

EIA000894 Moving traffic enforcement trial

About your EIA

Reference Number:	EIA000894
Subject of EIA:	Moving traffic enforcement trial
Description:	<p>Part 6 of the Traffic Management Act (2004) made provision for the Government to confer powers on Local Authorities to enforce moving traffic contraventions. A moving traffic contravention is a criminal offence where drivers do not comply with designated Traffic Regulation Orders, which have been implemented to ensure the safety of all road users. Examples include: • Banned turns • One-way streets • Yellow box markings • Weight restrictions • Mandatory cycle and bus lanes, • Restricted access • School 'Keep Clear' markings • Red routes • and may also include speeding enforcement in the future. Birmingham City Council previously only had powers to enforcement bus lane and bus gate contraventions. Under these new powers, the council is able to enforce against the full list of contraventions shown above. A trial project is being implemented to enforce banned turns at four locations across the city: 1. Gravelly Hill / Kingsbury Road, 2. Great Charles Street Queensway / Newhall St, 3. Bristol Rd / Priory Road, 4. James Watt Queensways / Steelhouse Ln) With the aim of improving compliance with the existing TROs, improving traffic flow and management of the network, air quality benefits, and improving safety for all road users. If the trial project is successful, further moving traffic enforcement may be implemented at locations with poor compliance. The cameras will be operated by officers from Parking Services, within City Operations. Motorists who are captured undertaking a banned manoeuvre will be issued a Penalty Charge Notice (PCN). The project is a trial for an initial 5-year period at the locations identified. Any further tranches of moving traffic enforcement would be subject to their own equality impact assessment, that will consider those scheme objectives and any site-specific impacts there might be. In line with Department for Transport guidance, the first offence a motorist commits will receive a "warning letter" this will be a legal enforceable PCN, but with the fine value set to zero (£0). A motorist will receive a warning for a first offence anytime during the first 6 months of operation. This is to ensure awareness of enforcement activities, and should provide motorists the opportunity to modify their behaviour. Any subsequent contraventions could receive a fully enforceable PCN. Additionally, BCC will be adding a new section to the public facing website to outline where the cameras are located, their purpose, the legal basis under which we are enforcing, and contact information should a motorist wish to pay or challenge their penalty.</p>
In support of:	["New function"]
Reviewing Frequency:	Annually
First review date:	28/11/2024

Directorate, Division & Service Area

Directorates:	["Place, Prosperity and Sustainability"]
Division:	Transport and Connectivity
Service Area:	Transport Projects

Budget Savings

Related to budget savings?:	
Budget proposal reference number:	

Officers

Responsible Officer Email:	iain.davie@birmingham.gov.uk
Accountable Officer Email:	philip.edwards@birmingham.gov.uk

Data Sources

Data sources:	["Birmingham City Observatory data and insight", "Consultation results", "Surveys"]
Data sources Details:	https://www.birminghambeheard.org.uk/economy/mteconsultation/

Initial Assessment

Impact Age:	Yes
Impact Disability:	Yes
Impact Sex:	No
Impact Gender Reassignment:	No
Impact Marriage and Civil Partnerships:	No
Impact Pregnancy and Maternity:	Yes
Impact Race:	No
Impact Religion or Beliefs:	No
Impact Sexual Orientation:	No
Impact Care Experience:	

Initial Assessment Summary

<p>Initial Assessment Summary:</p>	<p>The moving traffic enforcement trial project seeks to improve compliance with pre-existing traffic regulation orders. This should create positive impacts across various protected groups. The introduction of enforcement against motorists committing banned manoeuvres may be particularly beneficial for those too young to drive or for whom it is no longer possible. From the 2021 census data there were nearly 300,000 residents, or approximately 26% of the population, are either under 16 or over 70 and these groups have grown since the previous census. These are groups who may be more likely to walk or use public transport. They may be at greater risk of injury when walking, cycling etc. should they be harmed by a vehicle contravening a TRO and undertaking a prohibited action. Likewise, almost 35% of households in Birmingham have at least 1 disabled person. For whom the same situation applies. Additionally, several protected groups may be more dependent on public transport, where public transport is delayed or impacted by poor compliance with TROs this may adversely affect their ability to reliably get to their places of education, employment, attend medical appointments or for social reasons. Further benefits of this project will help those in the Age, Disability and Pregnancy and Maternity groups, as it will improve traffic flow, supports a reduction in congestion and a shift to public transport. This contributes to supporting other measures already in place to improve air quality. Since poor air quality can negatively impact those with asthma or other breathing conditions, young children or those who are pregnant for example. Some of these individuals may make up the nearly 18% of Birmingham residents who according to the census data have Fair or Poor health. One of the proposed locations for the trial is close to the Birmingham Children's Hospital, where a banned turn will be enforced. These measures will help ensure all individuals whether in protected groups or not are less likely to be affected or injured. As the manoeuvre is already prohibited, there should be no negative impacts through increased journey time to the Children's hospital for either private or emergency service vehicles. The Care Experience / Care Leaver group cannot be easily assessed, should those individuals also fall into one of the other protected groups, then the positive benefits will be similar, for example if someone was also young or disabled. However, there should be no negative impacts for individuals within this group. Overall, the project should result in no negative effects for any of the protected groups. The scheme will at worst be neutral to some groups and for others there will be positive benefits, such as those noted above. The project is a trial for an initial 5-year period. Any further tranches of moving traffic enforcement would be subject to their own equality impact assessment, that will consider those scheme objectives and any site-specific impacts there might be.</p>
<p>Is a full EIA Required?:</p>	<p>No</p>

Protected Characteristic – Age

<p>Impact Age:</p>	
<p>Age Group Impacted:</p>	<p>Under 18, over 70</p>
<p>Age Impact Details:</p>	<p>From the 2021 census data there were nearly 300,000 residents, or approximately 26% of the population, are either under 16 or over 70 and these groups have grown since the previous census. These are groups who may be more likely to walk or use public transport. They may be at greater risk of injury when walking, cycling etc. should they be harmed by a vehicle contravening a TRO and undertaking a prohibited action. Site 1 - A5127 Gravelly Hill / Kingsbury Road Whilst there are no schools within the immediate area of the proposed camera, there are two schools within approximately 500m of the location and a further 2 within approx. 1km. As such individuals may be walking, cycling, scooting or even being driven to school in this area. There are no doctors' surgeries within the immediate area, however a number of care or assisted living facilities can be found locally. Site 2 - Great Charles Street Queensway / Newhall St. There are no schools in this immediate area, although University College Birmingham has a facility in the area. Whilst not under 18, there may be young people visiting as part of their education. Likewise, the location is on the edge of the city centre and gets significant 'footfall' some of whom are likely to be under 18. Site 3 - Bristol Rd / Priory Rd</p>

	No schools are located close to this location. The Edgbaston Prior Hospital is located near to this location, as such visitors of all age groups could benefit from improved compliance with TROs, that should provide a positive impact by reducing the likelihood of an incident. Site 4 - James Watt Queensway / Steelhouse Lane No schools are located near this location, although the main Aston University and campus is adjacent. As such under 18's might be visiting as part of their education. The Birmingham Children's Hospital is directly next to this location. As such a significant number of under 18's are likely to be travel in and around the area for the purposes of visiting the hospital.
Age Impact Mitigation:	The improved compliance with the TRO at all these junctions should reduce the likelihood of an incident involving those with who may fall into the Age protected characteristic. Thus the introduction of measures to undertake enforcement of banned manoeuvres at these locations should result in positive benefits of improved safety for all road users.

Protected Characteristic – Disability

Impact Disability:	
Disability Impact Details:	Based on census data almost 35% of households in Birmingham have at least 1 disabled person. When considering the census data on a ward-by-ward basis looking at those the cameras fall within or are next to, the following observations are noted. Site 1 - A5127 Gravelly Hill / Kingsbury Road This location is next to the Stockland Green ward which has higher than average percentage of residents who from the census data have a disability. Therefore, individuals in the disabled protected characteristic from this area are more likely to be affected by vehicles undertaken banned manoeuvres, placing them at a higher risk of injury. Site 2 - Great Charles Street Queensway / Newhall St. This location is next to the Soho and Jewellery Quarter and Ladywood wards, both have higher than average percentage of residents who from the census data have a disability. Therefore, individuals in the disabled protected characteristic from this area are more likely to be affected by vehicles undertaken banned manoeuvres, placing them at a higher risk of injury. This location is also in the heart of the city centre, as such visitors from all wards and surrounding areas may pass through this area for work, education or social activities. Site 3 - Bristol Rd / Priory Rd Whilst census data for the ward and those adjacent is not significantly high for residents who have a disability. This location is close to the Edgbaston Priory Hospital, which offers various services that could be used by individuals within this protected characteristic group. As such there is a likelihood that they could be travelling through this area either to or from appointments. Site 4 - James Watt Queensway / Steelhouse Lane As noted previously underage, this location is directly next to the Birmingham Children's hospital, which in addition to the age protected characteristic individuals might also fall within this protected characteristic. There is a significant likelihood that they could be travelling through this area either to or from appointments or to attend the emergency facilities. The hospital is a regional centre for care, therefore this location may see a higher number of people from outside the area, who may be visiting the hospital.
Disability Impact Mitigation:	The improved compliance with the TRO at all these junctions should reduce the likelihood of an incident involving those with who may fall into the Disability protected characteristic. Thus the introduction of measures to undertake enforcement of banned manoeuvres at these locations should result in at worst, a neutral impact and potentially positive impacts of improved safety for all road users.

Protected Characteristic – Sex

Impact Sex:	No
Sex Groups Impacted:	

Sex Impact Details:	No direct impacts are noted for this protected characteristic, either positive or negative. However improved compliance with TROs and therefore a reduction in the possibility of an incident which could cause harm to an individual, regardless of whether they have a PC or not, could be indirectly viewed as a positive impact.
Sex Impact Mitigation:	

Protected Characteristic – Gender Reassignment

Impact Gender Reassignment:	No
Gender Reassignment Impact Details:	No direct impacts are noted for this protected characteristic, either positive or negative. However improved compliance with TROs and therefore a reduction in the possibility of an incident which could cause harm to an individual, regardless of whether they have a PC or not, could be indirectly viewed as a positive impact.
Gender Reassignment Impact Mitigation:	

Protected Characteristic – Marriage and Civil Partnership

Impact Marriage and Civil Partnership:	No
Marriage and Civil Partnership Groups Impacted:	
Marriage and Civil Partnership Impact Details:	No direct impacts are noted for this protected characteristic, either positive or negative. However improved compliance with TROs and therefore a reduction in the possibility of an incident which could cause harm to an individual, regardless of whether they have a PC or not, could be indirectly viewed as a positive impact.
Marriage and Civil Partnership Impact Mitigation:	

Protected Characteristic – Pregnancy and Maternity

Impact Pregnancy and Maternity:	may be
Pregnancy and Maternity Impact Details:	Site 1 - A5127 Gravelly Hill / Kingsbury Road No direct impact. Site 2 - Great Charles Street Queensway / Newhall St. No direct impact. Site 3 - Bristol Rd / Priory Rd This location is close to the Edgbaston Priory Hospital, which offers various women's and fertility services, as such individuals that are within this characteristic may be passing through this area either to or from an appointment. Site 4 - James Watt Queensway / Steelhouse Lane No direct impact. Although this location is close to Birmingham

	Children's Hospital where individuals within this protected characteristic could be visiting children or siblings who are patients there.
Pregnancy and Maternity Impact Mitigation:	The improved compliance with the TRO at all these junctions should reduce the likelihood of an incident involving those with who fall into the Pregnancy protected characteristic. Thus the introduction of measures to undertake enforcement of banned manoeuvres may be at these locations could result in positive benefits. Location 2 could see a more significant potential benefit due to the proximity to the Edgbaston Priory Hospital, over the other locations. Which at worst will see neutral impacts but could see positive impacts of improved safety for all road users.

Protected Characteristic – Ethnicity and Race

Impact Ethnicity and Race:	No
Ethnicity and Race Groups Impacted:	
Ethnicity and Race Impact Details:	No direct impacts are noted for this protected characteristic, either positive or negative. However improved compliance with TROs and therefore a reduction in the possibility of an incident which could cause harm to an individual, regardless of whether they have a PC or not, could be indirectly viewed as a positive impact.
Ethnicity and Race Impact Mitigation:	

Protected Characteristic – Religion

Impact Religion:	No
Religion Groups Impacted:	
Religion Impact Details:	No direct impacts are noted for this protected characteristic, either positive or negative. However improved compliance with TROs and therefore a reduction in the possibility of an incident which could cause harm to an individual, regardless of whether they have a PC or not, could be indirectly viewed as a positive impact.
Religion Impact Mitigation:	

Protected Characteristic – Sexual Orientation

Impact Sexual Orientation:	No
Sexual Orientation	

Groups Impacted:	
Sexual Orientation Impact Details:	No direct impacts are noted for this protected characteristic, either positive or negative. However improved compliance with TROs and therefore a reduction in the possibility of an incident which could cause harm to an individual, regardless of whether they have a PC or not, could be indirectly viewed as a positive impact.
Sexual Orientation Impact Mitigation:	

Protected Characteristic – Care Experience

Impact Care Experience:	May be
Care Experience Impact Details:	
Care Experience Impact Mitigation:	

Other

Any other risks or impacts:	
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Full Assessment Summary

Full Assessment Summary:	
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Monitoring

Monitoring Details:	Once implemented the objectives of the trial will be monitored by Parking Services, who will operate the cameras. Should any issues be identified and raised, these will be reviewed by Parking Services and Transport Projects to ensure they are reviewed and where necessary actions taken to address the concerns. Unlike parking, where the use of a "blue badge" allows some dispensations to parking restrictions, within the rules as set by the Department of Transport - https://www.gov.uk/government/publications/the-blue-badge-scheme-rights-and-responsibilities-in-england/the-blue-badge-scheme-rights-and-responsibilities-in-england , the same does not apply to moving traffic contraventions. The possession of a blue badge or being from within any of the protected characteristic groups does not invalidate or void any PCNs issued. The banned manoeuvres remain prohibited and fully enforceable. Although motorists retain the right to challenge any PCN issued, including the option to take this to an independent adjudicator at no cost of the motorist. As such, Parking Services do not record statistics of challenges that are received from individuals with protected characteristics, each case is considered on its own individual merits.
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