

TRANSPORT ACT 2000

Sheffield Clean Air Zone Charging (Variation No. 2) Order 2023

Made 21st March 2023

Coming into force In accordance with articles 1 and 2

Whereas –

- (1) the Sheffield Clean Air Zone Charging Order 2023 imposes charges for the use of specified classes of motor vehicles on designated roads within the Sheffield Clean Air Zone;
- (2) it appears to Sheffield City Council desirable, for the purposes of facilitating the achievement of Sheffield City Council's and the Sheffield City Region's local transport policies contained in Sheffield's Transport Strategy 2019 to 2035 and the Sheffield City Region Transport Strategy, that it should make an Order for the purpose of varying the Sheffield Clean Air Zone Charging Order 2023:

Now, therefore, Sheffield City Council, in exercise of the powers conferred on it by Part III and Schedule 12 of the Transport Act 2000, Parts 2 and 6 of The Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013, and of all other powers enabling it in that behalf, hereby makes the following Order:—

Citation and commencement

1.
 - (1) This Order may be cited as the Sheffield Clean Air Zone Charging (Variation No. 2) Order 2023.
 - (2) This Order shall come into force immediately on the day it is made.
 - (3) In this Order "the Charging Scheme" means the Scheme contained in the Schedule to the Sheffield Clean Air Zone Charging Order 2023.

Variation of the Charging Scheme

2. The Scheme set out in the Schedule to this Order, which varies the Charging Scheme, shall have effect.

Made 21st March 2023

The Common Seal of the Sheffield City Council
was affixed hereto
in the presence of


Duly authorised signatory



23/1901/4900

SCHEDULE TO THE ORDER

SCHEME VARYING THE CHARGING SCHEME

Disabled adapted minibuses, buses and coaches

1. In Part 2 of Annex 2 to the Scheme, substitute the entirety of paragraph 5 ('Disabled Adapted Coaches') for the following:
 5.
 - 1) A disabled adapted minibus, bus or coach is a non-chargeable vehicle provided particulars of the vehicle are for the time being entered in the local register.
 - 2) A vehicle is a qualifying disabled adapted minibus, bus or coach if the Council is satisfied by the production of such evidence as it may reasonably require and is –
 - a) A bus or coach within the meaning given by regulation 2 of the Public Service Vehicles Accessibility Regulations 2000 and has been issued a valid Accessibility Certificate certifying that it conforms to schedule 1 of the Public Service Vehicles Accessibility Regulations 2000; or
 - b) A public service vehicle within the meaning given by section 1(a) of the Public Passenger Vehicles Act 1981 that conforms to schedule 1 the Public Service Vehicles Accessibility Regulations 2000.

Non-commercial vintage buses and vintage emergency service vehicles

2. In Part 2 of Annex 2 to the Scheme, substitute the entirety of paragraph 6 ('Non-Commercial Vintage Buses') for the following:
 6.
 - 1) A non-commercial vintage bus or vintage emergency service vehicle is a non-chargeable vehicle if the Council is satisfied, by the production of such evidence as it may reasonably require, and if particulars of the vehicle are for the time being entered in the local register on an eligible charging day.
 - 2) A "non-commercial vintage bus" means a vehicle of Class M2 or M3 which -
 - a) is not a historic vehicle within the meaning of paragraph 1;
 - b) is used exclusively for demonstration or educational purposes;
 - c) is not, in any case, being used primarily for the transportation of passengers for commercial purposes; and
 - d) was constructed more than 20 years before the charging day concerned;
 - 3) A "vintage emergency service vehicle" means a vehicle which -
 - a) is or was an exempt vehicle for the purposes of the 1994 Act by virtue of it falling within any of the definitions of exempt vehicles in paragraphs 3A, 4, 5, 6 or 7 of Schedule 2 to that Act or section 4(1)(a), (b) or (c) of the Vehicles (Excise) Act 1971;
 - b) is not a historic vehicle within the meaning of paragraph 1;
 - c) is used exclusively for demonstration or educational purposes; and
 - d) was constructed more than 20 years before the charging day concerned.
 - 4) An "eligible charging day" means –

- a) each of the first 10 charging days in any calendar year on which a non-commercial vintage bus is used on one or more designated roads; or
- b) each of the first 10 charging days in any calendar year on which a vintage emergency service vehicle is used on one or more designated roads if that vehicle is kept at or operating out of premises situated outside the Clean Air Zone; or
- c) any charging day on which a vintage emergency service vehicle is used on one or more designated roads if that vehicle is kept at or operating out of premises situated within the Clean Air Zone at the commencement date.

Emergency service vehicles

- 3. In Part 2 of Annex 2 to the Scheme, substitute the entirety of paragraph 11 (“Emergency service vehicles”) for the following:
 - 11.
 - 1) A qualifying emergency service vehicle is a non-chargeable vehicle provided particulars of the vehicle are for the time being entered in the local register.
 - 2) A vehicle is a qualifying emergency service vehicle if the Council is satisfied, by the production of such evidence as it may reasonably require and that -
 - a) it is an exempt vehicle for the purposes of the 1994 Act by virtue of it falling within any of the definitions of exempt vehicles in the following paragraphs of Schedule 2 to that Act -
 - (i) paragraph 3A (police vehicles);
 - (ii) paragraphs 4 and 5 (fire engines etc.);
 - (iii) paragraphs 6 and 7 (ambulances and health service vehicles);
 - (iv) paragraph 9 (veterinary ambulances);
 - (v) paragraph 10 (mine rescue vehicle);
 - (vi) paragraph 11 (lifeboat vehicles); or
 - b) in respect of a vehicle registered under legislation relating to the registration of vehicles in a country other than the United Kingdom, the Council is satisfied that, had it been registered under the 1994 Act, it would have fallen within sub-paragraph (a).