

City of York Council
Annex C - Equalities Impact Assessment

Who is submitting the proposal?

Directorate:	Place		
Service Area:	Parking Services		
Name of the proposal :	Graham Titchener		
Lead officer:	Graham Titchener		
Date assessment completed:	30/08/2023		
Names of those who contributed to the assessment :			
Name	Job title	Organisation	Area of expertise
Graham Titchener	Parking Services Manager	City of York Council	Transport and Highways

Step 1 – Aims and intended outcomes

1.1	What is the purpose of the proposal? Please explain your proposal in Plain English avoiding acronyms and jargon.
	<p>This proposal is to assess any impacts on the public in line with the Equality Act for the implementation of a camera enforced traffic restriction at Micklegate Bar to deal with a number of vehicles travelling through the one-way traffic restriction the wrong way and causing a road safety issue.</p> <p>This is done through the decriminalisation and implementation of Moving Traffic Enforcement including the placing of cameras on the public highway to capture offences, then issue a Penalty Charge Notice to the registered keeper if they contravene the traffic restrictions in place.</p>
1.2	Are there any external considerations? (Legislation/government directive/codes of practice etc.)
	Traffic Management Act 2004 Part 6 – Moving Traffic Enforcement. City of York Council Traffic Regulation Order.

1.3	Who are the stakeholders and what are their interests?
1.4	What results/outcomes do we want to achieve and for whom?
	All motor vehicle users. Helping to protect those who travel through the Micklegate Bar traffic restriction the right way against those who chose to or accidentally travel through the traffic restriction the wrong way. Protecting their safety through the enforcing of the local traffic order restriction in place at Micklegate Bar
	<p>It is also considered that this EIA will be a living document and will need to be reviewed from time to time post the schemes implementation.</p> <p>The outcome of the scheme is to ensure greater road safety and compliance of the traffic restriction in this area and to help educate all road users to not contravene traffic restrictions</p> <p>This supports the following outcomes of the York Council plan: -</p> <ul style="list-style-type: none"> • getting around sustainably • a greener and cleaner city • safe communities and culture for all • an open and effective council

Step 2 – Gathering the information and feedback

2.1	What sources of data, evidence and consultation feedback do we have to help us understand the impact of the proposal on equality rights and human rights? Please consider a range of sources, including: consultation exercises, surveys, feedback from staff, stakeholders, participants, research reports, the views of equality groups, as well your own experience of working in this area etc.
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Source of data/supporting evidence	Reason for using
<p>A full public consultation has been undertaken for six weeks as required. It was published to the council's web site. During the consultation we had 58 responses where a majority of approximately 71% were in support of camera enforcement, and approximately 26% opposed to it with 3% not sure. This also included equality data collected anomalously with consultees ticking a box saying they were happy to proceed and answer these types of questions.</p>	<p>This provides the best route to gauge public views of this initiative and the level of support the use of camera enforcement has at this location and also other locations given from the public.</p>
<p>My own and officers experience of these similar schemes linked to York's 2 bus lane enforcement zones and following of the Department for Transport's guidance and Traffic Management Act 2004.</p>	<p>This scheme operates on a very similar basis for bus lane enforcement that simply automatically monitors all traffic pass through the restriction and matching the vehicle registration numbers against a vehicle exemption list. Any vehicles that do not appear on the list, will have footage of them sent to a Civil Enforcement Officer to view the contravention and decide on whether to issue a PCN or not. Under the law we have to operate an objection and appeal service to allow the vehicle owner to contest the fine. This provides an opportunity for the driver to state why they entered this where a decision is based on their statement and any evidence they provide. This provides a fair system for the public to use if and when they unwittingly or consciously contravene a traffic restriction enforced using a camera system.</p>

	Using experience from the PCN process, there are already procedures in place regarding the debt management and debt vulnerability and as mentioned there is an objection and appeal process for drivers who contest a PCN.
Traffic survey of the Micklegate Bar restriction	A 2 month traffic survey was put in place to gather evidence of the contravention of the Micklegate Bar traffic restriction, where data showed in the first month (July 2023) there were over 40 occasions of vehicles passing through the restriction in the wrong direction that would have risk coming head to head with incoming traffic ranging from vehicle to cycles.

Step 3 – Gaps in data and knowledge

3.1	What are the main gaps in information and understanding of the impact of your proposal? Please indicate how any gaps will be dealt with.	
	Gaps in data or knowledge	Action to deal with this
	Moving traffic enforcement under the Traffic Management Act 2004 is new and therefore there may be a number of unknowns, which is one of the reasons why this EIA is a living document	There are ongoing user groups between other councils who have or are implementing these schemes and based on the Department for Transport's work on this. In addition these moving traffic schemes are very similar to the current bus lane enforcement systems so the practices, policies, and legislation around those play a large part in informing this new initiative and its processes.

Step 4 – Analysing the impacts or effects.

4.1	<p>Please consider what the evidence tells you about the likely impact (positive or negative) on people sharing a protected characteristic, i.e. how significant could the impacts be if we did not make any adjustments? Remember the duty is also positive – so please identify where the proposal offers opportunities to promote equality and/or foster good relations.</p>		
Equality Groups and Human Rights.	Key Findings/Impacts	Positive (+) Negative (-) Neutral (0)	High (H) Medium (M) Low (L)
Age	<p>Older residents are more at risk and suffer greater anxiety regarding traffic accidents. Younger/Less experienced drivers are more likely to commit traffic regulation infringements. Resource issues reducing enforcement may lead to greater risks for all ages.</p> <p>Current provision of enforcement is provided through the police. Long standing involvement in traffic enforcement leads to a clear understanding of the process by drivers.</p> <p>Some older drivers who may not understand Road Traffic rules and have established habits in local areas and may be liable to receive a PCN. We have the objection and appeal service in place where drivers can put forward their case but also there is a 6 month warning process in place to help with the education of this new type of enforcement without penalising the driver for their first offence of breaking this traffic restriction.</p>	+	L

Disability	<p>Those with disabilities are more likely to suffer significant injuries as a result of traffic accidents.</p> <p>Current provision of enforcement is provided through the police. Long standing involvement in traffic enforcement leads to a clear understanding of the process by drivers. We have the objection and appeal service in place where drivers can put forward their case but also there is a 6 month warning process in place to help with the education of this new type of enforcement without penalising the driver for their first offence of breaking this traffic restriction.</p>	+	L
Gender	<p>For this traffic restriction and enforcement scheme this group is deemed to come under the general public as there is no specific impact on this characteristic. This scheme is to help improve road safety so is considered to have a positive impact. Current provision of enforcement is provided through the police. Long standing involvement in traffic enforcement leads to a clear understanding of the process by drivers. We have the objection and appeal service in place where drivers can put forward their case but also there is a 6 month warning process in place to help with the education of this new type of enforcement without penalising the driver for their first offence of breaking this traffic restriction.</p>	+	L
Gender Reassignment	<p>For this traffic restriction and enforcement scheme this group is deemed to come under the general public as there is no specific impact on this characteristic. This scheme is to help improve road safety so is considered to have a positive impact. Current provision of enforcement is provided through</p>	+	L

	<p>the police. Long standing involvement in traffic enforcement leads to a clear understanding of the process by drivers. We have the objection and appeal service in place where drivers can put forward their case but also there is a 6 month warning process in place to help with the education of this new type of enforcement without penalising the driver for their first offence of breaking this traffic restriction.</p>		
<p>Marriage and civil partnership</p>	<p>For this traffic restriction and enforcement scheme this group is deemed to come under the general public as there is no specific impact on this characteristic. This scheme is to help improve road safety so is considered to have a positive impact. Current provision of enforcement is provided through the police. Long standing involvement in traffic enforcement leads to a clear understanding of the process by drivers. We have the objection and appeal service in place where drivers can put forward their case but also there is a 6 month warning process in place to help with the education of this new type of enforcement without penalising the driver for their first offence of breaking this traffic restriction.</p>	<p>+</p>	<p>L</p>
<p>Pregnancy and maternity</p>	<p>While this traffic restriction and enforcement scheme for this group is deemed to come under the general public as there is no specific impact on this characteristic, those who are pregnant can have moments of lapsed concentration, therefore in a small number of cases may not be quick enough to act to any ongoing vehicle coming at them as that vehicle contravene a one-way restriction therefore not expecting the vehicle coming at them. Current provision of enforcement is provided through the police. Long standing involvement in traffic enforcement leads to a clear</p>	<p>+</p>	<p>L</p>

	<p>understanding of the process by drivers. We have the objection and appeal service in place where drivers can put forward their case but also there is a 6 month warning process in place to help with the education of this new type of enforcement without penalising the driver for their first offence of breaking this traffic restriction.</p>		
Race	<p>For this traffic restriction and enforcement scheme this group is deemed to come under the general public as there is no specific impact on this characteristic. This scheme is to help improve road safety so is considered to have a positive impact. Current provision of enforcement is provided through the police. Long standing involvement in traffic enforcement leads to a clear understanding of the process by drivers. We have the objection and appeal service in place where drivers can put forward their case but also there is a 6 month warning process in place to help with the education of this new type of enforcement without penalising the driver for their first offence of breaking this traffic restriction.</p>	+	L
Religion and belief	<p>For this traffic restriction and enforcement scheme this group is deemed to come under the general public as there is no specific impact on this characteristic. This scheme is to help improve road safety so is considered to have a positive impact. Current provision of enforcement is provided through the police. Long standing involvement in traffic enforcement leads to a clear understanding of the process by drivers. We have the objection and appeal service in place where drivers can put forward their case but also there is a 6 month warning process in place to help with the education of this</p>	+	L

	new type of enforcement without penalising the driver for their first offence of breaking this traffic restriction.		
Sexual orientation	For this traffic restriction and enforcement scheme this group is deemed to come under the general public as there is no specific impact on this characteristic. This scheme is to help improve road safety so is considered to have a positive impact. Current provision of enforcement is provided through the police. Long standing involvement in traffic enforcement leads to a clear understanding of the process by drivers. We have the objection and appeal service in place where drivers can put forward their case but also there is a 6 month warning process in place to help with the education of this new type of enforcement without penalising the driver for their first offence of breaking this traffic restriction.	+	L
Other Socio-economic groups including:	Could other socio-economic groups be affected e.g. carers, ex-offenders, low incomes?		
Carer	For this traffic restriction and enforcement scheme this group is deemed to come under the general public as there is no specific impact on this characteristic. This scheme is to help improve road safety so is considered to have a positive impact. Current provision of enforcement is provided through the police. Long standing involvement in traffic enforcement leads to a clear understanding of the process by drivers. We have the objection and appeal service in place where drivers can put forward their case but also there is a 6 month warning process in place to help with the education of this new type of enforcement without penalising the driver for their first offence of breaking this traffic restriction.	+	L

Low income groups	For this traffic restriction and enforcement scheme this group is deemed to come under the general public as there is no specific impact on this characteristic. This scheme is to help improve road safety so is considered to have a positive impact. Current provision of enforcement is provided through the police. Long standing involvement in traffic enforcement leads to a clear understanding of the process by drivers. We have the objection and appeal service in place where drivers can put forward their case but also there is a 6 month warning process in place to help with the education of this new type of enforcement without penalising the driver for their first offence of breaking this traffic restriction.	+	L
Veterans, Armed Forces Community	For this traffic restriction and enforcement scheme this group is deemed to come under the general public as there is no specific impact on this characteristic. This scheme is to help improve road safety so is considered to have a positive impact. Current provision of enforcement is provided through the police. Long standing involvement in traffic enforcement leads to a clear understanding of the process by drivers. We have the objection and appeal service in place where drivers can put forward their case but also there is a 6 month warning process in place to help with the education of this new type of enforcement without penalising the driver for their first offence of breaking this traffic restriction.	+	L
Other			
Impact on human rights:			

List any human rights impacted.	None that can be seen where there is a reliance on work done nationally in the development of traffic enforcement legislation, debt recovery and vulnerability and based on ongoing feedback from councils who have implemented these schemes already. If there are any unforeseen impacts, we have the objection and appeal service in place where drivers can put forward their case but also there is a 6 month warning process in place to help with the education of this new type of enforcement without penalising the driver for their first offence of breaking this traffic restriction.	o	L
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Use the following guidance to inform your responses:

Indicate:

- Where you think that the proposal could have a POSITIVE impact on any of the equality groups like promoting equality and equal opportunities or improving relations within equality groups
- Where you think that the proposal could have a NEGATIVE impact on any of the equality groups, i.e. it could disadvantage them
- Where you think that this proposal has a NEUTRAL effect on any of the equality groups listed below i.e. it has no effect currently on equality groups.

It is important to remember that a proposal may be highly relevant to one aspect of equality and not relevant to another.

<p>High impact (The proposal or process is very equality relevant)</p>	<p>There is significant potential for or evidence of adverse impact The proposal is institution wide or public facing The proposal has consequences for or affects significant numbers of people The proposal has the potential to make a significant contribution to promoting equality and the exercise of human rights.</p>
<p>Medium impact (The proposal or process is somewhat equality relevant)</p>	<p>There is some evidence to suggest potential for or evidence of adverse impact The proposal is institution wide or across services, but mainly internal The proposal has consequences for or affects some people The proposal has the potential to make a contribution to promoting equality and the exercise of human rights</p>
<p>Low impact (The proposal or process might be equality relevant)</p>	<p>There is little evidence to suggest that the proposal could result in adverse impact The proposal operates in a limited way The proposal has consequences for or affects few people The proposal may have the potential to contribute to promoting equality and the exercise of human rights</p>

Step 5 - Mitigating adverse impacts and maximising positive impacts

5.1	Based on your findings, explain ways you plan to mitigate any unlawful prohibited conduct or unwanted adverse impact. Where positive impacts have been identified, what is been done to optimise opportunities to advance equality or foster good relations?
<p>Those with disabilities are more likely to suffer significant injuries as a result of traffic accidents, where in this case the main risk is head-on collisions and observations given of cyclists travelling through the restriction in the correct way being faced by motor vehicles coming at them in the wrong direction.</p> <p>The most effect way to mitigate this risk is through camera enforcement and the risk of a fine being leveed against those who contravene this restriction.</p> <p>Lessons learned from other councils implementing these types of schemes are shown this to be an effect deterrent where in one location the effects have been seen as long lasting and as a result the camera taking down.</p>	

Step 6 – Recommendations and conclusions of the assessment

6.1	Having considered the potential or actual impacts you should be in a position to make an informed judgement on what should be done. In all cases, document your reasoning that justifies your decision. There are four main options you can take:
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- **No major change to the proposal** – the EIA demonstrates the proposal is robust. There is no potential for unlawful discrimination or adverse impact and you have taken all opportunities to advance equality and foster good relations, subject to continuing monitor and review.

- **Adjust the proposal** – the EIA identifies potential problems or missed opportunities. This involves taking steps to remove any barriers, to better advance quality or to foster good relations.

- **Continue with the proposal** (despite the potential for adverse impact) – you should clearly set out the justifications for doing this and how you believe the decision is compatible with our obligations under the duty

- **Stop and remove the proposal** – if there are adverse effects that are not justified and cannot be mitigated, you should consider stopping the proposal altogether. If a proposal leads to unlawful discrimination it should be removed or changed.

Important: If there are any adverse impacts you cannot mitigate, please provide a compelling reason in the justification column.

Option selected	Conclusions/justification
Continue with the proposal	<p>As a result of this first stage of the EIA there is no reason to adjust or stop this scheme. This is based on initial findings and the consultation of the Micklegate Bar scheme and previous work to implement the traffic restriction back in 2021.</p> <p>In addition conversations with and lessons learned from those councils who have implement moving traffic enforcement schemes already, have been considered.</p>

	Despite this ongoing monitoring will continue and any adjustments will be analysis, recorded and implemented.
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Step 7 – Summary of agreed actions resulting from the assessment

7.1 What action, by whom, will be undertaken as a result of the impact assessment.			
Impact/issue	Action to be taken	Person responsible	Timescale
Complaints and PCN objections	These will be monitored for this scheme and evaluated and where deemed required changes made to ensure the scheme is as fair as possible and taking any equality and vulnerability issues raised to the council and put in any mitigation as required.	Graham Titchener	Ongoing but closely monitored for the first year of operation.

Step 8 - Monitor, review and improve

8. 1	How will the impact of your proposal be monitored and improved upon going forward? Consider how will you identify the impact of activities on protected characteristics and other marginalised groups going forward? How will any learning and enhancements be capitalised on and embedded?
	The scheme will be monitored for the life of the time the camera enforcement is in place for but especially the first 6 months and up to 1 year of the scheme. Any findings where improvements and mitigation can be implemented, will be done. This includes working with groups such as the York Disabled Forum.