

Ref:

Called in

Yes/No

THE THANET DISTRICT COUNCIL

RECORD OF DECISION OF CABINET

Cabinet Member

Councillor Heather Keen

Relevant Portfolio:

Cabinet Member for Community

Date of Decision:

30 May 2024

Subject:

Adoption and Implementation of Anti-idling Legislation

Key Decision

No

In Forward Plan

Yes

Brief summary of matter:

To give vehicle anti-idling powers to council enforcement officers to enable Fixed Penalty Notices to be issued where a warning has been ignored. These powers will facilitate anti-idling campaigns around schools within Air Quality Management Area(s), providing education and raising public awareness rather than enforcement but where advice has been ignored and the driver has refused to comply with a request will enable Officers to issue an FPN.

Decision made:

Cabinet agreed the following:

1. To approve the implementation and enforcement of provisions relating to anti idling as laid down by the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002;
2. To delegate authority to the Director of Environment to authorise relevant officers or persons to stop the commission of stationary idling offences and issue fixed penalty notices (FPNs) in respect of such offences, in accordance with Regulation 6(3) of the Road Traffic (Vehicle Emissions) (Fixed Penalty) (England) Regulations 2002;
3. The Fees & Charges for 2024/25 to be varied to reflect this decision; with new charges for Vehicle Emissions Fixed Penalty Notices of £20, rising to £40 if not paid within 28 days.

Reasons for decision:

The implementation of this legislation and authorisation of officers will enable a greater awareness of the issues arising from leaving vehicle engines running to be made and potentially an improvement in air quality in local areas.

In addition, implementation of the legislation supports the actions within the forthcoming Air Quality Action Plan and Net Zero Strategy.

Alternatives considered and why rejected:

Cabinet not to approve the use of these powers and not to authorise officers or appropriate persons to issue FPNs. This is not recommended as an option as it will not yield the advantages associated with the implementation of this legislation.

Details of any conflict of interest declared by any executive Member who has been consulted and of any dispensation granted by the Standards Committee:

None

Author of Officer report:

Amanda Berry, Senior Environmental Health Practitioner

Background papers

Emissions FPN Cabinet Report Apr 2024 - Google Docs
Annex 1 - Equality Impact Assessment - Google Docs

Statement if decision is an urgent one and therefore not subject to call-in:

None

Last date for call in: 7 June 2024