

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I097104
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1. **TITLE:** Vehicle Emissions and Air Quality

2. **SERVICE AREA:** Delivery

3. **PURPOSE OF DECISION**

The report sets out policy proposals to introduce an enforcement regime with respect to vehicle emissions. The report follows recommendations from the Licensing and Safety Committee on the 24th October 2019 who Resolved that ‘the Committee recommended officers consider the implications of adopting the delegated powers for dealing with idling vehicles, including taxis’

4. **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive

6. **DECISION:**

- i. the Council should as a matter of Policy enforce the provisions Road Vehicles (Construction and Use) Regulations 1986 in so far as they relate to idling of vehicles and where appropriate to do so to issue fixed penalty notices in accordance with The Road Traffic (Vehicle Emissions) (Fixed penalty) England Regulations 2002;
- ii. In accordance with the Council’s Constitution (Part 2: Section 6, Table 1 c) that the Executive Director - Delivery authorises relevant officers to enforce the provisions;
- iii. the Public Protection Manager on behalf of the Council seeks ‘Designation’ status under Part 2 of the Road Traffic (Vehicle Emissions)(Fixed Penalty) Regulations 2002 from the Secretary of State in order that it may enforce the ‘emissions offences’ set out in Regulation 61 and 61A Road Vehicles (Construction and Use) Regulations 1986 as amended;
- iv. In accordance with the Councils Constitution (Part 2: Section 6, Table 1 (c) that the Executive Director - Delivery authorises relevant officers to enforce the provisions set out in C above should the relevant ‘Designation’ be granted by the Secretary of State.

7. **REASON FOR DECISION**

These recommendations if adopted will allow Officers of the Council (including officers from the Public Protection Partnership) and others so authorised to raise awareness, engage, educate and ultimately enforce the relevant legislation to tackle vehicle idling across the Borough and carry our emissions testing within the Air Quality Management Areas. These proposals are considered to complement the efforts to ‘change habits’ by people using vehicles in the Borough. It is to be stressed that the aim is to bring about change as part of a

wider package of measures and not to be seen as a source of revenue generation. The penalties are such that the work is unlikely to achieve cost neutrality but will be seen as part of the Councils wider approach to improving air quality as part of its Climate Change strategy.

8. ALTERNATIVE OPTIONS CONSIDERED

The only alternative is not to take the proposed policy position but to bring about compliance purely through encouraging change of practice. It is however felt that this policy position enhances and strengthens the desire to bring about change and of itself allows for promotion of the issues through signage etc.

9. DOCUMENT CONSIDERED: Report of the Executive Director: Delivery

10. DECLARED CONFLICTS OF INTEREST: None

Date Decision Made	Final Day of Call-in Period
9 February 2021	16 February 2021