

Policy Committee Decision Report

Title of Report:	Cross-committee task and finish group: Enforcement of traffic restrictions
Date of Decision:	27 th November 2024
Report To:	Transport, Regeneration and Climate Policy Committee
Report Of:	Kate Martin, Executive Director, City Futures
Report Author:	David Whitley, Transport Programmes Manager

Executive Summary: This report sets out the purpose and basis to appoint a Task and Finish Group to review the effectiveness of enforcement of traffic restrictions (as well as considering new policy areas for traffic enforcement on roads - where agreed by the group), including ensuring the continuation of appropriate use of income from enforcement activities.



Council Plan outcomes: City on the Move, Great Neighbourhoods that people are happy to call home

Policy Committee remit: This report is to be considered by the Transport, Regeneration and Climate Policy Committee as its remit includes functions arising from the Council's roles as Highways Authority and Road Traffic Authority, including policy and strategy statements

Does the report contain confidential or exempt information? No



Recommendations:

This report seeks approval to appoint a Task and Finish Group to review the effectiveness of enforcement of traffic restrictions (as well as considering new policy areas for enforcement on roads - where agreed by the group), including ensuring the continuation of appropriate use of income from enforcement activities. Membership will be drawn from the Transport, Regeneration and Climate Policy and Waste and Streetscene Committees.

The Terms of Reference of the Group are appended to this report.

Financial Implications: Yes Approved by: Damian Watkinson

Legal Implications: Yes Approved by Richard Cannon

Equality and Engagement Implications: Yes Approved by Ed Sexton

Climate Change Implications: Yes Approved by: Kathryn Warrington

Background Papers: None

Appendices: Draft Terms of Reference

1. Background to the issue

- 1.1 Each year, the Council invests in developing transport infrastructure in the City. The Transport Capital programme is approved in outline by Transport, Regeneration and Climate Policy Committee (TRC).
- 1.2 The maintenance of the benefits of many of the schemes in the programmes are enhanced by enforcement, be that bus (and tram) lanes and gates, other moving traffic offences (such as banned turns, or yellow box junctions) or loading and waiting restrictions (often referred to as 'parking' restrictions and enforced mainly via Civil Enforcement Officers).
- 1.3 The Councils Civil Parking, Bus Lane and Moving Traffic Enforcement Policy is approved by Waste and Streetscene (W&S) policy committee. It recognises the needs of road users to have access to suitable and adequate car parking and for that to be properly managed. The Council aims to keep Sheffield's streets and roads safer for road users (for example, for pedestrians and cyclists, as well as motorists) by carrying out responsible parking provision and enforcement. It is expected that camera enforcement of parking restrictions in certain situations (such as within bus lanes) will start in 2025.
- 1.4 Enforcement also supports other objectives of the Council's Transport Strategy such as managing the availability of spaces for users (residents, businesses and visitors), and reducing the amount of avoidable congestion and emissions from traffic circulating seeking a parking space.
- 1.5 Through the enforcement of bus lanes, the Council aims to support bus service reliability, reduced public transport journey times and reduced congestion.
- 1.6 Moving traffic enforcement – which is due to start being undertaken by the Council in certain locations in 2025 - is aimed at improving road safety, improving journeys for road users (including pedestrians and cyclists) and mitigating the impact on the local environment caused by congestion.
- 1.7 Any unauthorised drivers observed travelling through a bus gate, along a bus lane or in contravention of a parking restriction can be issued with a Penalty Charge Notice (PCN).

2. Proposal

- 2.1 There are a number of areas of work where there is clear interface between areas of responsibility within the two committees. For example, capital schemes being implemented by TRC needing enforcement which is managed through W&S or capital schemes implemented through TRC

leading to enforcement revenue to W&S (in both cases enforcement would be carried out only where it is deemed expedient so as to ensure that the traffic management benefits of those schemes can be delivered). It is more complex to secure adequate time for member briefings across two committees given the workload of committees, so the joint Task and Finish Group will help to mitigate this.

- 2.2 The scope of this work set out in the 'Terms of Reference' means it is essential that Members are engaged to enable them to shape proposals for any future changes in plans or policies, or influence current ways or working. It is important that appropriate time is set aside for members to consider the context and variety of options to advise officers of their preferred future approach.
- 2.3 We seek to establish a Task and Finish Group to oversee work to review the effectiveness of enforcement of traffic restrictions (as well as new policy areas where agreed by the group), including ensuring the continuation of appropriate use of income from enforcement activities. The Group will allow discussion with members on strategic direction, emerging issues and detailed conversation around specific issues that is not achievable through other methods of member engagement. The Group will bring together a small, focused group of members to examine key issues and provide clear advice to officers on this topic.
- 2.4 It is important to note that the Task and Finish Group will have no decision making capability in respect of the creation, modification or removal of the traffic restrictions which are the basis of the enforcement with which the group is concerned. This includes where traffic restrictions are part of or associated with a larger scheme. Decision making in respect of the restrictions themselves (as distinct to their enforcement) will continue as normal and per the requirements of the Council's constitution.

3 How does this decision contribute to the Council Plan?

3.1 Council Plan outcome

- 3.1.1 The Council have continued to promote enforcement of traffic restrictions associated with highway schemes given the wider economic, societal and environmental benefits that can be achieved.
- 3.1.2 In accordance with the recommendation, the proposal aligns with the following current Council plan outcomes:
 - "City on the Move" and
 - "Great Neighbourhoods that people are happy to call home"

3.2 People – Prosperity - Planet

- 3.2.1 The Council aims to keep Sheffield’s streets and roads safer for road users (for example, pedestrians and cyclists, as well as motorists) by carrying out responsible parking provision and enforcement. Camera enforcement of moving traffic offences to improve safety will start in some locations in 2025 too. Enforcement of bus and tram lanes and gates aims to improve public transport journey times and journey time reliability, investing in facilities to enable people to make informed choices about the way they travel and helping transport contribute to the social, economic and environmental improvements we want to happen in the City

4 What community or partner engagement has been undertaken and how has it informed the proposal?

- 4.1 The Council is not required to publicly engage/consult on the proposal for a Task and Finish Group. However, we know that there is good support for the enforcement of restrictions where they are in place. A recent public consultation linked to camera enforcement of moving traffic offences received nearly 600 responses, with 75% saying they ‘support’ or ‘strongly support’ the City Councils application for civil enforcement powers.
- 4.2 Consultation and Engagement on specific actions that may come out of the activities within the scope of the group will be completed as part of a wider programme/individual project on a case-by-case basis should any changes required move through the committee approval process (or other relevant decision making processes as appropriate and per the requirements of the Council’s constitution).

5 What alternative options did we consider?

- 5.1 An alternative would be to deliver a series of Knowledge Briefings for both Committees separately. This was rejected as it would not enable constructive debate and advice to be provided to officers, and the existing Committee work plan commitments would mean this would add further time to the process (and therefore increased delays before the benefits provided by this proposal could be delivered).

6 How has equality, diversity and inclusion been actively considered?

- 6.1 The Task and Finish Group will have Member representation from the three largest political parties, ensuring that advice is reflective of the political makeup of the Council.

- 6.2 Members will have the opportunity to discuss equality and inclusivity relevant to each of the session topics.

7 Financial and Commercial Implications

- 7.1 There are no direct financial and commercial implications because of creating a Task and Finish Group. Any changes to policies emerging as a result of the work of the group will be the subject of future reports.

8 Legal Implications

- 8.1 The Task and Finish Group will be formed in line with the Council's Constitution.

- 8.2 Its intended function will align with a number of the Council's duties and facilitate their fulfilment. There are three main duties –

1) Section 108 of the Transport Act 2000 places a duty on the Council to develop policies which will create a safe, efficient, and integrated transport system that meets the needs of persons living or working within its area, and further carry out its functions so as to implement those policies.

2) Section 16 of the Traffic Management Act 2004 requires that the Council manage its road network with a view to securing the expeditious movement of traffic on the authority's road network, so far as may be reasonably practicable while having regard to their other obligations, policies and objectives. This is called the network management duty and includes any actions the Council may take in performing that duty which contribute for securing the more efficient use of their road network or for the avoidance, elimination or reduction of road congestion (or other disruption to the movement of traffic) on their road network.

3) Most traffic restrictions are capable of being introduced and subsequently enforced through the use of powers available under the Road Traffic Regulation Act 1984. When exercising said powers, section 122 of that act requires that the Council secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians). In doing so the Council must have regard to the desirability of securing and maintaining reasonable access to premises, the effect on the amenities of any locality affected, any applicable national air quality strategy, the importance of facilitating the passage of public service vehicles and any other matters appearing to the local authority to be relevant.

- 8.3 The lawful, effective enforcement of traffic restrictions within the city aligns with the above duties. The Task and Finish Group will further need to be aware of the legislative requirements around the use of income from enforcement activities and, where recommendations are made by the group, advice on the legal implications will be available to ensure those recommendations are made in alignment with the requirements of (inter alia) the Civil Enforcement of Road Traffic Contraventions (Approved Devices, Charging Guidelines and General Provisions) (England) Regulations 2022 and section 55 of the Road Traffic Regulation Act 1984.

9 Climate and Environmental Implications

- 9.1 There are no direct climate implications as a result of creating a Task and Finish Group.

10 Other implications

- 10.1 There are no other implications as a result of creating a Task and Finish Group.

11 Reasons for decision

- 11.1 The Task and Finish Group will bring together a small, focused group of members to examine the area of enforcement of traffic restrictions and provide clear advice to officers should there be a change to existing policies of ways or working requested. Cross party representation will mean that political agreement is reached at an early stage of the process allowing the strategy to progress.