

Sheffield Clean Air Zone Charging Order 2021

Easy Read Guide

The purpose of this 'easy read' guide is to help you understand what a Charging Order is and why one is being proposed in Sheffield. It isn't a substitute for the fine detail in the full draft proposed Charging Order which is available as a background document to the consultation. You may wish to refer to that document as you read this one.

If there are any contradictions or uncertainty between this guide and the draft Charging Order, then the text of the draft Charging order is definitive (that is the final word).

Sheffield City Council needs to bring NO₂ emissions in the city within legal limits as quickly as possible. We have considered a range of options to reduce pollution and our preferred solution is to introduce a Clean Air Zone. The Government agrees and has directed the Council to do it.

The Clean Air Zone will cover the inner ring road and the city centre. The proposed zone is not final and may be subject to changes through feedback from the consultation. The zone will discourage the use of high polluting vehicles in the city centre and encourage upgrades to cleaner, low or no emission vehicles.

It will do this by charging the most polluting groups of vehicles to drive inside the zone. The inner ring road itself is part of the proposed charging zone.

This means that buses, coaches, taxis, vans and lorries that do not meet our emissions (pollution) standards will have to pay to drive in and around the zone. Taxis includes cars which are either hackney carriages or private hire vehicles.

If you ride a motorcycle or drive a car which is not a taxi then you will not have to pay.

The Clean Air Zone is a **Charging Scheme** and the law requires that the Council must use a special legal document called a **Charging Order** to make it happen.

You can find a copy of the draft Charging Order as a background document to the consultation. This guide covers the Charging Order. Each article of the order is described below.

ARRANGEMENT OF INSTRUMENT

THE ORDER

1. Citation and commencement

This describes the power which enables the Council to introduce the Charging Order and use it to deter polluting vehicles from entering the city centre or use the inner ring road. The power is found within an Act of parliament called the Transport Act 2000. The Council can only use the power according to rules which are laid out in Regulations.

Two of these requirements (or rules) are stated here:

- 1) that the Charging Scheme must be in line with the Council's Transport Strategy for the city, and
- 2) that appropriate consultation has been carried out with people affected by the Clean Air Zone.

Once these requirements have been satisfied, the Council may implement the Charging Order and decide when it "comes into force", which means when the date from which vehicles may be charged for using the inner ring road or entering the city centre. There is no date contained within the Order at present as the Order has not been made. It is still a work in progress.

2. The Scheme

The Clean Air Zone is made to work by imposing a Charging Scheme. References to 'The Scheme' are references to charging certain types of non-compliant vehicles for entering the city centre or using the inner ring road. This article of the Order states when the charging actually begins. The Council has committed to informing people when the charging begins by publishing a notice in a local newspaper before it happens. There is no date for this as yet.

SCHEDULE TO THE ORDER

SHEFFIELD CLEAN AIR ZONE CHARGING SCHEME

1. Interpretation

It is important to make sure that any legal document like a Charging Order is clear on what it means and that there is no confusion when people are being charged. The Interpretation article of the Order is a list of all of the words used in the order which have a technical legal definition. It explains what those words mean. If that meaning comes from another document, such as an Act of Parliament (a law), then that is mentioned here.

2. Designation of roads in respect of which charges are imposed

The Clean Air Zone can only operate on 'Designated Roads' – this article tells us which roads are designated roads. Designated roads are those roads within the zone.

3. Relevant vehicles

4. Compliant vehicles

Any bus, coach, taxi (including cars which are taxis), van or lorry that enters the Clean Air Zone will either be a Compliant Vehicle or a Relevant Vehicle. Vehicles that are Compliant and therefore won't be charged to drive into the zone are those which meet the relevant emissions standards. i.e. they are less polluting.

A vehicle which is not Compliant and is termed Relevant will be subject to being charged. Those are the more polluting groups of vehicles.

5. Non-chargeable vehicles

A Relevant Vehicle will not be charged if it meets certain specific criteria. If it meets the criteria then it is a 'Non-chargeable vehicle'. These are special cases where the Council has decided not to charge vehicles which do not meet its emissions standards for various reasons. These 'exemptions' are described later in Annex 2 to this order.

6. Emissions standards required of compliant vehicles

This article sets out which groups or classes of vehicle are considered to be less polluting and so don't need to be charged.

These are:

- Taxis with Euro 6 Diesel or Euro 4 Petrol
- Light Goods Vehicles (LGVs) and Minibuses with Euro 6 Diesel or Euro 4 Petrol
- Buses and Coaches with Euro 6 Diesel
- Heavy Goods Vehicles (HGVs) with Euro 6 Diesel e.g. lorries

These requirements are also known as a 'Class C' zone however there is no reference to Class C within the order. Class C is simply a label given to these

standards by the Government and the Council also uses it when publicizing them. It is a description which is used by the Government when it sets out its requirements.

7. Imposition of charges

A Relevant Vehicle will be charged for entering the Clean Air Zone each day (see articles 3 and 4 above). These are the polluting groups of vehicles. Each day that the vehicle is in the zone is called a 'Charging Day' and the amount charged is dependent upon the type of vehicle being charged. This article of the Order states which vehicles are subject to which charge. There are two different charges which are explained in article 8 below.

8. Amount of charge payable by purchase of a licence

This states that the two different charges for entering the Clean Air Zone are as follows:

- £10 per day for polluting LGVs and Taxis
- £50 per day for coaches, buses, trucks and HGVs

These are classified as Relevant Vehicles.

9. Payment of charges

The charges may be paid by purchasing a licence. If you know your vehicle is subject to the charge, you can pay the charge by buying a licence.

The licence lasts for one calendar day only. You will need to buy a licence to pay the charge each calendar day that your vehicle is used in the zone. Once a day for which you have purchased a licence crosses into the following day (after midnight), you will be required to purchase a new licence for that new day.

This part of the Order states when a licence can be bought. You can buy a licence:

- no more than six days before the day you drive into the zone,
- on the day that you enter the zone, or
- up to six days after that day

The licence must be purchased from the Central Clean Air Zone service. This is operated by the Government and not the Council although the Government will tell the Council who has paid for a licence. It will operate through a website.

10. Registers of compliant and non-chargeable vehicles

Any vehicle which is 'non-chargeable' (see article 5) must be added to a register so that the Council knows that it must not be charged for entering the Clean Air Zone. There are two registers – a national one and a local one. The national one is held by the Government and the local one is held by the Council.

It is the responsibility of anyone driving a vehicle into the Clean Air Zone to make sure that their vehicle is registered as non-chargeable if an exemption applies to them. It is each individual's responsibility to make sure that their vehicle is removed

from the register should it no longer be eligible. The Council can add or remove vehicles from the register according to eligibility.

11. Refunds of charges

Sometimes people might be entitled to a refund of a charge. A person may obtain a refund for their purchase of a licence for entering the Clean Air Zone so long as they apply for it before the day on which they would've entered. The Council may charge a fee for administering the refund – the amount of this fee is yet to be determined.

12. Penalty charge for non-payment of charge

If you drive within the Clean Air Zone, and do not pay the charge by purchasing a licence, you will incur a penalty charge. This charge is £120 and it is set at this level to discourage people from driving in the Clean Air Zone without paying for a licence.

- The penalty charge is reduced to £60 if you pay within 14 days of receiving a penalty charge notice.
- If you do not pay within 28 days then the charge is increased to £180.

The charge for driving in the Clean Air Zone and the penalty charge are two separate charges. You will incur a penalty charge in addition to the charge for driving in the zone if you do not purchase a licence. Both the charge for driving in the zone and the penalty charge can be applied each day, so every day that you drive in the zone without paying for a licence will result in an additional penalty charge.

This means that each day which you drive in the Clean Air Zone without paying a required charge means you will have to pay both the charge you should have paid and the penalty on top of that as well.

13. Immobilisation of vehicles

The Council can immobilize (clamp) certain vehicles which have accrued three unpaid penalty charges if they are not properly registered and have remained stationary for at least 14 days after receiving the third penalty charge. The Council is not expecting to do this very often.

There is a charge of £70 for releasing the vehicle from being immobilized.

14. Removal, storage and disposal of vehicles

The Council can remove an immobilized vehicle if any of the charges remain outstanding and take it to a storage facility. The vehicle will only be released if all outstanding charges are paid – this includes:

- the charge for entering the clean air zone
- any penalty charges accrued because the charge for entering the clean air zone went unpaid
- any penalty charges because the vehicle was immobilized
- a charge of £40 for each day the vehicle is held in storage

If the vehicle is not claimed within 28 days of its removal and certain conditions apply then it can be disposed of – if this happens then an additional penalty charge of £70 also applies.

The Council is not expecting to do this very often.

15. Duration of scheme

Once the Clean Air Zone is operational and the charging applies then it will last until it ends.

We have considered different options to improve air quality as quickly as possible. The Clean Air Zone is the option required by Government. By focusing on the most polluting vehicles, we can reduce air pollution to legal levels as quickly as possible.

There may come a point where the Clean Air Zone is no longer needed because the quality of air has improved enough. If that happens then a further legal document may be used to end the zone.

16. Transitional provisions – temporary non-chargeable vehicles

We are aware that the Clean Air Zone imposes a burden upon those people in Sheffield who are affected by the charges. We have therefore proposed some assistance by taking their vehicles out of scope for charging as long as they meet certain conditions. These conditions are described later in Annex 4.

17. Ten and five year plans for net proceeds

If the Council is making a Charging Scheme like the Clean Air Zone, it must tell people how it plans to spend any income it receives from the payment of any charges associated with it. These plans are described at Annex 5.

ANNEXES TO THE SCHEME

1. Deposited Plans

A series of plans showing the extent of the Clean Air Zone. This enables a person to see the exact boundary of the zone in detail and which roads are contained within the zone.

2. Non-chargeable vehicles

These are special cases where either the Government or the Council have proposed not to charge vehicles which do not meet its emissions standards for various reasons. We refer to these more generally as 'Exemptions'.

The Government has decided the following vehicles must not be charged:

- Historic vehicles (vehicles over 40 years old)
- Military vehicles
- Vehicles registered for disabled people (not only using a blue badge)

The Council is proposing that the following vehicles must also not be charged:

- Community Transport Vehicles

Additional support for not for profit and community interest groups.

- Non-Commercial Vintage Buses

Additional support for hard to replace non commercial vintage vehicles infrequently travelling into the zone.

- Agricultural and similar vehicles, Special Vehicles

These vehicles are engaged in a unique or novel purpose and either can't be or would be hard to be replaced with a 'like-for-like' alternative, or retrofitted to a compliant solution.

- Recovery Vehicles

These vehicles are those used only for vehicle recovery (e.g. responses to breakdowns) and therefore minimise impact on traffic congestion and disruption.

- Abnormal Indivisible Load Vehicles

These are vehicles carrying an abnormally large load that cannot be divided into two or more loads and must themselves be used on a road rather than transported via another road-going vehicle.

- Emergency Services Vehicles

Additional support for the police, fire service and ambulances.

- Showman's Vehicles

Additional support for travelling showmen (fairs).

- Foreign vehicles for disabled people

This is an international equivalent of the Government's exemption.

- Diverted vehicles

Support for those vehicles which have entered the zone unavoidably by being diverted into it on a route approved by the Council.

3. Emissions standards for compliant vehicles

This is a breakdown of the technical information which describes the various vehicles which are subject to the charges in the Clean Air Zone. This is done with reference to their maximum weight, emissions standard and the appropriate test for determining their emissions.

4. Transitional provisions – temporary non-chargeable vehicles

We are aware that the Clean Air Zone imposes a burden upon those people in Sheffield who are affected by the charges. We have therefore proposed some assistance by taking their vehicles out of scope for charging as long as they meet certain conditions, which are:-

- Vehicle awaiting retrofitting
- Compliant vehicle on order

Both of these are reasonable delays, demonstrate that there is an effort to comply with the requirements of the Clean Air Zone and should not result in charges being made. Choosing not to charge these vehicles for a limited period of time should not delay our ability to reduce pollution as quickly as needed.

5. Part 1 – the Council's general plan for applying its share of the proceeds of this Scheme during the opening ten year period and Part 2 – The Council's detailed programme for applying its share of the proceeds of this Scheme during the opening five year period.

If the Council is making a Charging Scheme like the Clean Air Zone, it must tell people how it plans to spend any income it receives from the payment of any charges associated with it. There are two plans – one for the next ten years and one for the next five years.

The ten year plan is a broad overview of how the income from the Clean Air Zone will be used. It will primarily be used to support the operation of the zone by meeting its costs. Anything left over after that is surplus income.

The goal of the charges is to reduce the amount of non-compliant (polluting) vehicles entering the zone. The amount of income should therefore reduce over time. The Council is not intending to generate a large amount of surplus income through charging people to enter the Clean Air Zone although any surplus will be used to deliver its transport strategy objectives. These objectives are described within this part of the order.

The five year plan is more specific and is a programme for spending surplus income within that period on certain schemes. These schemes are as follows: