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Report of: Edward Highfield
Report to: Councillor Jack Scott
Date of Decision: June 2018
Subject: Programme of implementing Anti-idling
Enforcement Areas 2018/19

Is this a Key Decision? If Yes, reason Key Decision:-	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
- Expenditure and/or savings over £500,000	<input type="checkbox"/>	
- Affects 2 or more Wards	<input type="checkbox"/>	
Which Cabinet Member Portfolio does this relate to? Transport and Sustainability Which Scrutiny and Policy Development Committee does this relate to? Economic and Environment Wellbeing Scrutiny and Policy Development Committee.		
Has an Equality Impact Assessment (EIA) been undertaken?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If YES, what EIA reference number has it been given. 300		
Does the report contain confidential or exempt information?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Purpose of Report:

To seek approval for a phased introduction and enforcement of anti-idling areas in 2018/19 to complement the Clean Air Strategy.

Recommendations:

- That anti-idling areas be signed and enforced starting with those schools in areas with the poorest air quality;
- That publicity and education campaigns are undertaken prior to carrying out enforcement and issuing fixed penalty notices;
- That further enforcement areas are identified and created up to a maximum project spend of £50k.

Background Papers:

- Department for Environment, Food and Rural Affairs and Department of Transport (May 2017) Improving air quality in the UK: tackling nitrogen dioxide in our towns and cities
- Public Health England, Department for the Environment Food and Rural Affairs and the Local Government Association (March 2017) Air Quality: A Briefing for Directors of Public Health
- Department of Transport - Guidance on powers to require drivers to switch off Engines.

Lead Officer to complete:-		
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.	Finance: <i>Gaynor Saxton</i>
		Legal: <i>Richard Cannon</i>
		Equalities: <i>Annemarie Johnston</i>
<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>		
2	EMT member who approved submission:	Lorraine Manley
3	Cabinet Member consulted:	Councillor Jack Scott
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Decision Maker by the EMT member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.	
	Lead Officer Name: <i>Chris Galloway</i>	Job Title: <i>Principal Engineer – Scheme Design & Assurance</i>
Date: <i>June 2018</i>		

1. PROPOSAL

- 1.1 To create and enforce anti-idling areas in support of the Clean Air Strategy for Sheffield.
- 1.2 In common with many major cities, Sheffield has problems with poor air quality, particularly around major roads – Sheffield is a Local Authority with roads with concentrations of NO₂ forecast above legal limits based on initial modelling with DEFRA (Sheffield is forecast at 52 micrograms/m² compared to local core cities of Leeds 60 and Nottingham 57).

Engine idling is a significant contributory factor to local air pollution in some areas of the city such as the taxi rank near the Midland Train Station, where exceedances of hourly limits (set under European Health Limit Values) of some pollutants have been measured.

In other areas of the city, engine idling may not be a significant additional factor when set against generally high background levels of air pollution but is a preventable and unnecessary source of emissions, particularly at locations with sensitive receptors such as children.

NICE guidance suggests that Local Authorities protect children and other vulnerable people from the sources and effects of air pollution within Clean Air Zones and supports 'no vehicle idling' areas, particularly where vulnerable people are located (such as outside schools, hospitals and care homes) and in areas where exposure to road-traffic-related air pollution is high.

NICE further suggests driver training for public service vehicles and private fleet regarding switching off engines, if practical and safe, when parked by the roadside and when dropping off people or deliveries and raising public awareness of smoother driving styles, including 'idling' as ways to contribute to reducing emissions.

- 1.3 The entire urban area of Sheffield was designated as an Air Quality Management Area in 2010: <http://www.sheffield.gov.uk/home/pollution-nuisance/air-quality> and the Council has since produced an Air Quality Action Plan: <http://www.sheffield.gov.uk/home/pollution-nuisance/air-quality>, which we continue to implement in order to improve air quality and discourage air pollution from a wide range of sources including engine idling.

The Council are however, actively promoting Green Driving and the 'ECO Stars' programme – see: <http://www.care4air.org/doing-your-bit/eco-driving/> (which implicitly encourages the practice of Anti-Idling) including through our ongoing DEFRA funded, AirAware campaign <http://www.sheffield.gov.uk/home/pollution-nuisance/air-aware>

- 1.4 The project is to Create and enforce anti-idling areas in the city, concentrating initially at 20 schools (see Appendix A) where area quality is the poorest. This will involve the provision of signs (see proposed sign in Appendix B) to advise motorists that they could be fined if they leave

their engines running when asked not to do so by an enforcement officer. The issuing of Fixed Penalty Notices (£20 max fine) will be undertaken where drivers do not comply. Additional areas will be rolled out during 2018/19 once determined.

- 1.5 The Council is required to take action to reduce the level of pollution in the city where it exceeds acceptable limits or face fines. The clean air strategy also commits the council to implement a wide range of measures, of which this is only one example, to achieve this.

Implementing and enforcing anti-idling areas allows Sheffield to take immediate action on localised sources of air pollution which are avoidable without significant impact on drivers. A parallel communication/education programme will inform drivers about the impact on vulnerable groups of idling their engines on Sheffield's overall air quality and that there is a benefit to them to switching off their engine in terms of fuel economy and a wider social benefit in improving local air quality.

- 1.6 A funding allocation of £50k has been made in the LTP programme for 2018/19

2. HOW DOES THIS DECISION CONTRIBUTE?

- 2.1 This project will contribute towards the priority of "better health and wellbeing" in the Corporate Plan.

Poor air quality is a significant issue for Sheffield, like most major cities in the UK and those most impacted by poor air quality are children, pregnant women, older people and those with health conditions such as cardiovascular and respiratory conditions. However, poor air quality impacts on all Sheffield residents, particularly those living near busy roads and actions to improve local air quality will benefit all who live in, work, learn in or visit Sheffield.

Reducing emissions which create air pollution problems can also reduce emissions that exacerbate climate change, and improving fuel economy may have a small impact on reducing dependence on fossil fuels. However, these impacts are not as significant as switching to active travel or clean fuel vehicles and should not be over-stated.

Implementation and enforcement of "No vehicle idling" areas has limited economic impacts. For drivers, smooth driving techniques and no idling can improve fuel economy.

3. HAS THERE BEEN ANY CONSULTATION?

- 3.1 In line with the "Involvement Guide" we have asked people for their views on specific policies or proposals. It was considered important to consult on anti-idling measures as it may have been unpopular with drivers and because public views were sought as to whether education, enforcement or both approaches were supported in tackling this issue locally.

In summer 2017 a 9 week public online consultation was offered through

Citizen Space in line with Consultation Principles which suggest a 6 week consultation as 'ideal' – the consultation period was extended to cover the whole school holiday period so as not to disadvantage parents with school age children and schools staff from participating.

The link to the consultation was published through the Sheffield City Council newsroom and to local media organisations.

Relevant organisations were invited to share the consultation with their members, such as East End Quality of Life, who organise community air quality monitoring, the Sheffield Taxi Trades Association, South Yorkshire Passenger Transport Executive, the NHS Clinical Commissioning Group, Schools.

The link to the consultation was published through relevant social media sites including "Air aware".

A public meeting was also held in September, led by Councillor Jack Scott.

3.2 The main findings of the consultation were,

- 97% of respondents agreed that those vulnerable to the effects of pollution, especially children, should be protected;
- 85% of respondents agreed that idling outside schools, hospitals, care homes and other locations in Sheffield is a problem;
- 74% of respondents favoured a combined approach of education and enforcement;
- The most important locations were,
 - Schools
 - Hospitals
 - Care Homes
 - Taxi Ranks

Nb these are not necessarily where the highest incidence of idling takes place or air pollution is at excessive levels.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality of Opportunity Implications

4.1.1 Overall, this proposal is expected to have a positive impact on the health outcomes of everyone in the city. It should have a particularly positive impact primary school children and the very old, those with disabilities and long-term health conditions and their carers', BME communities and pregnant women. There are no negative equality impacts identified.

4.2 Financial and Commercial Implications

4.2.1 A project Mandate was approved in May to implement and enforce anti-

idling areas. The budget for the work is to come from the LTP where an allocation of £50k has been included for 2018/19.

Given the nature of the project it was agreed to go straight to a Final Business Case to cover the manufacture and erection of the signs, initially for the 20 schools with the poorest air quality and then rolled out to other areas up to a maximum spend of £50k including any commuted sums for maintaining the signs. This first phase is estimated to cost £8.5k and assumes there will be 80 signs, i.e. 4 per school, with an estimated commuted sum of £5.5k.

- 4.2.2 There are minor financial and commercial implications for drivers in that fuel economy is improved by adhering to the policy, such that many commercial fleet operators already train drivers in “smooth driving” styles through schemes such as ‘Ecostars’. If an enforcement approach is employed using fines, the fine is paid by the driver and not the company so commercial implications are limited.

4.3 Legal Implications

- 4.3.1 The Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002 enable local authority Authorised Persons to request that the driver of a vehicle which is stationary on a road switch off the engine of that vehicle and to issue Fixed Penalty Notices to those who refuse to co-operate as they will be committing a stationary idling offence. A stationary idling offence is a failure to comply with the requirements of Regulation 98 of the Road Vehicles (Construction and Use) Regulations 1986, as amended, which state that drivers shall switch off engines in stationary vehicles so far as necessary for the prevention of exhaust emissions.

The offence is an existing one but local authorities in July 2002 were given the power to carry out enforcement of the offence in an effort to address the growing concerns about pollution and the environment.

- 4.3.2 There are exemptions,

Regulation 98(2) of the Road Vehicles (Construction and Use) Regulations 1986, as amended, sets out the circumstances where vehicles are permitted to be stationary with the engine running. These circumstances are:

- where a vehicle is stationary ‘owing to the necessities of traffic eg when vehicles are queuing at traffic lights;
- where an engine is being run so that a defect can be traced and rectified eg when a disabled vehicle is being attended to by a breakdown / recovery agent;
- where machinery on a vehicle requires the engine to be running eg where the engine powers refrigeration equipment or the compaction equipment in a refuse vehicle;
- where a vehicle is propelled by gas produced by the functioning of plant carried on the vehicle.

Common sense should be applied: it might be reasonable to leave an engine running for a short time on a hot day for an air-conditioning system to have an effect; it may not be reasonable to leave an engine running for a longer period of time to maintain a 'pleasant environment.

4.4 Other Implications

4.4.1 The proposal will be developed using existing staff resources.

5. **ALTERNATIVE OPTIONS CONSIDERED**

5.1 Two alternative options were considered, in addition to the “Do nothing – business as usual” option:

“Do nothing – business as usual” is not a viable option as action on air quality has been mandated by DEFRA. Whilst this does not specifically require Local Authorities to address vehicle idling, the combination of NICE guidance and DEFRA mandate is a compelling call for action within a Local Authority which is already committed to improve air quality.

Delayed action was a possible option and would allow idling to be viewed in the context of wider contributory factors to air quality such as mode of travel, choice of fuel, smooth driving, road speed limits and design to reduce congestion as set out in DEFRA's (May 2017) report. A charging Clean Air Zone could reduce the number of worst polluting vehicles entering the Air Quality Management Area. However, this option was rejected as it was considered that the publication of NICE guidance created additional local impetus for change which could usefully be harnessed in addressing local issues of vehicle idling, whilst drawing local people into the debates about how wider issues of air pollution should be tackled.

The options of education approaches, enforcement approaches or both were considered for “No vehicle idling” policy. The further option of the coverage of the policy was considered, in terms of whether the whole of the Air Quality Management Area was in scope or only certain zones such as schools, care homes, hospitals and “hot spots” such as taxi ranks. The public view was considered through the findings of the consultation process and in addition a cost/benefit analysis was undertaken which drew on experiences of other local authorities who had already implemented the policy.

6. **REASONS FOR RECOMMENDATIONS**

6.1 This proposal allows Sheffield to take immediate action on localised sources of air pollution which are avoidable without significant impact on drivers. It enables clear communication with drivers regarding the impact on vulnerable groups and on Sheffield's overall air quality. There is a benefit to drivers to switching off their engine in terms of fuel economy and a wider social benefit in improving local air quality

The intended outcomes of this proposal are that:

- Drivers are aware of the benefits of switching off their engine in terms of fuel economy and contribution to improving Sheffield's air quality;
- Vulnerable groups are protected from the sources and impacts of localised air pollution;
- Sheffield residents understand and are engaged in the continuing debate about how we can best address air pollution and air quality issues in the city;
- Local air quality monitoring shows improvement since the implementation of the policy.

Appendix A: Schools in first Phase

- 1 Lowfield IJ
- 2 Oasis Don Valley NIJ
- 3 Hillsborough NIJ
- 4 Tinsley Meadows NIJ
- 5 Springfield NIJ
- 6 Nether Green I & J
- 7 Woodseats NIJ
- 8 Manor Lodge NIJ
- 9 Brightside NI & Limpsfield J
- 10 Byron Wood NIJ
- 11 Holt House I & Carterknowle J
- 12 Whiteways NIJ
- 13 Netherthorpe NIJ
- 14 Nether Edge NIJ
- 15 Anns Grove NIJ
- 16 Dobcroft I & J
- 17 Meersbrook Bank NIJ
- 18 Wincobank NI & Concord J
- 19 Owler Brook NIJ
- 20 Oasis Fir Vale NIJ
- 21 Hunter's Bar IJ

Appendix B: Proposed Sign to be erected where enforcement of anti-idling is to be carried out.



**Fixed Penalty Notice
May be issued**

