

EAST RENFREWSHIRE COUNCIL

CABINET

4 December 2014

Report by Director of Environment

VEHICLE EMISSIONS TESTING AND FIXED PENALTY NOTICES FOR IDLING
VEHICLES

PURPOSE OF REPORT

1. This report proposes the introduction of roadside vehicle emissions checks within East Renfrewshire. It is further proposed to introduce fixed penalty notices for drivers of vehicles who are idling their engines.

RECOMMENDATIONS

2. That the Cabinet approves the introduction of roadside vehicle emissions tests and fixed penalty notices for the drivers of vehicles which fail emissions limits and drivers who allow their vehicles to idle.

BACKGROUND

3. Under the Environment Act 1995, local authorities have responsibility for assessing air quality in their area. Since 1996, the Environmental Health Service has been monitoring air quality across East Renfrewshire. While local air quality is generally good, there are some particular areas where there are elevated levels of air pollutants from road traffic. It should be pointed out however that the levels are not currently breaching EU standards.

4. There are additional powers available to local authorities to help manage air quality under the Road Traffic (Vehicle Emissions) (Fixed Penalty) (Scotland) Regulations 2003. Those local authorities which are designated by the Scottish Government under those regulations may carry out roadside vehicle emissions checks and issue fixed penalty notices to drivers of vehicle which fail to meet the legal emissions standards. Fixed penalty notices may also be served on drivers who refuse to turn off idling engines after having been asked to by an authorised officer.

REPORT

ROADSIDE VEHICLE EMISSIONS CHECKS

5. The Scottish Government has designated East Renfrewshire Council to undertake vehicle emissions testing under the Road Traffic (Vehicle Emissions) (Fixed Penalty) (Scotland) Regulations 2003.

6. The aim of the roadside checks is to raise awareness of the impact of road traffic on local air quality. Prior to the roadside checks being conducted, there will be a publicity campaign, including advertisements in local papers and leaflets/posters will be placed at local garages/petrol filling stations.

7. The checks are carried out by stopping vehicles and directing them to a safe place alongside the road (e.g. a lay-by or parking space), where the van containing the emissions testing equipment is already parked. The equipment is then attached to the vehicle exhaust, with the result available after a few minutes. The driver is then advised of the result and either drives away immediately or is issued with a fixed penalty notice. The fixed penalty fine is waived where drivers provide evidence that they have had the vehicle serviced within 14 days of being stopped and that the vehicle emissions now comply with the standards.

8. It is important to note that only police officers have the legal power to stop a vehicle and therefore the proposed roadside checks must be carried out in conjunction with Police Scotland. The checks will be concentrated on busy roads, where our ongoing monitoring shows that vehicles are impacting on local air quality.

9. The person carrying out the testing must have been appropriately trained and hold a certification from the Driver and Vehicle Standards Agency. Due to the cost of the training course and the purchase of the necessary equipment, we have reached an agreement with Glasgow City Council for us to hire their equipment along with a trained officer at a daily rate. The Glasgow City Council employee will be accompanied by an authorised Environmental Health Officer from East Renfrewshire Council, who will be responsible for the conduct of the monitoring, discussions with drivers and any decision-making on the day.

10. We have previously carried out vehicle emission tests at a number of sites across East Renfrewshire on an informal basis, using Glasgow City Council staff and equipment alongside East Renfrewshire Council staff and Police Scotland. This exercise demonstrated that the arrangement worked well, with excellent co-ordination and co-operation between the three parties.

VEHICLE IDLING

11. As well the roadside emissions tests, it is also proposed to introduce fixed penalty notices for drivers who allow their vehicles to idle unnecessarily. Under the regulations, local authority officers must be specifically authorised to issue the fixed penalty notices. It is proposed to authorise Environmental Health Officers and Community Safety Officers (Wardens) for this work.

12. Before issuing a fixed penalty notice for idling, officers must first approach the driver and ask that they turn off the engine. Only where the driver refuses to turn off the engine can a fixed penalty notice be issued.

13. Environmental Health and the Community Safety services have received complaints over recent years about vehicles idling. These complaints have mostly related to buses idling at the end of their route while drivers take a break and it is therefore envisaged that fixed penalty notices are most likely to be served in this circumstance. To date, complaints regarding bus idling have been dealt with by contacting the bus company or Strathclyde Passenger Transport, with varying degrees of success. Drivers of private vehicles will also be approached.

14. It is not envisaged that a large number of fixed penalty notices will be issued but rather that the campaign will help to raise awareness of local air quality issues and provide an additional tool to help address complaints to the council regarding idling vehicles.

15. This project complements the local air quality management work that is done on an ongoing basis by the Environmental Health section. It contributes to SOA3: "East Renfrewshire is a thriving, attractive and sustainable place for residents and businesses to grow" and, in particular, 3.2 "Our natural and built environment is enhanced and our environmental impact minimised".

FINANCE AND EFFICIENCY

16. The cost of the roadside vehicle checks and associated advertising will be covered by Scottish Government funding which has been provided for this specific purpose. The council has been granted £2917.00 by the Scottish Government. This will cover the cost of hiring the staff and equipment from Glasgow City Council and local advertising of the initiative.

CONSULTATION

17. Prior to any roadside checks being carried out, the regulations require that the local authority advertise their intention to carry out tests in the local and national press. In addition, we will also be producing information leaflets and posters for local garages, as well as promoting the initiative on East Renfrewshire Council's social media channels. Consultation has been undertaken with the Community Resources Manager over enforcement issues.

PARTNERSHIP WORKING

18. The roadside vehicle emissions tests will be carried out using an officer and equipment from Glasgow City Council and in conjunction with Police Scotland.

19. The idling engine enforcement will be shared between Environmental Health Officers and Community Safety Officers.

IMPLICATIONS OF THE PROPOSALS

20. This proposal will involve a limited amount of staff time, with a maximum of three days of testing being planned between January and March 2015. Only one member of ERC staff will be required on each of these days. There are no implications for equalities or IT, and finances will be covered by the Scottish Government grant.

CONCLUSIONS

21. East Renfrewshire Council has been granted designation by the Scottish Government to carry out roadside checks. In addition, it is proposed to introduce fixed penalty notices for idling vehicles. These proposals will use our recent designation to complement East Renfrewshire Council's existing local air quality management work and help to raise awareness of the impact of traffic on local roads. We are able to take advantage of support from the Scottish Government to carry out this work.

RECOMMENDATIONS

22. That the Cabinet approves the introduction of roadside vehicle emissions tests and the use of fixed penalty notices for drivers of vehicles which fail to meet emissions limits and drivers who allow their vehicles to idle.

Director of Environment

Further details can be obtained from John Davidson, Prevention Services Manager (Environmental Health) 0141 577 8423 or email: john.davidson@eastrenfreshire.gov.uk

Convener contact details

Councillor Vincent Waters
(Convener for Environment)

Mobile: 07703 887170
Office: 0141 577 3107/8

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KEY WORDS

A report recommending the introduction of roadside vehicle emissions tests. Key words: Vehicle emissions, roadside testing, air quality