWRA 1991\)](#)

This Act provides a legislative framework for street works by statutory undertakers (utility companies) and works for road purposes. It is supported by relevant Regulations and Codes of Practice.

The legislation places an obligation on the highway authority to co-ordinate these works and oversee quality of workmanship through an inspection's regime. In 2023 BCC introduced a permit scheme under Part 3 of the Traffic Management Act 2004 whereby instead of informing a local authority about its intention to carry out works in its area, a statutory undertaker must book time on the highway by obtaining a permit from the local authority. An infringement of the permit scheme can result in the issuing of Fixed Penalty Notices.

Civil Parking Enforcement

The Council's ability to enforce parking regulations are underpinned by a framework of legislative instruments, regulations and guidance. The [statutory guidance on civil enforcement of parking contraventions for English Local Authorities](#) provides a useful overview of the legislation and regulations relating to civil parking enforcement.

The Council's Parking Service use these powers to manage the city's considerable on and off-street parking assets, including enforcement of parking regulations, issuing penalties for non-compliance, and handling disputes or appeals relating to parking fines issued. These powers include:

- The [Traffic Management Act 2004 \(TMA\)](#) confers powers on Local Authorities to manage on and off-street parking. It includes provisions that allow Local Authorities to enforce parking by issuing Penalty Charge Notices (PCNs) to vehicles parked in contravention. [Part 6 of the TMA](#) is particularly relevant, as it covers civil enforcement of traffic contraventions which includes parking.
- The [Road Traffic Regulation Act 1984 \(RTRA 1984\)](#) provides a broad framework for traffic management and control, including the regulation of parking. It empowers Local Authorities to make Traffic Regulation Orders (TROs) to control parking and other aspects of road use.
- The [Road Traffic Act 1991](#) decriminalised certain parking offences and gave Local Authorities powers to undertake parking enforcement. The Act introduced the role of Civil Enforcement Officers (CEOs), who could issue PCNs for parking violations.
- [Civil Enforcement of Road Traffic Contraventions \(Approved Devices, Charging Guidelines and General Provisions\) \(England\) Regulations 2022](#) is the regulatory framework that ensures that devices used for enforcing road traffic contraventions, such as parking violations, bus lane enforcement or moving traffic offences, must meet specific standards in order to be approved (certified) for use.

- The [Civil Enforcement Officers \(Wearing of Uniforms\) \(England\) Regulations 2007](#) mandate that officers who are responsible for enforcing parking and other traffic regulations must wear a uniform when carrying out their duties.
- The [Civil Enforcement of Road Traffic Contraventions \(Representations and Appeals\) \(England\) Regulations 2022](#) provides additional details relating to the processes for representations and appeals made against PCNs issued under the TMA.

[Anti-Social Behaviour, Crime and Policing Act 2014](#)

This provides relevant tools including:

- Section 222 injunctions
- Public Space Protection Orders
- Community Protection Notices

Appendix C: Inquiry Activities

Date	Session	Participants
26 March 2024	Launch of Member Call for Evidence - Survey	All ward members of Birmingham City Council
16 April 2024	Task and Finish Group Evidence Gathering Session – Community	<p>Matt MacDonald, Better Streets for Birmingham</p> <p>Colin Parker, Secretary, Sheldon Traffic Action Group (via Teams)</p> <p>Martin Price, Better Streets for Birmingham</p> <p>Shurunjeet Singh, Handsworth</p> <p>Tahmeena Suhail, Tyseley and Hay Mills</p> <p>Shivaji Shiva, Bournville</p>
6 June 2024	Task and Finish Group Evidence Gathering Session – West Midlands Combined Authority/ West Midlands Police	<p>Darren Divall, Regional Road Safety Manager, West Midlands Combined Authority (WMCA)</p> <p>Gareth Mason, Superintendent, West Midlands Police</p> <p>Alistair Robinson, West Midlands Combined Authority (WMCA)</p> <p>Esther Whittock, Road Safety Lead Officer of the Police and Crime Commissioner (West Midlands)</p>
13 June 2024	Sustainability & Transport Overview and Scrutiny Committee – Birmingham City Council	<p>Geraldine Collins, Head of Operations – Digital & Customer Services, Birmingham City Council</p> <p>Philip Edwards, Assistant Director, Transport and Connectivity, Birmingham City Council</p> <p>Craig Evans, Parking Services Manager – Highways and Infrastructure, Birmingham City Council</p> <p>Wendy Griffiths, Director Centralised Services, Birmingham City Council</p> <p>Mel Jones, Head of Transport Planning, Transport and Connectivity, Birmingham City Council</p> <p>Pam Powis, Senior Service Manager Safer Places -Community Safety and Resilience, Birmingham City Council</p>

		Mark Shelswell, Assistant Director Highways and Infrastructure, Birmingham City Council
9 July 2024 – 6 August 2024	Community Call for Evidence - survey	A survey hosted on the Council's platform – Be Heard
22 August 2024	Sustainability & Transport Overview and Scrutiny Committee – Birmingham City Council	<p>Councillor Majid Mahmood, Cabinet Member for Environment and Transport</p> <p>Philip Edwards, Assistant Director, Transport and Connectivity, Birmingham City Council</p> <p>Craig Evans, Parking Services Manager, Highways and Infrastructure, Birmingham City Council</p> <p>Mel Jones, Head of Transport Planning, Transport and Connectivity, Birmingham City Council</p> <p>Mark Shelswell, Assistant Director, Highways and Infrastructure, Birmingham City Council</p>

Appendix D: Contributors

Below is a list of all contributors to this inquiry. This is exclusive of the many community organisations who also provided information through the survey. As noted in 1.5.2, some organisations provided relevant information to the recent Active Travel Inquiry and where appropriate, this information was also considered for this Inquiry too.

[20s Plenty for Birmingham](#)

20's Plenty for Us is a 'not for profit' organisation and now have over 250 local campaigns around the country. It campaigns for 20mph to become the default speed limit on residential and urban streets. The campaign advises that this can be done on most streets without the need for any physical calming, but they also accept that on some streets it may be appropriate to have a higher limit based on the road, vulnerable road users' provision, etc. Any limit above 20mph should be a considered decision based on local circumstances.

[Active Travel England](#)

Active Travel England is the government's executive agency responsible for making walking, wheeling and cycling the preferred choice for everyone to get around in England.

Birmingham City Council: Place, Prosperity and Sustainability Directorate

This directorate is responsible for services including Planning, Transport and Sustainability (including Route to Net Zero Carbon) Property and Investment, Development, Housing Development, Corporate Landlord and Place, Strategy and Performance.

[Better Streets for Birmingham](#)

Better Streets for Birmingham campaigns for changes to our travel and planning infrastructure to improve the sustainability, efficiency and safety of our streets. By identifying, supporting and advocating for changes to our environment that enable car-free journeys, they aim to make active travel and public transport the default options for trips around our city.

[Birmingham Living Streets](#)

This is a group of local people who want our streets to be fit for walking. They work with others towards common goals that improve walking conditions including having an input to the planning process to improve the built environment and lobbying authorities for greater consideration of 'active travel'.

[Pushbikes](#)

Push Bikes campaigns for better cycling in Birmingham and Solihull.

[Sustrans](#)

It works for and with communities, helping them come to life by walking, wheeling and cycling to create healthier places and happier lives for everyone.⁹³

[Transport for West Midlands](#)

Transport for West Midlands (TfWM) is part of the [West Midlands Combined Authority](#). It works with bus and train operators to make sure that public transport is:

- safe
- reliable
- affordable
- accessible for everyone

It owns and runs West Midlands Metro, which is the region's tram service. It also runs the Swift smartcard. This flexible, cashless ticket is the most used outside London. It does not run the buses or trains, but it works on these services with bus and train operators.

It is part of the West Midlands Rail Executive and [West Midlands Bus Alliance](#), and it is responsible for monitoring and improving road safety in the West Midlands. It also looks after the 23 busiest routes in the region. This is called the [Key Route Network](#). It manages the [Regional](#)

[Transport Coordination Centre for the West Midlands](#). The centre monitors our transport network.

London Borough of Waltham Forest Council

The London Borough of Waltham Forest is an outer London borough formed in 1965 from the merger of the municipal boroughs of Leyton, Walthamstow and Chingford.

City of Wolverhampton Council

City of Wolverhampton Council is the local authority for the city of Wolverhampton in the West Midlands, England. Wolverhampton has had an elected local authority since 1848, which has been reformed several times. Since 1974 the council has been a metropolitan borough council. It provides the majority of local government services in the city. The council has been a member of the West Midlands Combined Authority since 2016.

[West Midlands Combined Authority](#)

The West Midlands Combined Authority (WMCA) is the combined authority for the West Midlands metropolitan county in the United Kingdom. It was established by statutory instrument under the Local Democracy, Economic Development and Construction Act 2009. It is a strategic authority with powers over transport, economic development and regeneration. The authority formally came into being on 17 June 2016. The government gives combined authorities the money and power to make decisions for their regions.

West Midlands Mayor's Cycling & Walking Commissioner

Adam Tranter was the cycling and walking commissioner between 2021 and May 2024. His role was to work with Transport for West Midlands (TfWM), local council partners and the Department for Transport to steer the region's cycling and walking policies and plans.

[West Midlands Police](#)

West Midlands Police is the police force responsible for policing the metropolitan county of West Midlands. The force covers an area of 348 square miles (900 km²) with 2.93 million inhabitants, including Birmingham.