

TO: LICENSING AND SAFETY COMMITTEE
24 October 2019

HOW LICENSING COULD REDUCE AIR POLLUTION
(Public Protection Manager)

1 PURPOSE OF REPORT

- 1.1 Poor air quality has an impact on the health and quality of life. Consideration that any actions to reduce/avoid any unnecessary emissions will reduce air pollution which applies to licensed vehicles.

2 RECOMMENDATIONS

2.1 That the Committee agrees that:

- (a) That the Committee recommends Officers consider the implication of adopting the delegated powers for dealing with idling vehicles, including taxis.

3 REASONS FOR RECOMMENDATIONS

- 3.1 Idling vehicle engines has been a concern to residents and members as the Council receives complaints of idling engines. Poor air quality has an impact on the health and quality of life. This report sets out the three main options for tackling vehicle idling which includes:

Option A: Undertake a targeted campaign to effect behavioural change.

Option B: Adopting the delegated powers to use Fixed Penalty Notices (under the Traffic Regulations 2002)

Option C: Installation of road signage around sensitive areas

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 None

5 SUPPORTING INFORMATION

- 5.1 The Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 enable local authorities in England to issue fixed penalty notices to drivers who allow their vehicles to run unnecessarily while stationary on the road.

A local authority may enforce powers to deal with idling vehicles. If you idle your vehicle unnecessarily while stopped you could be given a £20 fixed penalty ticket. Bracknell Forest Borough Council at present has not implemented these powers.

If an officer is authorised under the above legislation discovers a vehicle with its engine running unnecessarily, the first action would be to advise the driver of the legal requirements and that such an offence carries a fixed penalty of £20. The officer would

then request the driver to turn the engine off. A fixed penalty notice would only be issued if the driver refuses to turn off the engine when requested to do so.

5.2 Current Position

The two areas within the borough that have been declared as an Air Quality Management Areas (AQMA) being Bracknell and Crowthorne. These have been declared due to exceedances of the traffic pollutant nitrogen dioxide. The Council has a duty to produce an Air Quality Action Plan (AQAP) and within this plan there are measures to be put in place to reduce emissions.

Within the Bracknell Forest Borough Council's Hackney Carriage and Private Hire Licensing Policy requires vehicles first licensed by the authority to be less than five years old. No type of Private Hire vehicle will be issued that exceeds 8 years from the date of first registration. Vehicles are currently tested according to their age. Those vehicles up to five years old are subject to an annual inspection per year. For those vehicles over 5 years of age are required to be inspection every six months and emission checks form part of the inspection undertaken.

5.3 The Regulations are adoptive

The Local Authority would need to make an application to the Secretary of State for designation and as BFBC has AQMAs we are eligible to apply.

5.4 Option A: Undertake targeted campaign

It is clear that lots of local authorities run anti idling campaigns. There have been a number of different studies focusing on the impact of campaigns around schools. These show positive effects of educating parents and children to the action they can take, whilst significant reductions in particulate matter were seen in schools with a large number of buses. Evidence shows that targeted and well organised campaigns with community champions involving on street engagement can be very successful.

5.5 Option B: Adopt delegated powers to use Fixed Penalty Notices

We have found only limited local authorities where the use of FPN is commonplace. The value of the Fixed Penalty Notice is £20 (rising to £40 if not paid within 28 days). This is relatively small fine and, given that over 80% of drivers are likely to turn off the vehicle engines when requested (which is necessary as part of the FPN process), it is unlikely to be issued on a regular basis. To issue FPN would require training staff whose job is not normally issuing notices and taking these staff away from their normal activities. Alternatively, it would be necessary to take traffic officers away from their normal duties.

If enforcement powers were adopted, a campaign would have to be developed prior to any powers being used.

5.6 Option C: Road Signage at sensitive locations

Any signage on the highway would have to be linked to a wider campaign and would have to be sanctioned by the highway authority.

5.7 In addition work is also to be undertaken within the PPP on the following project:

- To set out the business, environmental and operational case for low emission taxis

Unrestricted

- To provide an overview of the range of low/ultra-emission technologies and fuels suitable for taxis and match these to different types of operators and journey patterns.
- Research Office for Low Emission (OLEV) funding opportunities and data required for bidding for funds from previous funding rounds where no current round exists
- Consider introducing/reviewing an age policy on vehicles across PPP area in the first instance to potentially reduce emissions
- Consider conditions of fitness
- Consider introducing Minimum emissions standards Taxis and Private hire vehicles Euro 6 (diesel) Euro 4 (petrol/LPG)

6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS

Borough Solicitor

6.1 The relevant legal provisions are contained within the body of the report.

Borough Treasurer

6.2 The financial implications are included within the body of the report.

Equalities Impact Assessment

6.3 There are no implications arising from the recommendation in this report.

Strategic Risk Management Issues

6.4 There are no implications arising from the recommendation in this report.

7 CONSULTATION

None required.

Background Papers

The Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002

Contact for further information

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