



Future Managed Motorways Concept Equality Impact Assessment

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Table of Contents

Executive Summary	5
1 Introduction	8
1.1 Background to the project	8
1.2 The Equality Impact Assessment	9
1.2.1 What is an EqlA?	9
1.2.2 Why conduct an EqlA?	9
2 Methodology	12
2.1 Assumptions	14
2 'Screened in' equality groups	15
2.1 Outcome of the screening review	15
2.1.i Mobility	15
2.1.ii Confidence	16
2.2 Older people	16
2.3 Younger people (novice drivers)	17
2.4 Disabled people	18
2.5 Women	19
3 Policy context	20
2.1 National equality policy	20
2.1.1 Background	20
2.1.2 The Equality Act and Public Sector Equality Duty	20
2.2.3 The Highways Agency's equality policy	21
2.3 Summary	23
4 Impact assessment	24
4.1 Using the hard shoulder as a permanent running lane – breakdowns	24
4.2 Using the hard shoulder as a permanent running lane – safety	25
4.3 Increasing the distance between ERAs	26
4.4 Improved and clear signage	27
4.5 Comprehensive CCTV system	27
4.6 Better traffic flow	27
4.7 Summary	28
5 Mitigations and improvements	29
5.1 Communication	29
5.2 Dissemination	30
6 Conclusions and recommendations	29
6.1 Key findings	31
6.2 Recommendations	31
Appendices	33
Appendix A. EqlA Screening form	
Appendix B. Stakeholder engagement topic guide and organisations consulted	
Appendix C. Relevant international programmes	

Appendix D. List of abbreviations
Appendix E. References

Executive Summary

Background

Mott MacDonald has supported the Highways Agency in its delivery of managed motorways schemes since their conception. In January 2012, Mott MacDonald's economic and social research team was commissioned by the Highways Agency to undertake an Equality Impact Assessment (EqIA) of the Future Managed Motorways Concept (FMMC).

Managed motorways schemes presently operate on the M42 and M6. The Highways Agency is now developing the managed motorways concept for a number of additional locations across the motorway network. This concept builds upon lessons learned from delivery of the original managed motorways schemes. The anticipated design features of the future managed motorways scheme include:

- Removal of the hard shoulder from the main line, and permanent replacement by a controlled running lane;
- Variable mandatory speed limits;
- Driver information provided at maximum intervals of 1500m through a mixture of:
 - gantries capable of providing both lane specific signalling and supporting information; and
 - verge-mounted cantilever variable message signs capable of providing the same driver information but using pictograms, wicket aspects, and text legends.
- Queue protection system and congestion management system;
- Comprehensive PTZ (pan / tilt / zoom) CCTV coverage;
- Provision of refuge areas for broken down vehicles at a maximum frequency of 2.5km. A safe refuge includes, the hard shoulder on a motorway exit slip road, motorway service area and an emergency refuge area (ERA) with an emergency roadside telephone (ERT). Existing ERTs elsewhere will be removed, apart from those within a junction where the existing hard shoulder is retained.¹

The aim of the FMMC is to support the economy by providing additional capacity on the nation's most congested stretches of motorway, at significantly reduced costs (compared with widening programmes), while maintaining safety for road users, their passengers and those who work on these roads.

The EqIA

An EqIA is a systematic assessment of the likely or actual effects of policies or proposals on social groups with the following protected characteristics (as defined by the Equality Act 2010): ²

¹ Highways Agency (2011): 'MM2 Draft Concept of Operations (to accompany IAN XXX/12)'

² Government Equalities Office (2010): 'Equality Act'

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race (including ethnic or national origins, colour or nationality)
- Religion or belief (including lack of belief)
- Sex
- Sexual orientation
- Marriage and civil partnership

The primary objectives are to: (a) assess whether one or more of these groups could experience **disproportionate** effects (over and above the impacts likely to be experienced by the general population) as a result of a policy being implemented or the way in which a service is delivered; (b) identify opportunities to promote equality more effectively or to a greater extent; and (c) develop ways in which any disproportionate negative impacts could be removed or mitigated to prevent any unlawful discrimination and minimise inequality of outcomes. The findings and recommendations of the EqIA ensure that decision-makers are aware of the impacts on people with characteristics protected by the Equality Act; EqIAs help them make an informed choice.

The following tasks were undertaken in order to deliver this Report:

- a review of relevant policy regarding equality and the national strategic highway network;
- background and baseline research into highway users and the issues and challenges they face in navigating the network;
- additional background desk research into the potential impacts of the scheme (see Appendix B);
- engagement with key stakeholders and external equality groups; and,
- an overall assessment of the impact on equality groups.

Key findings

- Of the protected characteristics covered by the Equality Act 2010, four equality groups are likely to experience disproportionate impacts as a result of the FMMC proposals:
 - Older people
 - Younger people (novice drivers)
 - Disabled people
 - Women (including pregnant women)
- These four groups were screened into the EqIA primarily due to (a) their more limited physical mobility, and hence they are likely to experience more difficulty with vacating their vehicle safely and reaching an ERA to call for assistance; and/or (b) their propensity to lack confidence when driving on the motorway network, especially alone.
- The EqIA has identified that there could be some minor disproportionate positive benefits as a result of the FMMC proposals, due primarily to better traffic flow, more comprehensive CCTV coverage and improved signage.

- However, there could also be some disproportionate adverse impacts for equality groups, such as disabled people and older people in particular and, to a lesser extent, younger people and women. As these groups are less confident in using the motorway network, conversion of the hard shoulder and increased distances between refuge areas may further increase their anxiety especially concerning what to do should they experience a breakdown. Perceptions about reduced safety may act as a deterrent from using the motorway network. Whilst there is evidence to suggest that the implementation of FMMC proposals is likely to improve safety, perceptions from some equality groups may be enough to dissuade usage.
- It is regarded, that identified disproportionate adverse impacts can be reduced by mitigating actions e.g. tailored communication and guidance aimed at specifically addressing the concerns of some motorway users. This material can be disseminated in a variety of ways to ensure it reaches those who need it most and improves their journey preparedness. The production of this material might best be undertaken through informal consultation with the equality groups identified in this report to maximise its effectiveness.

Conclusions and recommendations

Based on the findings of this EqIA the following recommendations are suggested:

- The Highways Agency should consider developing bespoke briefing material and guidance for the equality groups that are the subject of this EqIA.
- A process of monitoring and evaluation should be developed to ensure that: the actions suggested in this report are sufficient to mitigate any adverse impacts experienced by equality groups; no further adverse impacts are being experienced by any equality groups as a result of FMMC implementation; and the advice being offered to disabled, older, younger and women drivers is meeting the needs of these groups. Mitigating actions and guidance should be updated as necessary following evaluation findings.
- Where the Highways Agency proceeds with individual local scheme consultation, it is recommended that involvement is sought from organisations representing disabled people, older people, younger drivers and women. Particularly where adverse impacts are identified, there would be value in undertaking direct engagement with communities with protected characteristics.

1 Introduction

Mott MacDonald has supported the Highways Agency in its delivery of managed motorways schemes since their inception. In January 2012, Mott MacDonald's economic and social research team was commissioned by the Highways Agency to undertake an Equality Impact Assessment (EqIA) of the Future Managed Motorways Concept (FMMC).

1.1 Background to the project

Current managed motorways operations

To relieve congestion on sections of the UK motorway network, the Highways Agency currently uses variable speed limits and opens the hard shoulder to traffic. These sections are known as managed motorways (and were originally referred to as active traffic management [ATM]). They are presently in use on sections of the M42 and M6, part of the Birmingham motorway 'box'. Managed motorways are also currently under construction in West Yorkshire (between junctions 25 and 30 of the M62) and in Bedfordshire (between junctions 10 and 13 of the M1) and various other schemes are due to be installed across the network in the coming years.

Managed motorways provide a high level of flexibility, allowing operators to manage lanes in the event of an incident or the breakdown of a vehicle. Through electronic signage and signals operators are able to actively manage lane closures and provide road users with information on conditions ahead.

A key element of managed motorways schemes is the provision of emergency refuge areas (ERAs) at intervals on managed motorways sections. These areas are wider than and set back from the hard shoulder and are designed to provide additional safety to those who have broken down. An emergency roadside telephone (ERT) is located within each ERA, which can be used to communicate with operators in the relevant Highways Agency regional control centre.

Future managed motorways operations

The M42 and M6 managed motorways schemes have now been in operation since 2006 and 2011 respectively. The Highways Agency is now developing the managed motorways concept for a number of additional locations across the motorway network. This concept builds upon lessons learned from delivery of the original managed motorways schemes. The anticipated design features of the future managed motorways scheme include:

- Removal of the hard shoulder from the main line, and permanent replacement by a controlled running lane;
 - Variable mandatory speed limits;
 - Driver information provided at maximum intervals of 1500m through a mixture of:
 - gantries capable of providing both lane specific signalling and supporting information; and
 - verge-mounted cantilever variable message signs capable of providing the same driver information but using pictograms, wicket aspects, and text legends.
 - Queue protection system and congestion management system;
-

- Comprehensive PTZ (pan / tilt / zoom) CCTV coverage;
- Provision of refuge areas for broken down vehicles at a maximum frequency of 2.5km. A safe refuge includes, the hard shoulder on a motorway exit slip road, motorway service area and an emergency refuge area (ERA) with an emergency roadside telephone (ERT). Existing ERTs elsewhere will be removed, apart from those within a junction where the existing hard shoulder is retained.³

The aim of the FMMC is to support the economy by providing additional capacity on the nation's most congested stretches of motorway, at significantly reduced costs (compared with widening programmes), while maintaining safety for road users, their passengers and those who work on these roads

1.2 The Equality Impact Assessment

1.2.1 What is an EqlA?

An EqlA is a systematic assessment of the likely or actual effects of policies or proposals on social groups with the following protected characteristics (as defined by the Equality Act 2010⁴):

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race (including ethnic or national origins, colour or nationality)
- Religion or belief (including lack of belief)
- Sex
- Sexual orientation
- Marriage and civil partnership

The primary objectives are as follows:

- To assess whether one or more of these groups could experience disproportionate effects (over and above the impacts likely to be experienced by the general population) as a result of a policy being implemented or the way in which a service is delivered.
- To identify opportunities to promote equality more effectively or to a greater extent.
- To develop ways in which any disproportionate negative impacts could be removed or mitigated to prevent any unlawful discrimination and minimise inequality of outcomes.

The findings and recommendations of the EqlA ensure that decision-makers are aware of the impacts on people with characteristics protected by the Equality Act; EqlAs help them make an informed choice whilst complying with their legal responsibilities.

³ Highways Agency (2011): 'MM2 Draft Concept of Operations (to accompany IAN XXX/12)'

⁴ Government Equalities Office (2010): Op. cit.

1.2.2 Why conduct an EqIA?

Equality is already a feature which underpins how the Highways Agency delivers on its strategic aims and objectives. The legislative and strategic backdrop to equality has evolved considerably in recent years. EqIAs continue to be an important element of how the Highways Agency, as a public body, designs and implements changes in the delivery of its services.

Legislative imperative

Analysing the impact of policy proposals on equality groups is an important part of the policy development process. There is a legal requirement for public bodies (and bodies providing public services) to consider equality when designing or revising policies and programmes. This consideration generally involves undertaking some form of equality analysis and, where prudent, for an EqIA to be undertaken. This originates from the Race Relations (Amendment) Act 2000⁵, and is established in its current form as part of the Equality Act 2010.⁶

In April 2011 the Public Sector Equality Duty came into force across England and Wales and is a key legislative instrument in supporting the implementation of the Equality Act. It places a statutory obligation on public bodies listed in Schedule 19⁷ of the Act and any other organisation carrying out a public function, requiring them to pay due regard to the protected characteristics listed on page nine above. Under the Duty the Highways Agency has a statutory obligation to:

- Advance equality of opportunity between different groups. This includes minimising disadvantage, working to meet the needs of people from particular groups and encouraging participation by them in public life.
- Foster good relations between different social groups including tackling prejudice against people with certain protected characteristics and promoting understanding between different facets of society.
- Eliminate unlawful discrimination, harassment and victimisation.

The Duty actually replaced the term 'equality impact assessment' with the term 'analysis of the effects on equality' or 'equality analysis'. This change in terminology is intended to focus more attention on the quality of the analysis and how it is used in decision-making, and less on the production of the document itself. The Duty does not preclude the use of EqIA tools already developed, as long as they enable robust equality analysis which meets the requirements of the Duty.

It is generally accepted that all projects which fall into the following areas should be subject to equality analysis:⁸

- Projects that affect service users, employees or the wider community, and therefore potentially have a significant effect in terms of equality.
- Major projects that significantly affect how functions are delivered in terms of quality.

⁵ UK Government Legislation (2000): 'Race Relations (Amendment) Act'.

⁶ Government Equalities Office (2010): Op. cit.

⁷ Government Equalities Office (April 2011): 'Equality Act 2010: Schedule 19'

⁸ Equality and Human Rights Commission (2011): 'Equality Act 2010 guidance of English public bodies (and non-devolved bodies in Scotland and Wales. Volume 2: Equality analysis and the equality duty: A guide for public authorities'

- Projects which have a significant effect on how other organisations operate in terms of equality.
- Projects which relate to functions or previous projects that engagement has previously identified as being important to particular protected groups.
- Where projects could affect the protected groups differently.
- Where the project is in an area in which there are known inequalities.
- Where the project is in an area in which there have been equality objectives set by a specific organisation.

Minimising risk and maximising equality of outcomes

Recent guidance from the Equality and Human Rights Commission (EHRC) notes that undertaking EqlAs and considering the impacts of proposals on equality delivers public bodies a range of benefits as well as ensuring that they meet their legal duties. Such benefits include:

- Ensuring that programmes impact in a fair way and, where there is evidence that particular groups will be negatively affected, that action can be taken to address this.
- Ensuring decisions are based on evidence, providing a clear and structured way to collect, assess and put forward relevant evidence.
- Making decision-making more transparent, involving those affected by a programme. This is more likely to engender trust in decision-makers and in decisions.
- Providing a platform for working in partnership to consider the impact on members of a shared community and how they might best collaborate and co-ordinate financial decisions.⁹

Due to the importance of their role in policy development, it is vital that EqlAs are undertaken before any policy decision is made. Guidance published by the Government Equalities Office (GEO)¹⁰ and EHRC from January 2011, makes clear that undertaking equality analysis is something that should occur as early as possible in the development process¹¹; it is at the early stages of the project that there is an opportunity for equality issues to be considered, addressed and integrated into design and implementation.

This report sets out the findings from a series of interconnected research processes designed to identify those equality groups most likely to experience impacts as a result of the development of the FMMC; the type of impacts they might experience; whether those impacts will be positive or negative; and whether there are any actions are required to mitigate potential adverse effects or maximise the equality of outcomes.

⁹ See:

http://www.equalityhumanrights.com/uploaded_files/Wales/brief_note_for_decision_makers.doc

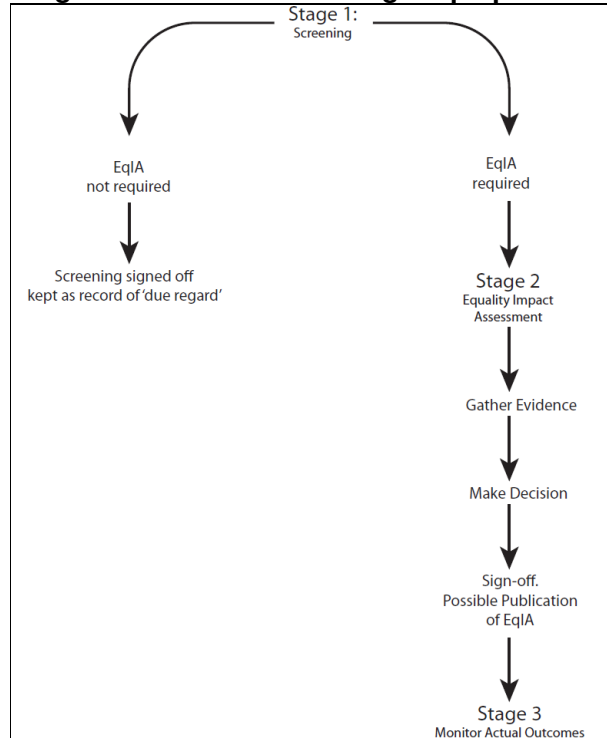
¹⁰ The GEO has now been formally incorporated into the Home Office and is no longer a standalone body.

¹¹ Equality and Human Rights Commission (2011): 'Equality analysis and the Equality Duty'

2 Methodology

The Highways Agency has developed its own guidance to the EqIA process.¹² This guidance sets out the three key stages involved in an EqIA as depicted in the Figure below:

Figure 1.1: The three stage EqIA process



This methodological framework was used to inform the approach for the EqIA of the FMMC. The tasks undertaken to deliver the assessment are set out below.

¹² Highways Agency (2011a): 'Guide to equality impact assessments'

Table 1.1: Stages of the EqIA process

Task	Process	Key aims and activities
Stage One - Screening		
Task 1	Screening and review	The purpose of a screening exercise is to understand whether an EqIA is necessary. It is a process by which the following issues are considered: • whether there is evidence to suggest that any of the protected characteristics have particular sensitivities or needs in relation to the FMMC; • whether there are existing inequalities or access barriers to services or developments which need to be considered; and • whether there are particular community groups or stakeholders representing protected characteristics who have expressed interest or concerns about the proposed scheme. The initial screening exercise had already been undertaken by the Highways Agency in September 2011 (see details in section 2.1 below). Mott MacDonald reviewed this screening exercise to confirm those equality groups necessary to include in the assessment.
Stage Two – Equality impact assessment		
Task 2a	Policy review	A brief desk-based review of the equality policy agenda, primarily at national level was carried out. The review included the most up to date national equality legislation and the equality schemes and policy of the Highways Agency itself.
Task 2b	Data review	Using data primarily from the Driver and Vehicle Licensing Agency (DVLA) and also from the National Travel Survey (NTS) ¹³ 2010 we sought to develop an understanding about the extent of usage of the highways network by those equality groups that were screened in to the EqIA.
Task 2c	Literature review	Following examination of relevant policy and data, a review of other available literature was undertaken. The purpose of this activity was to explore issues known to be experienced by equality groups in relation to road travel, motorway travel, private transport availability, personal security and road safety. Findings from relevant previous research were incorporated into the baseline.
Task 3	Stakeholder engagement	For a country-wide policy proposal of this nature stakeholder engagement is particularly important in terms of minimising risks to project delivery. As the FMMC is national in its scope, stakeholder engagement activity targeted national representatives of equality and motoring groups, rather than localised bodies. Identified stakeholders were invited to take part in one-to-one interviews, designed to explore their views on the impacts of the proposed FMMC. This process allowed us to gather qualitative information on: • Existing challenges with using the highway network by particular groups • The potential benefits of the proposed changes • Any ways in which the proposals may cause disproportionate negative impacts • Measures that could be put in place to help mitigate, minimise or eliminate any identified negative consequences for particular equality groups • Whether there are any other opportunities to improved equality of opportunity and outcomes through implementation of the policy The questions stakeholders were asked to respond to are set out in Appendix B.
Task 4	Equality impact analysis	After the desk-based research exercise, and the process of stakeholder engagement, equality impact analysis was undertaken to identify expected positive and negative impacts; which equality groups may experience these impacts to a disproportionate extent; and whether these impacts reduce or increase existing inequalities.
Task 5	Reporting	The reporting phase involved setting out the conclusions from the equality impact analysis and developing recommendations so as to minimise any adverse equality effects and maximise benefits.
Stage 3 – Monitoring actual outcomes		
Task 6	Monitoring	Although monitoring and evaluation is addressed in the recommendations which conclude this EqIA report, the undertaking of these activities is not part of Mott MacDonald's scope of work. Decisions about future the monitoring process will be undertaken by the Highways Agency during and post project delivery.

¹³ Department for Transport (2011): 'National Travel Survey 2010: Statistical Release'

2.1 Assumptions

The methodological approach is underpinned by the following assumptions, which are important to note:

- The stakeholders invited to participate in the interviews were selected on the grounds of the equality groups that they represented and/or their knowledge of the motoring industry and network.
- The engagement process with stakeholders was for the purposes of the EqIA only and not part of the wider consultation process being undertaken by the Highways Agency.
- Where stakeholders have chosen not to participate in interviews, or have not responded to invitations, we have been informed or it has been assumed that the particular organisation does not consider the issue to be significant in terms of affecting the group they represent and, therefore, they have not deemed it a priority to participate. In impact assessment work, there is often a correlation between lack of participation in engagement and the perceived lack of disproportionate impacts.
- The report focuses on and, therefore, relies on evidence about disproportionate impacts on equality groups; this evidence is distinct from general views on the FMMC proposals or impacts / advantages / disadvantages for all highways users.
- The impact assessment has been based on evidence from both the desk research and the stakeholder feedback. Evidence is presented in an integrated way and the assessment is based on these combined findings and professional judgement.
- Limited quantitative evidence has been included in the report because data on usage of the highway network (and more particularly the links where FMMC is proposed) split down by equality groups is not available. Where possible we have used DVLA driver licence data to understand the number of people from each of the different screened-in groups that are drivers and using this as an indication of their proportional use of the network. We understand that this data has limitations in that not all of those registered to drive will actually use the strategic road network and, even if they do, may not use the stretches of the motorway which are included within FMMC proposals. In addition DVLA data is based on figures for Great Britain, whilst the Highways Agency's remit is for England only; although it is acknowledged that the strategic road network is utilised by people who live outside of England.
- Figures for the number of disabled people with a driving licence could not be sourced; as such Blue Badge statistics have been used for this equality group. We understand that this dataset is not perfect given that (a) it is likely that not all disabled drivers will have applied for a Blue Badge and (b) Blue Badges are allocated to disabled people who are non-drivers as well as those who are.
- This assessment is based on the understanding that equality groups can be affected by virtue of not only being a driver, but also when they are a passenger.

2 ‘Screened in’ equality groups

This Chapter sets out the findings of the screening review and provides evidence to support the inclusion of four specific equality groups as part of the full EqIA.

2.1 Outcome of the screening review

The screening exercise for the FMMC was undertaken by the Highways Agency in September 2011 (see Appendix A). The key objective of a screening exercise is to identify which (if any) of the protected characteristics could experience direct or indirect disproportionate impacts (either positive or negative), thereby setting out whether or not a full EqIA is necessary.

The Highways Agency’s screening conclusion was that a full EqIA was required due to the potential for two equality groups in particular to experience disproportionate impacts. The screening pro forma indicated that ‘age’ (the age group was not specified) and ‘disability’ were characteristics that required further attention.

The first task undertaken of the full EqIA was a review of this original screening exercise in order to substantiate the screening results. Compliance with equality legislation requires a record of how decisions have been reached; providing evidence to document the reasons why equality groups are (or are not) expected to experience disproportionate impacts is therefore important.¹⁴

Based on the evidence presented below, the review exercise concluded that the EqIA needed to be slightly widened and focus on four types of highway users:

- Older people
- Younger people (notably new drivers)
- Disabled people
- Women and pregnant women

There are two primary reasons for including these groups within the assessment:

(i) Mobility

Two of the key features of the FMMC schemes are permanent conversion of the hard shoulder to a running lane and the potential increase in distance between the refuge areas along the carriageway. These two elements are likely to have more of an impact for those with reduced mobility who are (a) less likely to be able to vacate their car without assistance and, therefore, would need to remain in a lane of running traffic; and (b) if they are able to leave their car safely, are more likely to experience difficulties with travelling the increased distances to a refuge area.

¹⁴ See: Highways Agency (2011a): Op. cit.; Government Equalities Office (2011): ‘Equality Act 2010: Public Sector Equality Duty – what do I need to know? A quick start guide for public sector organisations’

(ii) Confidence

The reduction of hard shoulder space and the increased distance between ERAs could give rise to additional concerns and worry about actions to take in the event of a breakdown. Conversely, the prospect of the FMMC schemes improving traffic flow and the associated clearer, consistent signage may alleviate present anxiety about motorway use. In both respects those driver groups who are already under-confident, and especially those who lack confidence when using the motorway network, are likely to experience disproportionate impacts from the FMMC proposals.

More detail on the rationale for the inclusion of each of the screened in groups, based on the above factors, is set in the sections below. Also included are road user statistics for each of these groups.

2.2 Older people

Evidence for inclusion – existing barriers and concerns

Although many older people do not necessarily classify themselves as disabled, they may encounter limitations by virtue of health problems associated with growing older. The statistics speak for themselves; of the 10.1 million disabled people of working age and above, five million of these (nearly 50%) are of state pensionable age.¹⁵

Older drivers can experience physical (including restricted mobility and joint movements); cognitive (increased difficulties with processing information); and sensory impairments (sight or hearing problems). These impairments can limit both mobility and also affect their driving confidence.

The Foundation for Health in Ageing (FHA) states that aging 'can lead to problems with mobility ... such as unsteadiness while walking, difficulty getting in and out of a chair, or falls. Muscle weakness, joint problems, pain, disease, and neurological difficulties ... can all contribute to mobility problems. Sometimes several mild problems occur at one time and combine to seriously affect mobility.'¹⁶

Global Action on Ageing, an international organisation dedicated to raising awareness of the growing elderly population throughout the world, argue that 'intimidation, lack of confidence and declining ability are forcing many elderly drivers off the road altogether'.¹⁷ Factors such as: retirement, leading people to dwell on their own driving ability; pressure on older male drivers to keep driving if their wives have not learnt to drive; changes to the driving landscape, particularly motorways; and, the speed of younger more confident drivers can all contribute to older drivers feeling intimidated and anxious.¹⁸ The AA also notes that 'more than 50% of drivers over 75 say they leave longer distances, are more cautious, and avoid heavy traffic and long trips compared with when they were 50. Many also avoid night driving, motorways and drive more slowly.'¹⁹

¹⁵ Department for Work and Pensions (DWP): 'Disability prevalence estimates 2009/10' – based on data taken from the Family Resources Survey (FRS)

¹⁶ Health in Aging Organisation (2004):

http://www.healthinaging.org/public_education/eldercare/21.xml#1

¹⁷ Global Action on Aging (2000): <http://www.globalaging.org/health/us/wonder.htm>

¹⁸ Global Action on Aging (2000): Op. cit.

¹⁹ The AA (December 2011). Source: http://www.theaa.com/public_affairs/reports/older-drivers.html

Furthermore, a study published by the RAC in 2010 also suggested that the prescription drugs taken by many older people and their implications for driving is an additional factor that can affect older drivers' travel confidence.²⁰ This decreased confidence that comes with ageing leads some older drivers to adapt their driving by limiting their journeys or taking a companion.²¹

Road usage statistics

Older people make up a significant proportion of Britain's drivers. Figures published by the DVLA in January 2012²² show that nearly 10 million licence holders are over the age 60 (9,831,193), which represents over 25% of the driver population. Whilst it may be the case that not all of these licence holders still drive, (and, if they do, drive on the highway network) these figures show that the older population are an important user group in terms of Highways Agency services and, therefore, their needs require consideration.

2.3 Younger people (novice drivers)

Evidence for inclusion – existing barriers and concerns

An AA survey undertaken in 2009 suggested that a fear of motorways and a lack of driving skills have created a 'lost generation' of drivers who avoid motorways. One in seven motorists – nearly five million in total – reported that they lacked vital skills for motorway driving, rising to one in five among drivers who have passed their test within the last five years.²³

AA/Populus research reinforces the suggestion that limited confidence is prevalent amongst novice drivers, finding that only 44% of those aged 18-24 said they were confident driving on motorways, compared to 65% for drivers aged 55-64.²⁴ It is thus reasonable to expect that novice drivers who have just passed their test are to be nervous due to lack of experience, and this is supported by AA Driving School research indicating that new drivers take shorter local trips.²⁵ Furthermore, a recent AA poll reflects the fact that younger drivers show signs of having the least confidence at the prospect of retaking their practical driving test. As many as 15% of the 18-24 year olds²⁶ polled felt that they were either 'quite unlikely' or 'unlikely' to pass indicating very low levels of confidence in overall driving ability.

²⁰ The RAC Foundation (2010): 'Maintaining Safe Mobility for the Ageing Population'

²¹ Centre for Research and Social Policy, Sutton, L. and Hill, K, (2010):

²² DVLA (2012): Driver Licence Statistics as at 28th January 2012. See: <http://www.dft.gov.uk/dvla/foi/Disclosure/Driver%20Licence%20Statistics.aspx?keywords=statistics>

²³ The AA (2009): 'http://www.theaa.com/motoring_advice/news/aa-driving-school-fear-of-motorways.html'

²⁴ AA/Populus panel survey of 13,905 drivers, 2 - 8 June 2009

²⁵ The AA (February 2012): <http://www.theaa.com/newsroom/news-2012/first-drive-after-passing-test.html>

²⁶ The AA (2011): <https://www.pressdispensary.co.uk/releases/c993260/g.html>

Road usage statistics

The latest DVLA figures highlight that drivers aged 17-21 (those that are in the first five years of licence ownership) total nearly 1.5 million (1,480,419), comprising nearly 4% of the driving population.²⁷ Whilst this is a relatively low proportion, novice drivers remain an important consideration given the poor safety record associated with this group and their tendency towards lower levels of confidence, especially when using motorways. In addition, this 4% figure is likely to be a significant underestimate of the number of people who have held their licence for a short period (under five years) because not all prospective drivers pass their test at age 17.

2.4 Disabled people

Evidence for inclusion – existing barriers and concerns

It is important to highlight, that the country's nearly 11 million disabled people are not a homogenous group with identical needs. 'Disability' is an umbrella term and its definition is broad. The DfT's 2002 publication 'Inclusive Mobility' suggested five broad functional categories (locomotion; seeing hearing; reaching stretching and dexterity; and learning); whilst the more recent disability prevalence factsheet published by the Office of Disability Issues covers eight types of capacities which can be affected by disability (mobility; lifting and carrying; manual dexterity; continence; communication; memory, concentration and learning; recognising when in danger; and physical co-ordination). Requirements vary considerably depending on the nature of a person's disability; impacts of the FMMC, therefore, are also likely to vary considerably.

Road usage statistics

There are an estimated 10.1 million people in Great Britain of working age and above²⁸ who experience some form of disability; 8.7 million of which reside in England.²⁹ Not all of these individuals are drivers; however, an indication of the number of disabled people who are road users³⁰ can be provided by figures from the government's 'Blue Badge' scheme, which provides a range of parking concessions for people with severe mobility problems, and their carers, who have difficulty using public transport. The DfT carries out an annual survey of the number of Blue Badges issued by local authorities; it is estimated that the number of valid Blue Badges held on 31 March 2011 was 2.56 million.³¹ From these figures it is possible to estimate that disabled people comprise around 7% of the driving population.

²⁷ DVLA (2012): Op. cit.

²⁸ Working age figures have been used because driving licences cannot be attained below 16.

²⁹ Department for Work and Pensions (DWP): 'Disability prevalence estimates 2009/10' – based on data taken from the Family Resources Survey (FRS)

³⁰ In terms of disabled people, there are potential impacts as drivers but also, to a lesser extent, as passengers.

³¹ Department for Transport (DfT) (2011): 'Blue Badge Scheme Statistics 2010/11'

2.5 Women

Evidence for inclusion – existing barriers and concerns

Together with young drivers women are amongst the least confident on motorways. According to AA/Populus research, only 44% of women say they are confident driving on motorways compared to 70% of men.³² Research further suggests that in their first year of driving nearly 40% of women avoid motorways altogether due to confidence issues.³³

Pregnancy also has physical and psychological effects that can in turn affect willingness to drive. The Pregnancy Mobility Index, a 'mobility scale during and after pregnancy'³⁴, indicates that pregnant women can suffer from mobility restrictions (particularly in the later stages of pregnancy) that include chronic back/pelvic/joint pain, pelvic instability or even breathlessness and rib pain, that differentiate them from the general population. These restrictions can affect an individual's mobility in accessing/leaving their vehicle and may also influence their capability and willingness to drive. In addition, ThinkBaby, an online resource for pregnant women and mothers, cites problems such as tiredness, cramps, the inconvenience of a seatbelt later in the pregnancy, and the fear of going into labour whilst on the road as influencing a pregnant woman's confidence in driving.³⁵ Furthermore, pregnant women can feel particularly vulnerable, especially towards protecting their unborn baby, and as a result can develop a 'fear' of breaking down on the motorway³⁶ due to worries of feeling exposed to oncoming traffic and what course of action to follow should an emergency arise (there is a reliance on the hard shoulder).

Research by the RAC Foundation in 2005 looked into "driving anxiety disorder"³⁷, which resulted in symptoms such as trembling, sweating, erratic breathing, panic and sickness. The work found that it affects around three million people and prevents these drivers from making effective use of the country's road network, particularly motorways and busy urban networks. Those most likely to suffer from anxiety are women (especially younger and older women drivers).

Road usage statistics

Women are a key user group of Highways Agency services; of the 37,308,402 full licences held in the UK approximately 45% are held by women.³⁸

Data is not available on the numbers of women drivers who are pregnant or who have young children.

³² AA/Populus panel survey of 13,905 drivers, 2 - 8 June 2009

³³ Young drivers - where and when they are unsafe: analysis of road accidents in Great Britain 2000-2006 (IAM Motoring Trust, August 2008).

³⁴ van de Pol G, de Leeuw JR, van Brummen HJ, Bruinse HW, Heintz AP, van der Vaart CH.(2006): 'The Pregnancy Mobility Index: a mobility scale during and after pregnancy'

³⁵ ThinkBaby.co.uk: 'Pregnancy and Travel' (2010). Source: <http://www.thinkbaby.co.uk/pregnancy-and-travel/driving-in-late-pregnancy/1664.html>

³⁶ Babycentre (2011): 'What shall I do if the car breaks down when I'm pregnant?'. Source: <http://www.babycentre.co.uk/pregnancy/travel/gettingtherebycar/>

³⁷ The RAC (2005), as quoted by CarKeys.co.uk, Source: <http://www.carkeys.co.uk/features/driving-anxiety-disorder>

³⁸ DVLA (2012): Op. cit.

3 Policy context

This chapter sets out the policy context for the EqIA, and for the development of the scheme. It considers the national equality agenda and the contribution of the DfT, the Highways Agency and of the transportation system more generally in realising national equality objectives.

2.1 National equality policy

2.1.1 Background

Investigating the impacts of policies, programmes and projects on different social groups is a statutory responsibility in Britain originating from the Race Relations (Amendment) Act 2000 and the Disability Discrimination (Amendment) Act 2005. These placed requirements on public authorities to assess and consult on the likely impact of proposals on race and disability equality respectively. Existing alongside them for many years was a large body of legislation designed to secure the equality of a variety of social groups – from women, through the Sex Discrimination Act 1975, to the Employment Equality Regulations of 2003 and 2006 prohibiting discrimination on the grounds of religious belief, sexual orientation and age.

The simplification of this raft of policy, regulation and guidance became a government priority in the mid 2000s. The Equality Act 2006 set out more systematically the requirements to assess the impact of projects and policies on different social groups, but it was the Equality Act 2010 that finally streamlined and fully consolidated the legislative position on equality.

2.1.2 The Equality Act and Public Sector Equality Duty

A key implication of the Act was a restructuring of the statutory duties placed upon public bodies such as the Highways Agency with regard to equality. In April 2011 a new **Public Sector Equality Duty** came into force, replacing the existing duties concerning race, disability and gender. The Public Sector Equality Duty includes a general duty and a series of specific duties.

The **general duty** requires that government departments and public authorities have due regard to the following three aims:

- eliminating unlawful discrimination, harassment and victimisation;
- advancing equality of opportunity between different groups; and
- fostering good relations between different groups.

In England and Wales the general duty ensures that equality considerations are built into the policies and services offered by public authorities and those carrying out public functions. It specifies that they should minimise disadvantages experienced by people due to their protected characteristics, take steps to meet the different needs of people from protected groups and to encourage participation from these groups where participation is disproportionately low.

To support this process, the EHRC³⁹ published an ‘essential guide’⁴⁰ to aid any public authority covered by the general duty. The guide states that these authorities need to guarantee that:

- all staff and leadership are aware of the duty’s requirements;
- the duty arises at the time of or prior to a decision about a particular policy;
- the duty itself is an integral part of the decision making process;
- all necessary information has been acquired for an informed decision to be made;
- the duty is regularly reviewed; and
- even those exercising public functions on behalf of a public body meet the duty.

The general duty is underpinned by a series of specific duties.

The **specific duties** are legal requirements designed to help those public bodies understand their responsibilities. The specific duties include the publication of equality objectives, conducting equality analysis and Equality Impact Assessments where necessary, and publishing information to demonstrate compliance with the equality duty. The Equality Act requires reasonable adjustments to be made for disabled people, including ensuring information is provided in alternative and accessible formats.⁴¹

2.2.3 The Highways Agency’s equality policy

The aim of the Highways Agency is to ensure ‘safe roads, reliable journeys and informed travellers’. As a public body, the Highways Agency is subject to the requirements of the Public Sector Equality Duty.

Equality is regarded as an important aspect of the functions that the Highways Agency carries out. It recognises that it has a pro-active role in play in terms of advancing equality of opportunity and fostering good relations between people who share a ‘protected characteristic’ and those who do not.⁴² The Highways Agency is committed to equality and diversity in the conduct of all of its work and aims to engage with people from all backgrounds to ensure that its services meet customers’ needs and expectations.⁴³

Single Equality Plan (2011)

As part of meeting its responsibilities under the Public Sector Equality Duty, the Highways Agency recently updated its Single Equality Plan.⁴⁴ The importance of equality and diversity to the organisation is set out in this document:

³⁹ The EHRC was established under the 2006 Equality Act.

⁴⁰ Equality and Human Rights Commission (2011) ‘The essential guide to the public sector equality duty’

⁴¹ The Office for Disability Issues provides information about how to make information accessible to disabled people. See: www.odl.gov.uk/formats

⁴² Highways Agency (2011a): Op. cit.

⁴³ <http://www.highways.gov.uk/aboutus/17696.aspx>

⁴⁴ Highways Agency (2011b): ‘Single Equality Plan April 2011 – March 2012’

'We believe that in order to achieve our vision of becoming the world's leading road operator, we must understand the different needs our staff and large, diverse customer base, and factor these requirements into the services that we, and our supply chain provide. Our evolving single equality plan is part of our strategy towards meeting this aim.'

Under the Plan's heading **'providing effective customer services'** the following three high level objectives are set out:

1. Ensure direct customer service consistently gives due consideration to needs stemming from 'protected characteristics'
2. Ensure accessibility and equality issues are consistently considered in the renewal and development of the strategic road network.
3. Review existing customer service performance data to determine whether there are issues and/or opportunities in equality terms that need to be addressed through 2012 equality objectives.

The second of these high level objectives is the most relevant to this EqlA. This objective is to be implemented through the following actions:

1. To give due regard to the likely effect of the managed motorways programme on groups with protected characteristics. Where changes to the Strategic Road Network will/are likely to affect different equality groups in different ways adequate information is consistently gathered to inform decisions before these changes are made.
2. Continue to progress the principles of the Equality Act 2010 and Public Sector Equality Duty compliance in developing major road schemes.
3. Continue to progress the principles of the Disability Discrimination Act compliance programme, delivering appropriate improvements alongside maintenance schemes wherever possible, and check compliance.

Guide to Equality Impact Assessments

The Highways Agency regards EqlAs as a key means of delivering its commitment to equality and, to this end, has developed its own guidance on EqlAs to ensure that the organisation follows a robust process. In its 'Guide to Equality Impact Assessment' the Highways Agency recognises that EqlAs not only help it to meet its legal obligations, but also that the process can bring about positive changes and improvements to the way that services are delivered.

For example:

- improving quality and transparency of decision-making
- ensuring decisions do not have unintended consequences for some groups and are fully effective to all
- increasing understanding of why decisions are reached and the range of factors which have been considered; and
- supporting risk management by helping to avoid potential discrimination against or exclusion of protected groups.

2.3 Summary

On a national scale, equality policy has been galvanised with the Assent of the Equality Act 2010 and the introduction of the new Public Sector Equality Duty. The statutory requirements placed on bodies delivering public functions have been clarified and the key priorities (the most relevant being to advance equality of opportunity between different groups) are to be maintained throughout Britain.

The Highways Agency, as a public sector organisation, has a number of responsibilities to uphold from this policy and it maintains a number of guidance documents and tools – including a Single Equality Plan, guidance on and the publication of previous EqlAs, as well as a range of other information gathering exercises to help monitor performance against its objectives.⁴⁵

The EqlA of the FMMC needs to be undertaken in accordance with these requirements and guidance, thereby ensuring that the proposals are assessed in terms of their positive and negative impacts on equality groups but also in terms of their adherence to national legislation and the specific equality aims and objectives of the Highways Agency itself.

⁴⁵ <http://www.highways.gov.uk/aboutus/18720.aspx>

4 Impact assessment

This Chapter draws on the desk research evidence and stakeholder engagement findings, setting out:

- the equality groups most likely to experience impacts
- expected impacts from the proposed FMMC implementation

It should be noted that only where impacts are due to have a disproportionate impact on equality groups (those impacts that are over and above or different to the impacts experienced by all highways users) are reported. Impacts have been classified according to the following scale:

- Major positive impact
- Moderate positive impact
- Minor positive impact
- Negligible
- Minor adverse impact
- Moderate adverse impact
- Major adverse impact

The following guidelines⁴⁶ have been used to assess impact significance.

Significance	Criteria Guidelines
Major	Extent: Likely to affect the well-being of most or all people from the specified equality group. Duration: Long term
Moderate	Extent: Likely to affect the well-being of many people from the specified equality group. Duration: Medium term
Minor	Extent: Likely to affect a small number of people from one or more equality groups Duration: Short-medium term Reversibility: Likely to be
Negligible	Extent: Few or zero predicted impacts on equality groups Duration: Short term

4.1 Using the hard shoulder as a permanent running lane - breakdowns

The absence of a hard shoulder, combined with low confidence, is likely to lead to reluctance to use the motorway system for certain groups. Amongst under-confident drivers there is often a worry about what to do in the event of a breakdown. Current material provided in a handbook for disabled drivers who wish to lease a car through the Motability Scheme advises disabled motorists to use the hard shoulder as a way of getting out of the way of moving traffic.⁴⁷ However, this will not be possible when FMMC is operational.

⁴⁶ In the absence of quantifiable data these guidelines have been used to assess significance. They are guidelines only and should not be treated as definitive.

⁴⁷ Motability (2011): 'Car Scheme Handbook'

As commented by one stakeholder in relation to disabled people:

“The question of where disabled people could go in case of breakdown also needs to be seriously considered.” (Stakeholder)

Added to this, some users may not be in a position at all to leave their vehicle independently and safely. This is especially the case for drivers with restricted mobility, the majority of whom will find it difficult or impossible to leave their vehicle from the left hand side door. As such, they will be at greater risk of an incident due to remaining in a stationary vehicle.

Moreover, many drivers, and particularly women, older and younger people have serious concerns about a motorway breakdown incident. RAC Research has shown that a large proportion of women fear breaking down on the motorway, while around a quarter considered that trucks and lorries overtaking on the motorway make them feel nervous. The removal of the hard shoulder could increase this concern. Research undertaken by insurer Direct Line confirms this, noting that ‘close to one in five (18 per cent) of female British motorists fear breaking down on the motorway so much so that over two million of them refuse to drive on M roads, resulting in driving an extra 384 miles per year each.’⁴⁸ The research also reflects a general fear of breaking down, across all demographic groups with lower confidence levels. Motorists’ top reasons for worrying about a motorway breakdown include:

- Feeling vulnerable (45 per cent)
- Feeling scared of having a car accident (26 per cent)
- Panicking due to the proximity of high-speed cars (11 per cent)’⁴⁹

In November 2010 Mott MacDonald undertook an evaluation of perceptions of the Birmingham Box Managed Motorways Sections 1 and 2 (BBMM1 and 2) on behalf of the Highways Agency⁵⁰. A key message from this work was that there were concerns with what to do in the event of a breakdown with no hard shoulder in operation. Some felt the refuges were insufficient and that a driver would have to be ‘lucky’ to reach one in the event of a breakdown. The anxiety over breaking down without a hard shoulder to pull into was also felt by many drivers to add to the stress and worry about motorway driving and many speculated that, in the event of a breakdown, the lack of a hard shoulder would cause additional fear and panic in an already tense situation. Those equality groups who are already under-confident are expected to share these concerns when FMMC schemes are rolled out.

Impact assessment:

Moderate adverse impacts for those with restricted mobility.

Minor adverse impacts for other ‘screened in’ equality groups.

⁴⁸ The research was carried out on behalf of Direct Line Breakdown by YouGov. A nationally representative sample of 1,791 UK drivers were questioned online between 27th to 29th September 2005

⁴⁹ The research was carried out on behalf of Direct Line Breakdown by YouGov. A nationally representative sample of 1,791 UK drivers were questioned online between 27th to 29th September 2005

⁵⁰ Mott MacDonald, on behalf of the Highways Agency (2010): ‘Birmingham Box Managed Motorways Phases 1 & 2 After Construction User Consultation Report’

4.2 Using the hard shoulder as a permanent running lane - safety

In addition to the above concerns about breakdowns, there is also the possibility that the additional lane may increase perceptions of motorways being an unsafe environment. In using certain junction configurations on sections of managed motorways, vehicles may be required to perform a greater than average number of lane changes in order to avoid exiting the motorway whilst travelling in the inside lane. For under-confident drivers these 'new' driving conditions may well act as a deterrent from using the motorway.

There are also fears that the possible confusion caused by the introduction of FMMC would give rise to subsequent dangers from this uncertainty. The Association of British Drivers illustrates this point:

*'To remove a vital emergency lane instead of installing extra lanes is a dangerous bodge and can only lead to confusion and an increase in danger.'*⁵¹

It is worth noting, however, that evidence from the *existing* managed motorways demonstrates that personal safety actually improves when a managed motorways system is implemented. Indeed, the improved traffic conditions in general add to perceptions of safety on managed motorways and a reduction in Personal Injury Accidents is generally realised.⁵²

In addition, the BBMM evaluation report undertaken by Mott MacDonald⁵³ also revealed that *perceptions* of safety improved after the implementation of the managed motorways scheme; 26% of survey respondents in the 'after implementation' study compared to 43% in the 'before' implementation' reported concerns over their safety while driving on those sections. This was based on the perception that vehicle speeds and severe accidents had been reduced.

Whilst evidence suggests that safety concerns may not be realised in practice, prior perceptions may be sufficient to deter under-confident individuals from using the motorway network.

Impact assessment:

Minor adverse impacts for all 'screened in' equality groups.

⁵¹ ABD (2003) source: '<http://www.abd.org.uk/pr/362.htm>

⁵² Highways Agency (2011): 'M42 MM Monitoring and Evaluation: Three Year Safety Review'. See also: Highways Agency (2008): 'M42 4LVMSL Performance 12 Month Report'

⁵³ Mott MacDonald, on behalf of the Highways Agency (2010): 'Birmingham Box Managed Motorways Phases 1 & 2 After Construction User Consultation Report'

4.3 Increasing the distance between ERAs

It is possible that increasing the distances between ERAs may have some disproportionately adverse effects on certain equality groups. Guidance currently recommends exiting the vehicle where possible and making use of an ERT to request assistance⁵⁴. Even where able to vacate their vehicle, with increased distances between the ERAs those drivers, and indeed passengers, with mobility difficulties are likely to find it far more challenging to reach an ERT and call for assistance by conventional means. These individuals are also far less likely to be able to cross over into a safer area behind the crash barrier. Walking to an ERA where necessary is also potentially more dangerous for people with hearing impairments, not least if the nearest ERA is in the direction of the flowing traffic.

Impact assessment:

Moderate adverse impacts for those with reduced or limited mobility – such as some disabled people, older people and pregnant women.

4.4 Improved and clear signage

One of the elements of the FMMC proposals is changed signage. Experiences of the M42 and M6 managed motorways schemes have indicated that the majority of drivers understand and find the signage clear and easy to follow: 'Perceptions of signage were good with 77% of survey respondents saying direction signage is good'⁵⁵. As such, if FMMC employs current good practice in the delivery of signage in the rollout of future schemes, there is a likely reduction in driver confusion. This will particularly benefit those who have least confidence when using the motorway network and potentially encourage them to use it more frequently.

Impact assessment:

Minor beneficial for all 'screen in' equality groups.

4.5 Comprehensive CCTV system

A key feature of the FMMC proposals is the introduction of a comprehensive system of CCTV cameras covering sections of the motorway on which the FMMC is in operation including the ERAs. The CCTV cameras will link with a regional control centre so that an appropriate response to an incident is likely to be quicker on a managed motorways section than on other motorway stretches. Knowledge of this remote surveillance is again, likely to reassure those drivers who have least confidence when using motorways and who are more fearful of breaking down. There is also the potential to deliver particular benefits to drivers without the ability to vacate their vehicle safely because the CCTV surveillance system will help Highways Agency operatives to ensure that support is despatched expediently.

Impact assessment:

Moderate beneficial impacts for those with restricted mobility.

Minor beneficial impacts for other 'screened in' equality groups.

⁵⁴ Highways Agency (2011): 'Managed motorways storyboards 'What to do if I break down?'

⁵⁵ Mott MacDonald, on behalf of the Highways Agency (2010): 'Birmingham Box Managed Motorways Phases 1 & 2 After Construction User Consultation Report'

4.6 Better traffic flow

The rationale behind the FMMC proposals is to enhance motorway capacity in order to improve traffic flows. Reductions in average and overall journey times have been realised on managed motorways sections on the M42.⁵⁶ More free flowing traffic conditions, running at a constant speed could help to relieve anxiety of under-confident drivers and reduce the level of weaving between lanes.

Impact assessment:

Minor beneficial impacts for all 'screened in' equality groups.

4.7 Summary

The impact assessment findings suggest that the FMMC proposals may result in some disproportionate adverse impacts on the certain groups covered by the Equality Act. These are disabled people and older people, due to both limited mobility and confidence, and to a lesser extent younger people and women (including pregnant women) who also tend to be more nervous motorway users.

There are, however, also likely to be some minor disproportionate beneficial effects for some of the equality groups identified, due to clear signage, surveillance and improved traffic flow.

The following chapter explores the potential mitigation and improvement measures to address some of the identified adverse impacts and improve the equality of outcomes from the FMMC proposals.

⁵⁶ Highways Agency (2008): 'M42 4LVMSL Performance 12 Month Report'

5 Mitigations and improvements

The role of the EqlA process is not only to identify impacts, but also to develop mitigating actions, where necessary, and suggest improvements to proposals so as to advance equality of opportunity. During the course of the research several ways in which to do this have emerged; these are explained in this Chapter.

One of the primary impacts for equality groups concerns the nervousness about using a new motorway layout and, principally the consequences if they experience a breakdown without a hard shoulder for them to pull onto. This issue has the potential to further reduce the limited confidence of some equality groups about using motorways. As highlighted in the previous chapter, even where there is evidence to suggest that safety will improve there remains an issue of perception which will need to be overcome to ensure that equality of opportunity is fully promoted.

There are some relatively straightforward measures that the Highways Agency could take forward, which might help to mitigate the above identified adverse impacts; assist with journey preparedness; allay concerns about new network conditions; and overcome perceptions about lack of personal safety. The primary strategy for achieving this is through clear and targeted communication.

5.1 Communication

In previous work undertaken for the Highways Agency (which looked at improvements being made to the network to make them more accessible for disabled people⁵⁷) a key issue for the participating stakeholders was that the Highways Agency needed to better publicise the work that they were undertaking. The report concluded that better information and communication would have the effect of considerably boosting the confidence of disabled people in using highways independently. It was commented that improvements would not be enough on their own and that they needed to be effectively advertised; enhanced accessibility is dependent on communicating enhancements to disabled people so that they are aware of their existence and can take advantage of them. This issue has been reiterated through the work undertaken for this EqlA:

“There would need to be considerable PR [public relations] to ensure disabled people were not put off using motorways due to fear of what might happen if they broke down and had nowhere to go.” (Stakeholder)

There is a clear message, therefore, that enhanced information increases confidence in the use of the network.

Literature and information targeted at specific equality groups, addressing their concerns and offering advice on what to do in the event of a breakdown would be a useful way forward. The Highways Agency has already developed ‘storyboards’ to inform people about existing managed motorways schemes and how incidents will be managed. A storyboard has also been drafted for FMMC. These, however, are general in terms of their audience focus.

⁵⁷ This piece of work was undertaken a part of the ‘Accessibility of the Strategic Road Network’ programme of work. See: <http://www.highways.gov.uk/aboutus/24341.aspx>

There is the opportunity to tailor guidance of this nature for equality groups so that it addresses their specific concerns. A specific factsheet for those with restricted mobility which provides, for example, explicit advice to those who cannot exit their vehicle to walk to an ERA/ERT would be valuable. Factsheets aimed at the other vulnerable user groups would help mitigate confidence issues and remedy any misconceptions that may be held. There are already examples of this type of approach, for example the AA's website has a dedicated advice page for women driving alone on its website.⁵⁸

5.2 Dissemination

In terms of communicating this guidance, there are a variety of options available, including the Highways Agency's own website. There are already dedicated equality and diversity pages on which information and guidance aimed at specific equality groups could be published; the factsheet style might also be featured on the managed motorways section of the website so there is more than one way in which to access it. Another powerful way in which to communicate with different equality groups is to feed information through their representative organisations (such as those groups engaged for this study, but also more widely) or via motoring groups. Often organisations will be happy to publish guidance or, at least, links on their own websites to ensure their members have easy access to the guidance that they need. Making hard copies available on request is also important, especially for individuals who do not have access to the internet or a printer. Issuing guidance sheets for individuals to carry with them on motorway journeys will help to generate reassurance.

⁵⁸ http://www.theaa.com/motoring_advice/women_driving_alone.html

6 Conclusions and recommendations

6.1 Key findings

- Of the protected characteristics covered by the Equality Act 2010, four equality groups are likely to experience disproportionate impacts as a result of the FMMC proposals:
 - Older people
 - Younger people (novice drivers)
 - Disabled people
 - Women (including pregnant women)
- These four groups were screened into the EqIA primarily due to (a) their more limited physical mobility, and hence they are likely to experience more difficulty with vacating their vehicle safely and reaching an ERA to call for assistance; and/or (b) their propensity to lack confidence when driving on the motorway network, especially alone.
- The EqIA has identified that there could be some minor disproportionate positive benefits as a result of the FMMC proposals, due primarily to improved traffic flow, comprehensive CCTV coverage and clear signage.
- However, there could also be some disproportionate adverse impacts for equality groups, such as disabled people and older people in particular and, to a lesser extent, younger people and women. As these groups are less confident in using the motorway network, conversion of the hard shoulder and increased distances between refuge areas may further increase their anxiety, particularly concerning what to do in the event of a breakdown. Perceptions about reduced safety may act as a deterrent from using the motorway network. Whilst there is evidence to suggest that the implementation of FMMC proposals is likely to provide a safety benefit, perceptions from some equality groups may be enough to dissuade usage.
- It is regarded, that identified disproportionate adverse impacts can be largely mitigated out through tailored communication and guidance aimed at specifically addressing the concerns of some motorway users. This material can be disseminated in a variety of ways to ensure it reaches those who need it most and improves their journey preparedness. The production of this material might best be undertaken through informal consultation with the equality groups identified in this report to maximise its utility.

6.2 Recommendations

Based on the findings of this EqIA the following recommendations are suggested:

- The Highways Agency should consider developing bespoke briefing material and guidance for the equality groups that are the subject of this EqIA.
- A process of monitoring and evaluation should be developed to ensure that: the actions suggested in this report are sufficient to mitigate any adverse impacts experienced by equality groups; no further adverse impacts are being experienced by any equality groups as a result of FMMC implementation; and the advice being offered to disabled, older, younger and women drivers is meeting the needs of these groups. Mitigating actions and guidance should be updated as necessary following evaluation findings.
- Where the Highways Agency proceeds with individual local scheme consultation, it is recommended that involvement is sought from organisations representing disabled people, older people, younger drivers and women. Particularly where adverse impacts are identified, there would be value in undertaking direct engagement with communities with protected characteristics.

Appendices

Appendix A. EqlA Screening form

Appendix B. Stakeholder engagement topic guide and organisations consulted

Appendix C. Relevant international programmes

Appendix D. List of abbreviations

Appendix E. References

Appendix A. EqIA Screening form

EqIA Screening proforma – Determining relevance to equality duty

Name of the policy/practice : Managed Motorways Future Design		Current or Proposed: Proposed					
Person completing the assessment: Max Brown		Date of assessment: 02/09/2011					
Purpose of the policy/practice:							
In the interests of best value, the Highways Agency is continuing to look into modifications to the generic Managed Motorway (MM) design and is considering revised infrastructure requirements for the MM Schemes to be deployed. The focus of this project is the production of Design Requirements and Guidance for the MM Future Design schemes.							
Questions - Indicate Yes, No or Not Known for each group	Gender ¹	Religion or Belief	Age	Disability	Race Ethnicity and	Sexual Orientation ²	Transgender
1. Is there any indication or evidence that different groups have different needs, experiences, issues or priorities in relation to the particular policy/practice?	No	No	yes	yes	No	No	No
2. Is there any evidence or indication of higher or lower uptake by different groups?	No	No	Not Known	Not Known	No	No	No
3. Do people have different levels of access? Are there social or physical barriers to participation (e.g. language, format, physical access/proximity)?	No	No	No	No	No	No	No
4. Is there an opportunity to advance equality or foster good relations by altering the policy/practice or working with other government departments or the wider community?	No	No	yes	yes	No	No	No
5. Is there any stakeholder (staff, public, unions) concern in the policy/practice area about actual, perceived or potential discrimination against a particular group(s)?	No	No	Not Known	yes	No	No	No
6. Is there potential for, or evidence that, this policy/practice may adversely affect equality of opportunity for all and may harm good relations between different groups?	No	No	yes	yes	No	No	No
7. Is there any potential for, or evidence that, any part of the proposed policy could discriminate, directly or indirectly? (Consider those who implement it on a day to day basis)?	No	No	yes	yes	No	No	No

1. Consider pregnancy and maternity as well as marriage as part of your analysis within the gender category
2. Consider civil partnerships as part of your analysis of sexual orientation

EqIA Screening proforma – Determining relevance to equality duty

If you have answered "no" to all the questions, an EqIA is not required. Please summarise in the box below the reason/evidence for your above assessments and how actual outcomes will be monitored.

If your answer is 'yes' or "not known" to any of these questions then you will need to make a judgement about whether you need to gather more evidence to come to an informed decision on whether this area of work is

relevant in relation to the Agency's equality duties. If you need more evidence, carry out an Equality Impact Assessment. If you are confident that the effect of your policy will not be different for different groups, cannot be used to advance equality or to foster good relations between different groups, detail your thinking in the box below and sign off.

It is expected that this project will result in potentially significant changes to the motorway network, with the potential to effect different groups in different ways. An Equality Impact Assessment is therefore deemed necessary to be undertaken.

EqIA required:

☒ Yes

☐ No

Signed off by policy owner: Name: Max Brown

Signature: [Signature]

Job Title: Senior Traffic Technology Officer

Date: 02/09/2011

Signed off by Directorate Diversity Rep: Name: Dorothy Adams

Signature: [Signature]

Date: 12. 9. 2011

Please forward this screening to the Diversity team for possible publication and save into share

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Appendix B. Stakeholder engagement topic guide



Future Managed Motorways Concept

Equality Impact Assessment

Stakeholder Questionnaire

Interview details	
Name of interviewer:	
Date and time of interview:	
Interviewee information	
Name:	
Organisation:	
Role:	
1. Please could you briefly explain the function of your organisation?	
2. Please could you explain the role that you perform in your organisation?	
3. How accessible is the UK motorway network for people belonging to the group that you represent? Probe into traditional motorway and managed motorways.	
4. Do you feel that members of the group that you represent have confidence in using the highway network?	

5. Are you aware of any concerns that the group that you represent has regarding motorway travel? Do they experience any difficulties / barriers?
- as a driver?
- as a passenger?
6. What do you think the potential impacts of introducing permanent hard shoulder running on certain sections of the motorway are on the group that you represent? Consider: - Reduced congestion - Reduction of overhead gantries - CCTV linked to a control room - Increased distance between the emergency refuge areas
- positive
- negative
7. Can you think of any ways in which negative impacts could be addressed to avoid adverse effects on the group that you represent?
Thank you for taking the time to give us your views.

Organisations consulted

Organisation Contacted	Contacted?	Response Received?
The AA	☒	☒
Age UK	☒	☒
Disability Rights UK	☒	☒
Disabled Motoring UK	☒	☒
Disabled Motorist Federation	☒	☒
The Driving Standards Agency	☒	☒
Equality and Human Rights Commission (EHRC)	☒	☒
Foxy Ladies Driving Club	☒	☒
Friends of the Elderly	☒	☒
Institute of Advanced Motorists	☒	☒
Mind UK	☒	☒
Motability	☒	☒
National Pensioner Convention	☒	☒
The RAC Foundation	☒	☒
Ricability	☒	☒

Appendix C. Relevant international programmes

The links between transport and equality are recognised in European and other international policies and programmes. 'A Sustainable Future for Transport – Towards an Integrated, Technology Led and User Friendly System' outlines the broad policy objectives for the European Union (EU) covering the ten years from the EU's 2010 Transport White Paper. While this provides only a broad policy backdrop, many of its objectives must be reflected in the development of transport schemes, including those that impact on equality considerations. Objectives include improving accessibility, safety and security, and ensuring integration – all of which tend to be of particular concern to equality groups.

There are also numerous international plans, policies and programmes that relate to a number of issues within this assessment. Certain key ones amongst them pertain specifically to equalities groups and schemes should pay regard to them. For example, the EU 'Action Plan on Urban Mobility', adopted in 2009, proposes 20 measures to encourage public bodies to work towards sustainable urban mobility. Measures included within Theme 2 'Focussing on Citizens' includes 'Action 5 – Improving accessibility for persons with reduced mobility'.

The 'Age Friendly Cities Guide', published by the World Health Organisation (WHO) in 2007 provides guidance on how to make cities more liveable for older people. The guide highlights that: 'transportation, including accessible and affordable public transport, is a key factor influencing active aging. In particular, being able to move about the city determines social and civic participation and access to community and health services.'

Appendix D. List of abbreviations

BAME	Black Asian and minority ethnic
CCTV	Closed Circuit Television
DCSF	Department for Children, Schools and Families (now the DfE)
DDA	Disability Discrimination Act
DfE	Department for Education
DfT	Department for Transport
DLA	Disability Living Allowance
DPTAC	Disabled Passenger's Transport Advisory Committee
EqIA	Equality Impact Assessment
EU	European Union
GEO	Government Equality Office
GIRES	Gender Identity Research and Education Society
HA	Highways Agency
LEP	Local Enterprise Partnership
LGBT	Lesbian, Gay Bisexual and Trans
ONS	Office for National Statistics
WHO	World Health Organisation

Appendix E. References

The tables below indicate sources drawn upon in the desk research to date.

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