

# PERTH AND KINROSS COUNCIL

## Environment and Infrastructure Committee

14 March 2022

### ANTI-IDLING

#### Report by Head of Environmental and Consumer Services (Report No 22/55)

This report seeks approval to further enhance the Council's commitment to cleaner air by utilising available anti – idling powers, to protect pedestrians and other road users from the effects of particulate matter.

#### 1. BACKGROUND / MAIN ISSUES

- 1.1 The quality of the air that we breathe has improved significantly since the 1950s, with dramatic reductions in most pollutants, in particular lead, carbon monoxide and sulphur dioxide.
- 1.2 Air pollution, caused largely by emissions from industry, energy, and agriculture, and some household activities, such as heating, continues to cause damage to the environment and health. Transport is a major contributor and, as well as pollutants from travelling vehicles, there is pollution from vehicles running engines or 'idling' unnecessarily whilst parked. People who live near roadsides are most affected by transport pollution.
- 1.3 In this regard, Perth and Kinross Council's Climate Change Strategy and Action Plan support improvement to ensure good air quality throughout Perth and Kinross, stating, *'The Council will investigate options for further air quality related regulatory measures which support climate change mitigation'*. Therefore, it is proposed that the Council introduce measures to address vehicle idling in accordance with the Scottish Executive Environment Group, "Local Authority Powers To require Drivers To Switch Off Engines when Parked", Guidance Issued Under Section 88 of the Environment Act 1995. [Appendix 1 - Idling Vehicles Guidance.pdf](#)

#### 2. VEHICLE IDLING

- 2.1 A vehicle is deemed to be idling when it is sitting stationary with its engine running. As a rule, the time allowed between stopping and what is considered idling is thirty seconds. In most cases, this is a reasonable amount of time, but it can vary depending on circumstances. Regulation 98 of the Road Vehicles (Construction and Use) Regulations 1986 prohibits the unnecessary running of a vehicles engine when parked and gives powers to local authorities to apply a Statutory Fixed Penalty Notice of £20.

- 2.2 Idling increases the amount of exhaust fumes that contain harmful gases including carbon dioxide, which are bad for the environment and contribute towards climate change. Vehicles that idle for more than 10 seconds use more fuel and produce more Co<sub>2</sub> than those that are stopped, and the engine restarted. In addition, an idling vehicle emits 20 times more pollution than one travelling at 32 miles per hour. As such, keeping the engine running while stuck in traffic or waiting to collect someone contributes to an increase in air pollution. This is more likely to happen in hotspots like schools, hospitals and bus stops where there are more likely to be vulnerable people such as children and older people.
- 2.3 A recent study conducted by Kings College, London found that children are particularly at risk from the effects of idling vehicles as they have smaller lungs; are more active, and therefore breathe more deeply and spend greater time outdoors, increasing exposure. To improve air quality, simple changes such as switching off engines when waiting or stuck in traffic, cycling or walking on local trips and taking public transport can make a difference.
- 2.4 To date, almost half of Scottish Local Authorities undertake anti – idling measures through the ‘4 E’s’ approach. The first three are:
- Engage – officers will initially engage to encourage voluntary compliance.
  - Explain – officers will stress the risks to public health, to themselves and those around them, providing information about the risks and the wider health implications.
  - Encourage – officers will seek compliance and emphasise the benefits and their contribution to cleaner air for future generations.
- 2.5 It is likely that in most cases, only the first three measures will be required. However, based on anecdotal evidence of commercial settings (for example the delivery industry), where there is continued ambivalence to an anti – idling powers, a final sanction is available to officers should the need arise:
- Enforce – officers will provide a reasonable instruction to switch off, after which, on exhaustion of all other measures, or a reasonable explanation of a need for the engine to be left running, a Fixed Penalty Notice of the statutory amount or £20 applied
- 2.6 The use of the 4 E’s approach will be applied when considering what action is appropriate as there may be mitigating circumstances for leaving the engine running while stationary. Examples include where:-
- a vehicle is stationary ‘owing to the necessities of traffic’ – e.g., when vehicles are queuing at traffic lights
  - an engine is being run so that a defect can be traced and rectified – e.g., when a vehicle is being attended to by a breakdown/recovery agent

- machinery on a vehicle requires the engine to be running – e.g., when the engine powers refrigeration equipment or compaction equipment in a refuse vehicle
- a vehicle is propelled by gas produced by the functioning of plant carried on the vehicle.

### **3. PROPOSALS**

- 3.1 It is proposed that to further enhance the Council's commitment to cleaner air it utilises available anti – idling powers to protect pedestrians and other road users from the effects of particulate matter.
- 3.2 Parking Services colleagues are best placed to react to intelligence received from the Regulatory Services, Air Quality Officer, focussing primarily on known problem areas e.g., school pick – up / drop – off, bus stances, outside takeaway restaurants, in loading bays, parcel delivery services and as a response to complaints from members of the public. This function would be in addition to routine parking patrols and is therefore envisaged that this would be resource neutral. However, should additional resource be required at some point in the future, further funding sources would be explored, e.g., Scottish Government Air Quality Grant.
- 3.3 Prior to implementation of the Anti – Idling powers, Environmental Health Officers and Parking Services will receive scenario-based training on the approach to application of the powers. Information would be provided to the public through a targeted communications plan, and in accordance with the legislation.

### **4. CONCLUSION AND RECOMMENDATION**

- 4.1 The Council's Air Quality Action Plans and the Net Zero Interim Climate Change Report cites anti-idling strategies as a measure to support climate change mitigation.
- 4.2 It is likely that the recommended approach is resource neutral. However, should additional resource be required to continue enforcement, further funding sources should be explored, e.g., Scottish Government Air Quality Grant.
- 4.3 It is recommended that the Committee approves:
- (i) the implementation of Anti – Idling powers to be operated jointly by Regulatory Services and Parking Services.

**Author**

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**Approved**

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Clare Mailer	Depute Director (Communities)	4 March 2022

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## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

<b>Strategic Implications</b>	<b>Yes / None</b>
Community Plan	<b>Yes</b>
Corporate Plan	<b>Yes</b>
<b>Resource Implications</b>	
Financial	<b>No</b>
Workforce	<b>No</b>
Asset Management (land, property, IST)	<b>N/A</b>
<b>Assessments</b>	
Equality Impact Assessment	<b>No</b>
Strategic Environmental Assessment	<b>No</b>
Sustainability (community, economic, environmental)	<b>No</b>
Legal and Governance	<b>Yes</b>
Risk	<b>No</b>
<b>Consultation</b>	
Internal	<b>Yes</b>
External	<b>No</b>
<b>Communication</b>	
Communications Plan	<b>Yes</b>

### 1. Strategic Implications

#### Community Plan

1.1 The proposal in this report contributes in some way to the delivery of all of the five priorities, which are set out below, in the Perth and Kinross Community Plan.

- (i) Giving every child the best start in life
- (ii) Developing educated, responsible and informed citizens
- (iii) Promoting a prosperous, inclusive and sustainable economy
- (iv) Supporting people to lead independent, healthy and active lives
- (v) Creating a safe and sustainable place for future generations

#### Corporate Plan

1.2 The proposal in this report contributes in some way to the achievement of all of the Council's Corporate Plan Priorities, which are:

- (i) Giving every child the best start in life;
- (ii) Developing educated, responsible and informed citizens;
- (iii) Promoting a prosperous, inclusive and sustainable economy;
- (iv) Supporting people to lead independent, healthy and active lives; and
- (v) Creating a safe and sustainable place for future generations.

## 2. Resource Implications

### Financial

2.1 There are no financial implications

### Workforce

2.2 There are no workforce implications other than increasing the powers of the Parking Services Team and Environmental Health Officers.

### Asset Management (land, property, IT)

2.3 There are no land, property or IT implications.

## 3. Consultation

### Equality Impact Assessment

3.1 The proposals have been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:

- Assessed as **not relevant** for the purposes of EqIA

3.2 This report aims to improve air quality by reducing vehicles idling engines unnecessarily

### Strategic Environmental Assessment

3.3 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals. The proposals have been considered under the Environmental Assessment (Scotland) Act 2005:

3.4 However, no action is required as the Act does not apply to the matters presented in this report. This is because the Committee are requested to note the contents of the report only and the Committee are not being requested to approve, adopt, or agree to an action or to set the framework for future decisions.

### Sustainability

3.5 The proposal has been considered under the provisions of the Climate Change (Scotland) Act 2009 and it has been assessed that this is not applicable.

## Legal and Governance

- 3.6 Head of Legal and Governance has not been consulted in the preparation of this report and there are no adverse comments raised however, the Committee are requested to set the framework for future decisions.

## Risk

- 3.7 There is a risk of non – compliance, which would be dealt with initially by soft touch means however, for persistent offenders non – compliance will be met with a Fixed Penalty Notice.

## **4. Consultation**

### Internal

- 4.1 All relevant internal stakeholders have been consulted on the proposals and these stakeholders support the measures contained within the report.

### External

- 4.2 N/A

## **5. Communication**

- 5.1 The Council's anti idling powers will be communicated for a four-week period prior to introduction along with education materials.

## **2. BACKGROUND PAPERS**

- 2.1 Scottish Executive Environment Group, LOCAL AUTHORITY POWERS TO REQUIRE DRIVERS TO SWITCH OFF ENGINES WHEN PARKED Guidance Issued Under Section 88 of the Environment Act 1995.

## **3. APPENDICES**

- 3.1 None.