

# Agenda Item 22.

<b>TITLE</b>	<b>How Licensing Could Reduce Air Pollution</b>
<b>FOR CONSIDERATION BY</b>	Licensing and Appeals Committee on 1 October 2019
<b>WARD</b>	Non-specific
<b>DIRECTOR</b>	Sean Murphy - Public Protection Manager

**OUTCOME / BENEFITS TO THE COMMUNITY**

Poor air quality has an impact on the health and quality of life and any actions to reduce/avoid any unnecessary emissions will reduce air pollution.

**RECOMMENDATION**

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

**SUMMARY OF REPORT**

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

## **Background**

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. Wokingham 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.

## **Current Position**

The two areas within the borough that have been declared as an Air Quality Management Areas (AQMA) being Twyford Crossroads and Wokingham Town Centre. 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 the plan there are measures to be put in place to in relation to No idling signs for buses and taxis waiting areas and at level crossings. However these measure have not been implemented as yet.

Within the Wokingham 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 Hackney Carriage vehicle will be issued for vehicles that exceeds 15 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.

## **The Regulations are adoptive**

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

## **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.

## **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.

**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.

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

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

**Analysis of Issues**

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

**FINANCIAL IMPLICATIONS OF THE RECOMMENDATION**

***The Council faces severe financial challenges over the coming years as a result of the austerity measures implemented by the Government and subsequent reductions to public sector funding. It is estimated that Wokingham Borough Council will be required to make budget reductions in excess of £20m over the next three years and all Executive decisions should be made in this context.***

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	No impact	N/A	N/A
Next Financial Year (Year 2)	No impact	N/A	N/A
Following Financial Year (Year 3)	No impact	N/A	N/A

<b>Other financial information relevant to the Recommendation/Decision</b>
None

<b>Cross-Council Implications</b>
There are no implications arising from the recommendation in this report.

<b>List of Background Papers</b>
The Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002  <a href="https://www.legislation.gov.uk/uksi/2002/1808/made?view=plain">https://www.legislation.gov.uk/uksi/2002/1808/made?view=plain</a>

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