

Appendix 2

Statutory Duty Extracts

Road Traffic Regulation Act 1984:

1. Under section 122 of the Road Traffic Regulation Act 1984 (RTRA), the City as highway authority must exercise its powers under the RTRA so as to secure the expeditious, convenient and safe movement of vehicular and other traffic including pedestrians, and the provision of suitable and adequate parking facilities on and off the highway. These powers must be exercised so far as practicable having regard to the following matters:-
 - (a) the desirability of securing and maintaining reasonable access to premises.
 - (b) the effect on the amenities of any locality affected including the regulation and restriction of heavy commercial traffic so as to preserve or improve amenity.
 - (c) the national air quality strategy.
 - (d) facilitating the passage of public service vehicles and securing the safety and convenience of their passengers.
 - (e) any other matters appearing to the City to be relevant.

Equalities Act 2010

2. Under Section 149 of the Equality Act 2010 the public-sector equality duty requires public authorities to have due regard to the need to:
 - Eliminate unlawful discrimination, harassment and victimisation
 - Advance equality of opportunity and
 - Foster good relations between those who share a protected characteristic (i.e. race, sex, disability, age, sexual orientation, religion or belief, pregnancy or maternity, marriage or civil partnership and gender reassignment) and those who do not.

Part of the duty is to have “due regard” where there is disproportionate impact and to take steps to mitigate the impact, on the basis that it is a proportionate means that has been adopted towards achieving a legitimate aim.