Child Rights and Wellbeing Impact Assessment (CRWIA) for The South West Scotland Trunk Roads (Temporary Prohibitions of Traffic and Overtaking and Temporary Speed Restrictions) Order 2025

Disclaimer

This document is a point in time assessment of the likely effects of, The South West Scotland Trunk Roads (Temporary Prohibitions of Traffic and Overtaking and Temporary Speed Restrictions) Order 2025, on the rights and wellbeing of children and young people.

Scottish Government acknowledge the importance of monitoring and evaluating the impact of strategic decisions and legislation on children's rights and wellbeing. Any information gathered during implementation of the legislation or strategic decision to which the impact assessment relates, will be used to inform future determinations of impact. Any new strategic decision or new legislation (including amending legislation) would be subject to a new CRWIA in line with the legislative requirements.

Child Rights and Wellbeing Impact Assessment Template

Introduction

1. Brief Summary (Guidance Section 3.2, page 20).

Type of proposal: SSI

Name the proposal and describe its overall aims and intended purpose.

Key Term Definitions

Prohibition – to officially and legally not allow something.

Restriction – to officially and legally limit something.

Authorise – to give official permission for something to happen, or to give someone official permission to do something

The South West Scotland Trunk Roads (Temporary Prohibitions of Traffic and Overtaking and Temporary Speed Restrictions) Order 2025 allows for the temporary prohibition of traffic and overtaking, as well as temporary speed restrictions, to be placed on the lengths of trunk road specified in the schedule of the order for a period beginning on 1st February 2025 and ending on 1st May 2025. on The order affects sections of the following motorways M74/A74(M), M77/A77, A725/A726, A78, A737/A738, M80, M8/A8/A8(M), M898/A898, A701, A76, A75, A751 and M73. The prohibitions and restrictions provided by the order only come into effect where the relevant traffic signs specified in the order are displayed. The order will not prevent emergency vehicles from using those lengths of road through case by case planning and agreement prior to the order commencing. Roadworks which may be required include (but are not limited to) pothole repairs, carriageway resurfacing, bridge repairs and inspection works. The roadworks are required to maintain the road infrastructure and repair any damage which may have developed.

Start date of proposal's: 01/01/2025

Start date of CRWIA process: 01/01/2025

2. With reference given to the requirements of the UNCRC (Incorporation) (Scotland) Act 2024, which aspects of the proposal are relevant to children's rights?

During the development of this order, the Operating Company(OC) and DBFO (Design, Build, Finance, Operate) contracts responsible for the roadworks has assessed whether the temporary prohibitions and/or restrictions allowed by this order will negatively impact on children and young people's ability to access buildings such as schools and/ or childcare facilities, higher or further education institutions, hospitals, places used for recreational activity, and places of worship. We intend to keep any such impacts to an absolute minimum and avoid them where possible. Additionally, regard has been given to ensure reasonable diversion routes do not add significant commuting time. Due to the extensive nature of the order which can amount to a

significant number of works, there is the potential for access to a number of venues, facilities and buildings used by children and young people to be affected. There is the potential for the order to impact children and young people's right to education (article 28), right to health and health services (article 24), right to leisure play and culture (article 31), and freedom of thought, belief and religion (article 14).

However, the purpose behind the order is to maintain the safety of the roads in South West Scotland and therefore, we consider these works to have a positive impact both directly and in-directly to article 3 (the best interests of the child) and article 6 (right to life, survival and development).

3. Please provide a summary of the evidence gathered which will be used to inform your decision-making and the content of the proposal.

From:

- existing research/reports/policy expertise
- consultation/feedback from stakeholders
- consultation/feedback directly from children and young people

The OC/DBFOs responsible for the roadworks have past experience and knowledge to support our decision-making process, however, engagement, consultation and communication are extremely important in our planning and delivery of works. As part of this process, maps are used to determine who will be impacted within a certain mile radius.

The company has mapped out the extents of this order and we are aware of the impact to the travelling public (particularly with this being the strategic trunk road network), and where road closures are required, have suitable diversions in place. Utilising maps, sites are identified, such as schools, which may be impacted by the roadworks. This assessment includes buildings next to the trunk road, which generally is not the case on this network, as well as buildings nearby which may be impacted by works on the trunk road, or facilities within a diversion route.

Utilising mapping tools, the OC/DBFOs can identify buildings such as schools and hospitals which could possess a risk. Once impacted stakeholders are identified (schools, hospitals etc), contact is made to discuss the impact works will have on each individual stakeholder. The works go through stakeholder consultation in advance of them being carried out, including liaison with local authorities and Police Scotland, and feedback is obtained on any required adjustments to the traffic management or work proposals.

Works, including diversion routes, are also noted and plotted on the Scottish Roadworks Register, and where conflicts are identified, the OC/DBFOs work with the other party to manage such issues. Where works are identified on a diversion route, a review of the route and timing of work is carried out, assessing whether both sets of work can run at the same time or if one needs to be changed and re-organised to minimise disruption. This ensures alternative access to all buildings being used by the public can be managed and maintained.

Where work may cause an impact, the OC/DBFOs effectively uses tools such as Traffic Impact Assessments or general knowledge to plan works at the most effective time.

Where possible, works will be carried out overnight or at weekends, therefore schools are not impacted. Similarly, access for emergency service vehicles will be maintained throughout works, however if emergency services cannot be accommodated, they are made aware of the alternative routes well in advance of works starting. We always ensure that there is a standard incident diversion route in place.

Where sites may be impacted by works, the OC/DBFOs consult with Police Scotland, the local authorities, Transport Scotland and other key stakeholders. Please note that local roads which are the responsibility of the local authority are more commonly likely to provide direct access to a number of facilities which may be utilised by children and young people such as schools, leisure centres, and GP offices, however this CRWIA has allowed us and the OC/DBFOs to identify where potential impact to facilities may occur and mitigate against these.

The Operating Company and DBFO Liaison Officers have good knowledge of the surrounding area and have built up relationships with stakeholders such as the local schools. Therefore, they also undertake stakeholder engagement with affected stakeholders (such as shopping complexes, leisure facilities, schools, crematoriums), where work may impact them. This then allows the OC/DBFOs to plan ahead to mitigate against potential accessibility issues. The mitigation process specific to this order is described in question 9.

While there is the potential for access to areas to be impacted or limited as a result of the order (until we add our planning measures prior to the order commencing), undertaking planned repairs provides a general positive impact to the public, including children, by improving road safety and amenity and reduce the chances of an unplanned road closure which may have more impact on the wider public.

Statistics (https://www.transport.gov.scot/media/f3qh2hb4/reported-road-casualties-2022-key-findings.pdf) show a decrease in the number of road traffic incidents in recent years and while we know that this looks a much broader range of incidents than those cause what this order looks to impact alone, contributing to the reduction of road traffic incidents through this order and many like it will have a positive impact on children's right to life, survival and development.

With UNICEF reporting in their child and adolescent road safety technical guidance (https://www.unicef.org/media/130721/file/UNICEF_Child_and_Adolescent_Road_Safety_Technical_Guidance_2022.pdf) that 'road traffic injuries are the leading cause of death for children and adolescents aged 5–19 years' we look to reduce chances of this in Scotland by contributing to the improvement of road safety.

4. Further to the evidence described at '3' have you identified any 'gaps' in evidence which may prevent determination of impact? If yes, please provide an explanation of how they will be addressed.

This assessment has identified potential intended impacts and we have analysed the evidence available at the point of planning the order. There is the potential for unintended situations occurring which cannot be planned for throughout the duration of this order, such as a pothole occurring which would require a road or lane closure to undertake a repair. However, as per the current process, the availability of suitable alternative routes which do not limit access to spaces utilised by children and young people will be given due regard.

5. Analysis of Evidence (Guidance Section 3.2, page 26).

Utilising the mapping process allowed the OC/DBFOs to identify buildings which may be impacted by the order in terms of accessibility. This was then further understood through engagement with Police Scotland, the local authorities, Transport Scotland and other key stakeholders to provide input on potential impacts and the best ways to mitigate against these.

From the evidence described above, suitable diversion routes can be put in place should they be required which take into account the potential impacts.

Planning these works allows for the OC/DBFOs to identify any buildings and/ or facilities which children and young people may access near that stretch of road, and plan mitigations if access to these are restricted. This is outlined in question 9.

6. What changes (if any) have been made to the proposal as a result of this assessment? (Guidance Section 3.2, page 26)

The OC/DBFOs assessed if the closure and/ or restrictions provided in this order had a potential to restrict access to such an extent that it would require additional measures to be put in place. This allowed for general planning procedures to mitigate against any potentially negative impacts. Where impacts were identified, this then led to consulting with key stakeholders impacted by the order and those with specialist knowledge of the area. We could then discount options which would cause the greatest disruption to the impacted stakeholders, and if some options still had the potential to cause impact, mitigations could be applied to the remaining options considered.

However, while mitigations were put in place in the planning, this is the current process for these orders so did not require a change to process, just an elimination of the mitigation options which were identified as less effective or not applicable due to the specifics of the areas been impacted. If any unintended situations occur during the time this order is in operation, these will be mitigated against in the same way.

Conclusion

7. As a result of the evidence gathered and analysed against all UNCRC requirements, what is the potential overall impact of this proposal on children's rights? (Guidance Section 3.2, pages 26-27):

Children's Rights

Applicable answer(s): Positive and Negative

8. If you have identified a positive impact on children's rights, please describe below how the proposal will protect, respect, and fulfil children's rights in Scotland. (Guidance Section 3.2, pages 27-28).

The positive impact will relate to the best interests of the child (article 3) and children's rights to life, survival and development (article 6) by allowing road closures and speed restrictions in accordance with this order necessary to repair the road, ensure the works can be carried out safely, and overall protecting public safety by maintaining the effective use of the road.

9. If a negative impact has been identified, please describe below. Is there a risk this could potentially amount to an incompatibility?

Suitable alternative routes were identified which did not add significant additional time. Also, if there were any potential issues impacting these buildings, the works would be carried out at night which would eliminate the potential impact. Therefore, following the mitigations as outlined below, we do not anticipate a potential negative impact to children and young people's rights as set out in the UNCRC Act.

Mitigation Record

What options have been considered to modify the proposal in order to mitigate negative impact or potential incompatibility issues?

Please summarise mitigation actions taken below

Issue or risk Identified per article/ Optional Protocol

Limited or restricted access to a number of buildings used by children (without planning measures put in place).

Action Taken/ To Be Taken

Consideration of the timing of roadworks to limit the impact to the public, including children.

Provision of suitable diversion routes, limiting the impact of closures to the public.

Case by case planning of the best way to supply access to these roads in a safe manner to emergency vehicles.

Date action to be taken or was taken

Prior to the order commencing the planning for these mitigating actions was mapped out so will be put in place when works begin.

10. As a result of the evidence gathered and analysed against all wellbeing indicators, will the proposal contribute to the wellbeing of children and young people in Scotland? (Guidance Section 3.2, pages 29-30).

Applicable answer: Yes

If yes, please provide and explanation below:

Yes - safety of the public, including young people, is essential, and will be positively impacted by undertaking roadworks to maintain the roads in accordance with this order.

11. How will you communicate to children and young people the impact that the proposal will have on their rights? (Guidance Section 3.2, page 31)

The CRWIA will be published and has been written in accessible language so as to allow for children and young people to understand its content and the potential impact on their rights.

Post Assessment Review and sign-off

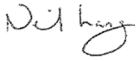
12. Planning for the review of impact on children's rights and wellbeing (Guidance Section 3.2, pages 31).

As part of the decision-making process, plans for reviewing the impact on children's rights and wellbeing need to be developed.

- How will the impact of the proposal on children's rights and wellbeing be monitored?
- When will you review and update the CRWIA if required?

Ongoing consideration will be given as to whether proposed alternative routes remain accessible.

13. Sign off (Guidance Section 3.2, pages 31-32).

Policy Lead/ Area Manager Signature & Date of Sign Off:  15/1/25

Deputy Director Signature & Date of Sign Off: Hugh Gillies – 22/01/2025

Date CRWIA team first contacted: 14/01/2025