

Highways and Transport Committee

Date of Meeting:	24 November 2022
Report Title:	Engine Idling - Options Report
Report of:	Tom Moody, Director of Infrastructure and Highways
Report Reference No:	HT/53/22-23
Ward(s) Affected:	All

1. Purpose of Report

- 1.1.** The current Air Quality Action Plan (AQAP) contains an action to educate and, where possible, enforce requirements to switch off idling engines to help improve air quality. The report reviews options that could be implemented to help reduce instances of engine idling, including whether legislation should be adopted.
- 1.2.** The Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 allow councils to issue Fixed Penalty Notices (FPNs) against drivers who leave their engine idling and refuse to turn off their engines when asked to do so by an Officer. The legislation applies to all vehicles on public roads, including buses, taxis, and private vehicles. It does not apply to vehicles that are:
 - 1.2.1.** Stationary at traffic lights or because of congestion;
 - 1.2.2.** Broken down and under test or repair;
 - 1.2.3.** Needed to refrigerate fresh goods or run a compactor on a refuse vehicle; or
 - 1.2.4.** In any other situations deemed acceptable (e.g., defrosting a windscreen or cooling the inside of a vehicle down on a hot day for a few minutes).
- 1.3.** The need to reduce air pollution is identified as a key priority within the council's Environment Strategy (2020 – 2024), the Corporate Plan (2021 –

2025), our Air Quality Strategy (2018) and the Carbon Neutral Action Plan (2020 – 2025).

2. Executive Summary

- 2.1.** In response to a resolution at Committee on 22 March 2022, a working group of officers from strategic transport, parking services, air quality, licensing and public health was formed to develop an evidence-based feasibility report to understand issues and identify options in relation to the matter of engine idling. A copy of the feasibility report is included as Appendix A.
- 2.2.** The report identified and assessed options that the council could implement to try and change behaviours and reduce instances of engine idling, while making the most efficient use of council resources. Results from a survey completed by Civil Enforcement Officers (CEOs) in September 2022 shows that less idling is occurring outside schools when compared with 2020. It has also demonstrated that idling could be more prevalent in winter, when drivers keep engines running to help retain heat within their vehicles (see 1.2.4 above).
- 2.3.** The number of Air Quality Management Areas (AQMA) has reduced across the Borough, suggesting that campaigns are effective and progressively changing driver behaviours. Additionally, funding is available from central government to support promotion/education campaigns, which means that these campaigns can continue in the future.

3. Recommendations

- 3.1.** The Committee is recommended to
 - 3.1.1.** Continue internal and external promotional / educational public information campaigns in accordance with the findings of the Feasibility Study (Appendix A).
 - 3.1.2.** Set aside the opportunity to adopt additional legislative powers under the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002, at this time.
 - 3.1.3.** Note that air quality across the whole Borough is reported annually, in accordance with the Council's statutory responsibilities and that, should evidence indicate a need, the opportunity for engine idling fixed penalties can be reviewed as part of that process.

4. Reasons for Recommendations

- 4.1.** Overall, Cheshire East has good air quality and it is improving. The number of AQMAs has reduced from 18 to 12. This suggests that the current promotion/ education campaigns are effective; contributing to reduced health inequalities across the Borough, and reducing the impact on the environment, which are key priorities within the Corporate Plan.

- 4.2.** Results from the 2022 survey suggest that the promotion/ education campaigns run by the council over the past two years have helped to change behaviours, with less idling occurring outside schools. It has also demonstrated that idling could be more prevalent in winter, when drivers keep engines running to help retain heat within their vehicles.
- 4.3.** Continuing promotion/ education campaigns demonstrates to the public and businesses that the council is taking the matter seriously by raising awareness and providing training to staff, contractors, and supply chain partners. It will also help to continue the work that the council has done to date in educating drivers on the adverse impacts of engine idling on the environment and their vehicles.
- 4.4.** Adopting legislative powers may adversely impact the level of engagement from the public and businesses with council-led promotion/ education campaigns. Additionally, it could contradict the messaging of past and current campaigns, which aim to educate people on the issues of engine idling in the borough and better publicise current idling issues across the borough.
- 4.5.** Funding is available from central government to support promotion/ education campaigns, which means that they can continue in the future.

5. Other Options Considered

- 5.1.** The alternative options that were considered are appraised in the table below.

Option	Impact	Risk
Stop Campaigns The council would stop running promotion/ education campaigns and would also not adopt the legislation.	This option would mean that measure GN12/2020 in the approved AQAP could not be delivered and limit the impetus and opportunities to engage with the public and businesses on the issue of air pollution and engine idling. The Council would also lack the legislative powers to deal effectively with idling engines and any complaints that may arise.	Air quality worsens outside local hotspots such as schools due to unnecessary vehicle idling.

Option	Impact	Risk
<p>Adopt Legislation Only</p> <p>The council would adopt the legislation but cease all promotion/ education campaigns.</p>	<p>This option provides the Council with the legal powers to effectively deal with idling engines and any complaints that may arise.</p>	<p>Extra resources would be needed for enforcement alongside training.</p> <p>Due to the confrontational nature of issuing FPNs, enforcement officers may choose not to issue them, particularly in hostile environments.</p>
<p>Adopt Legislation and Continue Promotion/ Education Campaigns</p> <p>The council would adopt the legislation and continue promotion/ education campaigns.</p>	<p>This option provides the council with the legal powers to effectively deal with idling engines and any complaints that may arise.</p> <p>It also enables the Council to continue engaging with the public and businesses over air quality.</p>	<p>The public and businesses do not engage as well with the promotion/ education campaigns.</p> <p>Due to the confrontational nature of issuing FPNs, enforcement officers may choose not to issue them, particularly in hostile environments.</p>

6. Background

- 6.1. Air pollution can cause both short- and long-term effects on health and contribute to climate change. Under the Environment Act 1995, the council has a duty to review and assess air quality across the borough to check concentrations against a set of health-based objectives for specific air pollutants.
- 6.2. Air quality across most of the borough is good and seven AQMAs were revoked in 2021. 12 AQMA's that have demonstrated a breach of the annual mean concentration for nitrogen dioxide ($40 \mu\text{g}/\text{m}^3$) remain across the borough and are included within the Cheshire East AQAP. These AQMAs have been declared largely because of emissions from road traffic.
- 6.3. The council currently raises awareness of air quality issues through its 'Show the Air you Care' webpage. This explains how air pollution is caused and ways that everyone can contribute to improving air quality. This

includes information on what engine idling is, how it worsens air quality and potential issues of idling in modern vehicles. There are plans for more campaigns to be launched in the near future following receipt of funding from Defra.

7. Consultation and Engagement

- 7.1.** No external or public consultation or engagement has been completed. Relevant council services have been engaged with the working group that prepared the Feasibility Study.

8. Implications

8.1. Legal

- 8.1.1.** Were the Council to decide to adopt the powers under the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 they would, before enforcement could commence, first need to apply to the Secretary of State to become a designated local authority in accordance with Part 2 of the Regulations and authorise officers to enforce the Regulations in accordance with Part 3.
- 8.1.2.** In the absence of adoption the Council would not have any direct legal powers to prevent vehicles idling.
- 8.1.3.** The recommendation does not propose to adopt the Regulations, maintaining the status quo, there are no new legal implications associated with this recommendation.

8.2. Finance

- 8.2.1.** The recommendation proposes that current promotion/ education campaigns continue, which are accounted for within the existing Regulatory Services and Health budget and through funding by Defra.
- 8.2.2.** If legislation was introduced, this is likely to require additional financial support/ resources for, including but not limited to: adoption and training/ recruiting CEOs and notice processing officers.

8.3. Policy

- 8.3.1.** The recommendation is consistent with the councils Corporate Plan, Air Quality Strategy, AQAP and Carbon Neutral Action Plan. Therefore, there are no policy implications.

8.4. Equality

- 8.4.1.** There are no equality implications, as the recommendation proposes that the council continues to adopt the same approach, with promotion/ education campaigns taking place across the borough.

- 8.4.2. AQMAs are monitored continuously for pollutants and specific interventions to improve air quality within each area are contained within the AQAP.

8.5. Human Resources

- 8.5.1. There are no human resources implications.

8.6. Risk Management

- 8.6.1. There will be a small proportion of drivers who will continue to idle while stationary and the council will be unable to issue FPNs to repeat offenders.
- 8.6.2. Council employees, contractors and supply chain partners need to complete their training and lead by example when representing the council and turn off their engines when stationary (unless there is a need to keep vehicles on). Failure to do so could potentially damage the reputation and reduce the credibility of the council's promotion/ education campaigns.

8.7. Rural Communities

- 8.7.1. There are no specific implications for rural communities.

8.8. Children and Young People/Cared for Children

- 8.8.1. The recommendation proposes to continue promotion/ education campaigns, which includes visiting schools to educate teachers and children about ways they can improve air quality.

8.9. Public Health

- 8.9.1. The recommendation proposes to continue promotion/ education campaigns that encourages changes in behaviours amongst drivers. Through changing behaviours, this will help to improve air quality and lead to a reduction of pollutants from vehicular traffic. The implementation of the AQAP also aims to improve public health.

8.10. Climate Change

- 8.10.1. The council has already launched an eco-driving course for all council staff who drive for work. This outlines techniques that drivers can use to reduce emissions generated by the existing council and grey fleet, as well as educate drivers about issues of vehicle idling. This course is also available to contractors and the wider supply chain who deliver services on behalf of the council.
- 8.10.2. In response to ongoing promotion/ education campaigns, some schools across the borough are starting to invest in, and deploy, no parking/ stopping signs around the school entrances to encourage parents to park further away and walk their children to the school

entrance, which reduces the volume of nitrogen dioxide and particulate matters being emitted in the vicinity of schools.

Access to Information	
Contact Officer:	Richard Hibbert, Head of Strategic Transport and Parking Richard.hibbert@cheshireeast.gov.uk 07866 157324
Appendices:	Appendix A - Idling Vehicle Engines Options Review v1
Background Papers:	There are no background papers appended to this report.