

APPENDIX 1

PART A - Initial Equality Screening Assessment

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality and diversity.

A **screening** process can help judge relevance and provide a record of both the process and decision. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions.

Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality and diversity
- whether or not equality and diversity is being/has already been considered, and
- whether or not it is necessary to carry out an Equality Analysis (Part B).

Further information is available in the Equality Screening and Analysis Guidance – see page 9.

1. Title

Title: Traffic Management Act 2004 Application for Moving Traffic Enforcement powers – Consultation update and approval to submit application to the Department for Transport

Directorate:
Regeneration and Environment

Service area: Transportation
Infrastructure

Lead person: Richard Pardy

Contact number: 01709 822959

Is this a:

Strategy / Policy

Service / Function

Other

If other, please specify

2. Please provide a brief description of what you are screening

This EA relates to a Delegated Officer Decision report to secure approval to submit the Council's application to the Department for Transport for the powers to enforce

moving traffic offences under the Traffic Management Act 2004 Part 6 relating to Moving Traffic Regulations.

3. Relevance to equality and diversity

All the Council's strategies/policies, services/functions affect service users, employees or the wider community – borough wide or more local. These will also have a greater/lesser relevance to equality and diversity.

The following questions will help you to identify how relevant your proposals are.

When considering these questions think about age, disability, sex, gender reassignment, race, religion or belief, sexual orientation, civil partnerships and marriage, pregnancy and maternity and other socio-economic groups e.g. parents, single parents and guardians, carers, looked after children, unemployed and people on low incomes, ex-offenders, victims of domestic violence, homeless people etc.

Questions	Yes	No
Could the proposal have implications regarding the accessibility of services to the whole or wider community? <i>(Be mindful that this is not just about numbers. A potential to affect a small number of people in a significant way is as important)</i>		X
Could the proposal affect service users? <i>(Be mindful that this is not just about numbers. A potential to affect a small number of people in a significant way is as important)</i>		X
Has there been or is there likely to be an impact on an individual or group with protected characteristics? <i>(Consider potential discrimination, harassment or victimisation of individuals with protected characteristics)</i>		X
Have there been or likely to be any public concerns regarding the proposal? <i>(It is important that the Council is transparent and consultation is carried out with members of the public to help mitigate future challenge)</i>		X
Could the proposal affect how the Council's services, commissioning or procurement activities are organised, provided, located and by whom? <i>(If the answer is yes you may wish to seek advice from commissioning or procurement)</i>		X
Could the proposal affect the Council's workforce or employment practices? <i>(If the answer is yes you may wish to seek advice from your HR business partner)</i>		X

If you have answered no to all the questions above, please explain the reason

The report relating to this EA is seeking approval to submit an application to government for the necessary powers to undertake enforcement using existing legislation under part 6 of the Traffic Management Act 2004. There are no direct equalities implications

resulting from this decision. All aspects of the consultation and future enforcement of these regulations have been addressed within earlier decision papers as stated below.

- Cabinet – 14 February 2022 - to approve commencement of feasibility works.
- Delegated Officer Decision - 10 November 2022 to approve commencement of consultation.
- Cabinet - 19th December 2022 to approve delegated authority for this delegated decision.

If you have answered **no** to all the questions above please complete **sections 5 and 6**.

If you have answered **yes** to any of the above please complete **section 4**.

4. Considering the impact on equality and diversity

If you have not already done so, the impact on equality and diversity should be considered within your proposals before decisions are made.

Considering equality and diversity will help to eliminate unlawful discrimination, harassment and victimisation and take active steps to create a discrimination free society by meeting a group or individual's needs and encouraging participation.

Please provide specific details for all three areas below using the prompts for guidance and complete an Equality Analysis (Part B).

- **How have you considered equality and diversity?**

N/A

- **Key findings**

Age (older people)

N/A

Age (younger people)

N/A

Disability

N/A

Race/Ethnicity

N/A

Gender

N/A

Sexual Orientation

N/A

- **Actions**

The report relating to this EA is seeking approval to submit an application to government for the necessary powers to undertake enforcement using existing legislation under part 6 of the Traffic Management Act 2004. There are no direct equalities implications resulting from this decision.

Should decisions subsequently be required on the progression of schemes to implement these powers on the Rotherham local road network, these will each require further equalities assessment at that time.

Date to scope and plan your Equality Analysis:	24 th January 2022
Date to complete your Equality Analysis:	24 th January 2022
Lead person for your Equality Analysis (Include name and job title):	Andrew Moss, Interim Head of Transport Infrastructure

5. Governance, ownership and approval

Please state here who has approved the actions and outcomes of the screening:

Name	Job title	Date
Andrew Moss	Interim Head of Transport Infrastructure	24 th January 2022

6. Publishing

This screening document will act as evidence that due regard to equality and diversity has been given.

If this screening relates to a **Cabinet, key delegated officer decision, Council, other committee or a significant operational decision** a copy of the completed document should be attached as an appendix and published alongside the relevant report.

A copy of **all** screenings should also be sent to equality@rotherham.gov.uk For record keeping purposes it will be kept on file and also published on the Council's Equality and Diversity Internet page.

Date screening completed	24 th January 2022
---------------------------------	-------------------------------

Report title and date	Traffic Management Act 2004 Application for Moving Traffic Enforcement powers – Consultation update and approval to submit application to the Department for Transport
If relates to a Cabinet, key delegated officer decision, Council, other committee or a significant operational decision – report date and date sent for publication	31 st January 2022
Date screening sent to Performance, Intelligence and Improvement equality@rotherham.gov.uk	25 th January 2022

PART B – Equality Analysis Form

As a public authority we need to ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality and diversity.

This form:

- Can be used to prompt discussions, ensure that due regard has been given and remove or minimise disadvantage for an individual or group with a protected characteristic
- Involves looking at what steps can be taken to advance and maximise equality as well as eliminate discrimination and negative consequences
- Should be completed before decisions are made, this will remove the need for remedial actions.

Note – An Initial Equality Screening Assessment (Part A) should be completed prior to this form.

When completing this form consider the Equality Act 2010 protected characteristics Age, Disability, Sex, Gender Reassignment, Race, Religion or Belief, Sexual Orientation, Civil Partnerships and Marriage, Pregnancy and Maternity and other socio-economic groups e.g. parents, single parents and guardians, carers, looked after children, unemployed and people on low incomes, ex-offenders, victims of domestic violence, homeless people etc. – see page 11 of Equality Screening and Analysis Guidance.

1. Title	
Equality Analysis title: Enforcement of Moving Traffic Offences TMA 2004 part 6	
Date of Equality Analysis (EA): November 2022	
Directorate: Regeneration and Environment	Service area: Transportation Infrastructure Service
Lead Manager: Andrew Lee	Contact number: 01709 254489
Is this a:	
<input type="checkbox"/> Strategy / Policy	<input checked="" type="checkbox"/> Service / Function
	<input type="checkbox"/> Other

If other, please specify

2. Names of those involved in the Equality Analysis (Should include minimum of three people) - see page 7 of Equality Screening and Analysis Guidance

Name	Organisation	Role (eg service user, managers, service specialist)
Sean Wrenn	Transport Infrastructure	Technician (Graduate Trainee)
Levi Karigambe	Policy and Equalities	Policy Officer
Andrew Lee	Transport Infrastructure	Group Lead Local Traffic and Road Safety Schemes
Andrew Moss	Transport Infrastructure	Interim Head of Transport Infrastructure

3. What is already known? - see page 10 of Equality Screening and Analysis Guidance

Aim/Scope (who the Policy/Service affects and intended outcomes if known)

This may include a group/s identified by a protected characteristic, others groups or stakeholder/s e.g. service users, employees, partners, members, suppliers etc.)

Although there are unlikely to be any equality implications arising from this proposal, the Department for Transport has provided guidance on the conditions that a local authority must meet and commit to in respect of bringing forward moving traffic enforcement sites. The key requirements are:

- a) Consulted the appropriate Chief Officer of Police.
- b) Carry out a minimum six-week public consultation on the detail of planned civil enforcement of moving traffic contraventions.
- c) Consider all objections raised and take such steps the Council considers reasonable to resolve any disputes.
- d) Carry out effective public communication and engagement as the Council considers appropriate, for example using local press and social media, and that this will continue up to the start of enforcement and for a reasonable period thereafter.
- e) Ensure all moving traffic restrictions to be enforced will be underpinned by accurate Traffic Regulation Orders and indicated by lawful traffic signs and road markings. (Local authorities are not required to audit all their TROs and traffic signs; but

instead, those that are directly related to the moving traffic restrictions to be enforced).

- f) Ensure all the relevant equipment has been certified by the Vehicle Certification Agency specifically for moving traffic contraventions

In addressing the requirements set out in items 'b' and 'd', officers within the Transportation Team are to letter drop residents and businesses within a reasonable distance of a potential enforcement site setting out details of the project, as indicated in Section 2 of this report, with a response form for returning. Additionally, arrangements will be made for an Advertisement to be printed in the Rotherham Advertiser and for the council's website to have details of the project and links to a response form. Where practical engagement will also take place with local community groups.

Given the diverse demographic status of each area the consultation documents will include the corporate Equalities form to be returned with the response.

What equality information is available? (Include any engagement undertaken)

As with all road traffic consultation exercises the target audience is all members of the public, whether road users or not but particularly road users. This is because matters of Highway access and use apply to all members of public. Other than a standard assessment of the demographic profile for the UK & for Rotherham there is no data on the specific target audience for this consultation other than to broadcast the details via web, local print media and by letter to specific addresses.

The sites identified, although relatively small in nature, cover both a diverse range of community and demographic society. In addressing this, officers within the Transportation Team will use a range of methods to engage as widely as possible within the requirements set out by the Department for Transport. This will include letter drops, advertisement in the Rotherham Advertiser and information on the Council's website. Further engagement opportunities, such as attendance with community groups will be sought throughout the initial process and beyond, where appropriate.

The list below indicates the sites to be submitted to the Department for Transport as part of the council's initial application:

Location	Enforcement requirement
Bridgeway, Town Centre	Vehicle access restrictions
High Street, Town Centre	Vehicle access period
Clifton Lane, Clifton	Banned Left Turn - from Clifton Lane into Doncaster Gate;

Clifton Lane, Clifton	Banned Left Turn - from Doncaster Road into Clifton Lane
Sheffield Lane, Catcliffe	No Entry
Wood Lane, Brinsworth	Bus Gate
Are there any gaps in the information that you are aware of?	
Not at this stage, but this will be reviewed as the application process progresses.	
What monitoring arrangements have you made to monitor the impact of the policy or service on communities/groups according to their protected characteristics?	
Monitoring will be based on feedback from residents and businesses directly affected by this proposal, together with feedback received as part of the wider community engagement. This will likely to a multistage monitoring exercise, starting with the initial application, further assessment of sites, implementation of measures and enforcement of the site(s).	
Engagement undertaken with customers. (date and group(s) consulted and key findings)	Letter drop, advertisement in the Press and Council website will take place on the 11 th December 2022, ensuring a 6 week consultation period before the festive break.
Engagement undertaken with staff (date and group(s)consulted and key findings)	<i>On going</i>

4. The Analysis - of the actual or likely effect of the Policy or Service (Identify by protected characteristics)

How does the Policy/Service meet the needs of different communities and groups? (Protected characteristics of Age, Disability, Sex, Gender Reassignment, Race, Religion or Belief, Sexual Orientation, Civil Partnerships and Marriage, Pregnancy and Maternity) - see glossary on page 14 of the Equality Screening and Analysis Guidance)

Consultation will be open to all communities and groups.

Does your Policy/Service present any problems or barriers to communities or Groups?

No

Does the Service/Policy provide any positive impact/s including improvements or remove barriers?

Enforcement of moving traffic offences across the borough can be considered to benefit groups as it should stop poor driver behaviour at certain junctions, crossings, cycle facilities, out-side schools and in pedestrian areas, which these groups of people use most frequently when moving around the borough. Improved performance of public transport benefits members of the public living in transport poverty.

What affect will the Policy/Service have on community relations? (may also need to consider activity which may be perceived as benefiting one group at the expense of another)

The ability to enforce restrictions 24/7 will bring significant benefits to community relations where existing contraventions are having a severe impact on people's daily lives and safety. Where negative feedback about any future installation is identified, options to address any concerns and improve relations will be investigated and implemented where appropriate.

Please list any **actions and targets** that need to be taken as a consequence of this assessment on the action plan below and ensure that they are added into your service plan for monitoring purposes – see page 12 of the Equality Screening and Analysis Guidance.

5. Summary of findings and Equality Analysis Action Plan

If the analysis is done at the right time, i.e. early before decisions are made, changes should be built in before the policy or change is signed off. This will remove the need for remedial actions. Where this is achieved, the only action required will be to monitor the impact of the policy/service/change on communities or groups according to their protected characteristic - See page 11 of the Equality Screening and Analysis guidance

Title of analysis: Enforcement of Moving Traffic Offences TMA 2004 part 6
Directorate and service area: Regeneration and Environment
Lead Manager: Andrew Moss, Interim Head of Transport Infrastructure
Summary of findings:
<p>Consultation in relation to the Council’s intention to apply to government for powers to enforce moving traffic offences will be open to all communities and groups. In conducting this Part B evaluation, a risk that some protected characteristics groups may require more specific engagement or consultation needs has been identified. These will be monitored to identify requests for any additional consultation formats and also by contacting representatives of relevant protected characteristics groups.</p>

Action/Target	State Protected Characteristics as listed below	Target date (MM/YY)
Details of the Council’s public consultation on applying for the new enforcement powers were advertised as follows:-	D= Disability RE= Race/ Ethnicity,	December 2022

<ul style="list-style-type: none"> • local press, on the 18th November 2022, including on media websites • distribution of approximately 750 letters with consultation reply forms to residents and business. • Council’s website and associated social media sites, Facebook and Twitter. <p>All of the above include an email link to the Councils Transportation Inbox where paper copies of the consultation form can be requested.</p> <p>These actions are intended to engage with the widest possible audience and comply with the requirements set out by the Department for Transport as a requirement of application to them for Designation of the relevant powers.</p>	C= Carers	
Action: monitor the need amongst identified protected characteristics groups for further engagement opportunities, such as attendance with community groups throughout the initial process of consultation and beyond, where appropriate.	D= Disability RE= Race/ Ethnicity, C= Carers	Complete by 23 rd December 2022
Contact representatives of the identified protected characteristics groups to assess need for additional consultation measures.	D= Disability RE= Race/ Ethnicity, C= Carers	Complete by 23 rd December 2022

6. Governance, ownership and approval

Please state those that have approved the Equality Analysis. Approval should be obtained by the Director and approval sought from DLT and the relevant Cabinet Member.

Name	Job title	Date
------	-----------	------

Simon Moss	Assistant Director Planning, Regeneration and Transport	29/11/2022
Andrew Moss	Interim Head of Transport Infrastructure	29/11/2022

7. Publishing

The Equality Analysis will act as evidence that due regard to equality and diversity has been given.

If this Equality Analysis relates to a **Cabinet, key delegated officer decision, Council, other committee or a significant operational decision** a copy of the completed document should be attached as an appendix and published alongside the relevant report.

A copy should also be sent to equality@rotherham.gov.uk For record keeping purposes it will be kept on file and also published on the Council's Equality and Diversity Internet page.

Date Equality Analysis completed	29/11/2022
Report title and date	Enforcement of Moving Traffic Offences TMA 2004 part 6
Date report sent for publication	
Date Equality Analysis sent to Performance, Intelligence and Improvement equality@rotherham.gov.uk	17/11/2022