

TRANSPORT ACT 2000

Leeds Clean Air Zone Charging Order 2018

Made

Coming into force

In accordance with articles 1 and 2

ARRANGEMENT OF INSTRUMENT

THE ORDER

1. Citation and commencement
2. The Scheme

SCHEDULE TO THE ORDER

LEEDS CLEAN AIR ZONE CHARGING SCHEME

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2. Designation of roads in respect of which charges are imposed
3. Relevant vehicles
4. Compliant vehicles
5. Non-chargeable vehicles
6. Emissions standards required of compliant vehicles
7. Imposition of charges
8. Amount of charge payable by purchase of a licence
9. Payment of charges
10. Register of compliant and non-chargeable vehicles
11. Refunds of charges
12. Penalty charge for non-payment of charge
13. Immobilisation of vehicles
14. Removal, storage and disposal of vehicles
15. Duration of scheme
16. Transitional provisions and temporary non-chargeable vehicles
17. Ten and five year plans for net proceeds

ANNEXES TO THE SCHEME

1. Deposited plans
2. Non-chargeable vehicles
3. Emissions standards for compliant vehicles
4. Transitional provisions and temporary non-chargeable vehicles
5. Part 1 – the Council’s general plan for applying its share of the proceeds of this Scheme during the opening ten year period

Part 2 – The Council’s detailed programme for applying its share of the proceeds of this Scheme during the opening five year period

Whereas—

- (1) It appears to Leeds City Council desirable, for the purposes of facilitating the achievement of Leeds City Council’s and West Yorkshire Combined Authority’s local transport policies, that it should make the following Order:
- (2) Appropriate persons have been consulted in accordance with section 170 of the Transport Act 2000:

Now, therefore, Leeds 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. This Order is made on the _____ day of November 2018 and comes into force on the same day and may be cited as the “Leeds Clean Air Zone Charging Order (No. 01)”.

The Scheme

- 2.—(1) The Scheme in the Schedule to this Order (“the Scheme”) has effect in accordance with paragraphs (2) and (3).
- (2) The Scheme, other than article 7 of the Scheme, comes into force on 1 July 2019.
- (3) Article 7 of the Scheme comes into force on 6 January 2020.

**THE COMMON SEAL of
LEEDS CITY COUNCIL**

was hereunto affixed in
the presence of:

Name:

Signature:

Job Title:

LEEDS CLEAN AIR ZONE CHARGING SCHEME

Interpretation**1.—(1) In this Scheme—**

- (a) “1994 Act” means the Vehicle Excise and Registration Act 1994;
- (b) “4 Seater Taxi or Private Hire Vehicle” means a taxi or private hire vehicle of Class M₁ licensed to carry no more than 4 persons in addition to the driver;
- (c) “5-8 Seater Taxi or Private Hire Vehicle” means a taxi or private hire vehicle of Class M₁ licensed to carry at least 5 but no more than 8 persons in addition to the driver;
- (d) “approved retrofit scheme” means the Clean Vehicle Retrofit Accreditation Scheme and such other accreditation scheme or schemes as may from time to time be specified by the Council;
- (e) “charge” means a charge imposed by article 7 except to the extent that this Scheme otherwise provides or that context otherwise requires;
- (f) “charging day” means the period of twenty four hours from midnight to midnight;
- (g) “Class M₁” vehicles are those falling within class M_{1(a)} and class M_{1(b)} as specified in Schedule 1 of the Vehicle Classes Regulations;
- (h) “Class M₂” vehicles are those falling within class M_{2(a)} and class M_{2(b)} as specified in Schedule 1 of the Vehicle Classes Regulations;
- (i) “Class M₃” vehicles are those falling within class M_{3(a)} and class M_{3(b)} as specified in Schedule 1 of the Vehicle Classes Regulations;
- (j) “Class N₂” vehicles are those falling within class N_{2(a)} and class N_{2(b)} as specified in Schedule 1 of the Vehicle Classes Regulations;
- (k) “Class N₃” vehicles are those falling within class N_{3(a)} and class N_{3(b)} as specified in Schedule 1 of the Vehicle Classes Regulations;
- (l) “Clean Air Zone” means the area shown shaded orange on the Clean Air Zone Plan the boundaries of which are defined on the Clean Air Zone Boundary Plans;
- (m) “Clean Air Zone Boundary Plan” means—
 - (i) up to and including 31 December 2024, a deposited plan specified in Part 2 of Annex 1 defining part of the boundary of the Clean Air Zone by showing areas within the Clean Air Zone as shaded orange; and
 - (ii) on or after 1 January 2025, a deposited plan specified in Part 3 of Annex 1 defining part of the boundary of the Clean Air Zone by showing areas within the Clean Air Zone as shaded orange;
- (n) “Clean Air Zone Plan” means—
 - (i) up to and including 31 December 2024, the plan corresponding with sheet A of Part 1 of Annex 1; and
 - (ii) on or after 1 January 2025, the plan corresponding with sheet B of Part 1 of Annex 1;
- (o) “compliant vehicle” has the meaning given by article 4;
- (p) “commencement date” means 6 January 2020;
- (q) “compression ignition engine” means an internal combustion engine in which combustion is initiated by heat produced from compression of the air in the cylinder or combustion space;
- (r) “compression ignition vehicle” means a vehicle powered wholly or partly by a compression ignition engine;

- (s) “Council” means Leeds City Council;
- (t) “deposited plans” means the portfolio of plans comprising the Clean Air Zone Plan, the Clean Air Zone Boundary Plans and the Clean Air Zone Key for Boundary Plans—
 - (i) deposited at the offices of the Council at Legal Services, Ground Floor Reception, Civic Hall, Calverley Street, Leeds LS1 1UR; and
 - (ii) consisting of the plans sealed by the Council and bearing the sheet numbers or letters, dates and revision numbers specified in Annex 1 to the Scheme;
- (u) “designated road” means one of the designated roads specified in article 2(2);
- (v) “designated wheelchair accessible vehicle” means a taxi or private hire vehicle that appears on a list of vehicles maintained under section 167(1) of the Equality Act 2010;
- (w) “electric vehicle” means a vehicle—
 - (i) for which a nil licence is in force by virtue of it being an exempt vehicle for the purposes of the 1994 Act in accordance with paragraph 20G (electrically propelled vehicles) of Schedule 2 to that Act; or
 - (ii) which the Council is satisfied operates wholly by means of an electrically powered propulsion system that draws its motive power from either a hydrogen fuel cell or from a battery that can be fully recharged from an external source of electricity and has tailpipe CO₂ emissions of 0 grams per kilometre;
- (x) “Enforcement Regulations” means the Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013;
- (y) “ESC test” means a test as described in section 2.12 of Annex I to Council Directive 88/77/EEC and carried out using the procedure described in Appendix 1, Annex III of that Directive;
- (z) “ETC test” means a test as described in section 2.14 of Annex I to Council Directive 88/77/EEC carried out using the procedure described in Appendices 2 and 3, Annex III of that Directive or a test carried out by means of a chassis dynamometer using a test cycle that the Council is satisfied replicates so far as practicable the standard ETC test cycle;
- (aa) “Euro 4” means the emissions limit values set out in the rows corresponding with Category B in the first of the tables at section 5.3.1.4 of Annex I to Council Directive 70/220/EEC;
- (bb) “Euro 6” means the emissions limit values set out in Table 2 of Annex I to Commission Regulation 715/2007 of 20 June 2007 as amended;
- (cc) “Euro IV” means the emissions limit values set out in Row B1 of Table 1 and Table 2 of section 6.2.1 of Annex I to Council Directive 88/77/EEC;
- (dd) “Euro VI” means the emissions limit values set out in the table in Annex I to Commission Regulation 595/2009 of 18 June 2009 as amended;
- (ee) “executive private hire vehicle” means a local private hire vehicle of Class M₁ which is subject to a private hire executive vehicle licence and is licensed to carry no more than 8 persons in addition to the driver;
- (ff) “licence” means a licence purchased under article 9;
- (gg) “local private hire vehicle” means a private hire vehicle granted a licence by the Council under section 48 of the Local Government (Miscellaneous Provisions) Act 1976;
- (hh) “local road” means any road in respect of which the Council is the local traffic authority;
- (ii) “local taxi” means a taxi granted a licence by the Council under the Town Police Clauses Act 1847 as amended;
- (jj) “LPG vehicle” means a positive ignition vehicle constructed or retrofitted so as to be capable of being powered by liquid petroleum gas;
- (kk) “maximum mass” in relation to a vehicle means the technically permissible maximum laden mass as specified by the manufacturer;

- (ll) “National Payment Body” means the body charged with receiving road user charges made pursuant to clean air zone charging schemes and administering the National Payment Portal;
- (mm) “National Payment Portal” means the standardised payment system developed by Government through which payment of road user charges in clean air zones nationwide will be administered;
- (nn) “non-chargeable vehicle” is to be construed in accordance with article 5 and Annex 2;
- (oo) “NO_x” means oxides of nitrogen;
- (pp) “penalty charge” and “penalty charge notice” have the meaning given in Regulation 2(1) of the Enforcement Regulations;
- (qq) “positive ignition engine” means an internal combustion engine in which combustion is initiated by a localised high temperature in the combustion chamber produced by energy supplied from a source external to the engine;
- (rr) “positive ignition hybrid vehicle” means a vehicle that operates partly by means of an electrically powered propulsion system that draws motive power from a battery and partly by means of a positive ignition engine;
- (ss) “positive ignition vehicle” means a vehicle powered wholly or partly by a positive ignition engine;
- (tt) “private hire vehicle” has the meaning given in section 80 of the Local Government (Miscellaneous Provisions) Act 1976;
- (uu) “public service vehicle” means a vehicle falling within the definition in section 1 of the Public Passenger Vehicles Act 1981 and operated pursuant to a public service vehicle operator’s licence;
- (vv) “public service vehicle operator’s licence” means a licence granted under section 14 of the Public Passenger Vehicles Act 1981;
- (ww) “reference mass” in relation to a vehicle means the mass of the vehicle with bodywork and, in the case of a towing vehicle, with coupling device, if fitted by the manufacturer, in running order, or mass of the chassis or chassis with cab, without bodywork and/or coupling device if the manufacturer does not fit the bodywork and/or coupling device (including liquids and tools, and spare wheel if fitted, and with the fuel tank filled to 90% and the other liquid containing systems, except those for used water, to 100% of the capacity specified by the manufacturer), increased by a uniform mass of 100 kilograms;
- (xx) “register” means the register or registers of compliant and non-chargeable vehicles to be maintained by the Council and the National Payment Body under article 10;
- (yy) “registered keeper” means—
 - (i) in relation to a vehicle registered in the United Kingdom, the person in whose name the vehicle is registered under the 1994 Act; or
 - (ii) in relation to any other vehicle, the person by whom the vehicle is kept;
- (zz) “relevant vehicle” has the meaning given by article 3;
- (aaa) “retrofitted” means adapted so as to meet the standards required of a compliant vehicle—
 - (i) in accordance with an approved retrofit scheme; or
 - (ii) in such other manner as the Council is satisfied is of equivalent efficacy to an accredited retrofit scheme;
- (bbb) “taxi” means a vehicle licensed as a hackney carriage under the Town Police Clauses Act 1847 as amended;
- (ccc) “Type I test” means a test as described in section 5.3 of Annex I to Council Directive 70/220/EEC (test for simulating/verifying the average tailpipe emissions after a cold start) and carried out using the procedure described in Annex III of that Directive;
- (ddd) “Vehicle Classes Regulations” means the Road User Charging and Workplace Parking Levy (Classes of Motor Vehicles) (England) Regulations 2001;

- (eee) “WHSC” means the World Harmonised Steady state Driving Cycle as defined in Regulation No. 49 of the Economic Commission for Europe of the United Nations;
- (fff) “WHTC” means the World Transient Steady state Driving cycle as defined in Regulation No. 49 of the Economic Commission for Europe of the United Nations.

(2) In this Scheme—

- (a) a reference in any provision to an instrument of the European Community is to that instrument—
 - (i) as amended at the commencement date, if the instrument concerned is in force at that date; or,
 - (ii) as amended at the date of its repeal, if that instrument has been repealed before the commencement date;
- (b) a reference in any provision to an authorised person is to a person authorised by the Council for the purposes of that provision and different persons may be authorised for the purposes of different provisions; and
- (c) where a person has been authorised to act on behalf of the Council in relation to any matter a reference to the Council is taken to include a reference to that person.

(3) For the purposes of this Scheme the number of seats of a vehicle is taken to be the same as the seating capacity of the vehicle calculated in accordance with the principles set out in regulation 44 of the Road Vehicles (Registration and Licensing) Regulations 2002.

Designation of roads in respect of which charges are imposed

- 2.—(1) Charges are imposed by this Scheme in respect of the designated roads.
- (2) The designated roads are all local roads within the Clean Air Zone.

Relevant vehicles

- 3.—(1) A relevant vehicle is a vehicle of a Class and type specified in paragraph (2) that is not—
 - (a) a compliant vehicle; or
 - (b) a non-chargeable vehicle.
- (2) The vehicles specified for the purpose of paragraph (1) are:
 - (a) all vehicles of Class M₃, Class N₂ and Class N₃;
 - (b) taxis and private hire vehicles of Class M₁ and Class M₂; and
 - (c) public service vehicles of Class M₂.

Compliant vehicles

- 4. A vehicle is a compliant vehicle if—
 - (a) the vehicle meets the standards required of a compliant vehicle for the purposes of this Scheme; and
 - (b) particulars of the vehicle are for the time being entered in the register.

Non-chargeable vehicles

- 5. Annex 2 to this Scheme, which specifies categories of non-chargeable vehicles, has effect.

Emissions standards required of compliant vehicles

- 6. A vehicle meets the standards required of a compliant vehicle for the purposes of this Scheme if the Council is satisfied that the vehicle is—
 - (a) an electric vehicle;

- (b) a 4 Seater Taxi or Private Hire Vehicle that is—
 - (i) a positive ignition hybrid vehicle, a designated wheelchair-accessible vehicle or an LPG vehicle that in each case meets the standards specified for that vehicle in Table 1 of Annex 3 (Euro 4/IV Standards For Positive Ignition Vehicles); and
 - (ii) in the case of a positive ignition hybrid vehicle, is capable of operation solely by means of its electrically powered propulsion system drawing motive power from its battery and without using its internal combustion engine;
- (c) a Class M₃, Class N₂ or Class N₃ vehicle; a taxi, private hire vehicle or public service vehicle in each case of Class M₂; an executive private hire vehicle or a 5-8 Seater Taxi or Private Hire Vehicle that is—
 - (i) a positive ignition vehicle that meets the standards specified for that vehicle in Table 1 of Annex 3 (Euro 4/IV Standards For Positive Ignition Vehicles); or
 - (ii) a compression ignition vehicle that meets the standards specified for that vehicle in Table 2 of Annex 3 (Euro 6/VI Standards For Compression Ignition Vehicles).

Imposition of charges

7.—(1) Subject to the following provisions of this Scheme, a charge of an amount specified in article 8(1) is imposed in respect of any relevant vehicle specified in article 3(2)(a) for each charging day on which it is at any time used on one or more designated roads.

(2) Subject to the following provisions of this Scheme, a charge of an amount specified in article 8(2) is imposed in respect of any relevant vehicle specified in article 3(2)(b) or (c) for each charging day on which it is at any time used on one or more designated roads.

Amount of charge payable by purchase of a licence

8.—(1) The cost of a charge imposed by article 7(1) is £50 per charging day.

(2) The cost of a charge imposed by article 7(2) is—

- (a) £12.50 per charging day; or
- (b) in the case of a licence for a period of 7 consecutive charging days in respect of a local taxi or local private hire vehicle, £50.

Payment of charges

9.—(1) A charge imposed by article 7 must be paid by the purchase of a licence from the National Payment Body in accordance with the provisions of this article.

(2) A licence must be issued in respect of a particular vehicle.

(3) A licence may be purchased for one of the following periods—

- (a) a single charging day;
- (b) in the case of a licence in respect of a local taxi or local private hire vehicle, a period of 7 consecutive charging days.

(4) A vehicle referred to in paragraph (2) must be identified by its registration mark, and—

- (a) the purchaser of a licence must specify the registration mark of the vehicle in respect of which that charge is paid;
- (b) a licence will not be valid in respect of any vehicle having a registration mark different from the mark so specified.

(5) A licence for a single charging day may only be purchased—

- (a) on the charging day concerned;
- (b) on the charging day immediately following that charging day; or

- (c) on a day falling within such period of days immediately preceding the charging day concerned as the Council may, in accordance with the requirements of the National Payment Portal, specify on its website.
- (6) A licence for a period of 7 consecutive charging days may only be purchased—
- (a) on the first charging day of the period concerned;
 - (b) on the charging day immediately following that charging day; or
 - (c) on a day falling within such period of days immediately preceding that charging day as the Council may, in accordance with the requirements of the National Payment Portal, specify on its website.

(7) Charges imposed by this Scheme must be paid by such means as the Council may, in accordance with the requirements of the National Payment Portal, specify on its website as being acceptable.

(8) Where a licence is purchased otherwise than in cash and payment is not received (whether because a cheque is dishonoured, a direct debit, credit card or debit card payment is declined, or otherwise) before the end of the charging day following the charging day to which the licence relates, the charge to which the licence relates will be treated as not paid and the licence will be void.

Register of compliant and non-chargeable vehicles

10.—(1) The Council and the National Payment Body will maintain one or more registers which will together identify compliant vehicles and non-chargeable vehicles (“the register”) for the purposes of articles 4 and 5 and Annexes 2 and 4 which require particulars of such vehicles to be entered in the register.

- (2) An application to enter particulars of a vehicle on the register—
- (a) must include all such information as the Council or the National Payment Body may reasonably require; and
 - (b) must be made by such means as the Council or the National Payment Body may accept.
- (3) If the Council or the National Payment Body is satisfied that a vehicle—
- (a) complies with the standards required of a compliant vehicle; or
 - (b) falls within a class of non-chargeable vehicle,

it will enter particulars of the vehicle in the register.

(4) If the Council or the National Payment Body is satisfied that a vehicle, particulars of which are entered in the register, no longer—

- (a) complies with the standards required of a compliant vehicle; or
- (b) falls within a class of non-chargeable vehicle,

it may remove the particulars of the vehicle from the register.

(5) Where the registered keeper of such a vehicle is aware that the vehicle has ceased or will cease to—

- (a) comply with the standards required of a compliant vehicle; or
- (b) fall within a class of non-chargeable vehicle,

the registered keeper must notify the Council or the National Payment Body of the fact and the Council or the National Payment Body may remove the particulars of the vehicle from the register forthwith, or from the date notified to the Council or the National Payment Body as the date on which it will cease to be such a vehicle.

(6) Nothing in this article prevents the making of a fresh application under paragraph (2) for particulars of a vehicle to be entered in the register after they have been removed from it in accordance with any provision of this article.

Refunds of charges

11.—(1) The purchaser of a licence for a period of 7 consecutive charging days may surrender the licence and, subject to the requirements of the National Payment Portal, obtain a refund in accordance with the following provisions of this article.

(2) An application for a refund must be made in such manner and within such time period as the Council may, in accordance with the requirements of the National Payment Portal, specify on its website.

(3) An application for a refund must be accompanied by such information as the Council may, in accordance with the requirements of the National Payment Portal, specify on its website.

Penalty charge for non-payment of charge

12.—(1) A penalty charge will be payable, in addition to the charge imposed under article 7, for each charging day as respects which—

- (a) a relevant vehicle has been used on a designated road in circumstances in which a charge is imposed by article 7;
- (b) that charge has not been paid in full in the manner in which and within the time by which it is required to be paid by article 9.

(2) A penalty charge payable by virtue of paragraph (1) must be paid within the period (“the payment period”) of 28 days beginning with the date on which a penalty charge notice is served under regulation 7 of the Enforcement Regulations and in a manner specified in the penalty charge notice.

(3) The amount of a penalty charge payable in accordance with paragraph (1) is £120 but, if the penalty charge is paid before the end of the fourteenth day of the payment period, the amount will be reduced by one half to £60.

(4) Where a charge certificate is issued in accordance with regulation 17(1) of the Enforcement Regulations, the amount of the penalty charge to which it relates will be increased by one half to £180.

Immobilisation of vehicles

13.—(1) Provided that—

- (a) none of the circumstances in paragraph (2) of Regulation 25 of the Enforcement Regulations apply; and
 - (b) the conditions in paragraph (3) of that Regulation apply,
- an authorised person may immobilise a vehicle in accordance with paragraphs (4) and (5) of that Regulation.

(2) A vehicle to which an immobilisation device has been fixed in accordance with the provisions of this Scheme —

- (a) may be released only by or under the direction of an authorised person; and
- (b) subject to paragraph (a), will be released—
 - (i) if all outstanding charges under article 7 are paid;
 - (ii) if all outstanding penalty charges are paid to the Council; and
 - (iii) if a penalty charge of £70 for the release of the vehicle from the immobilisation device is so paid.

Removal, storage and disposal of vehicles

14.—(1) Provided Regulation 27(1)(a) or (b) of the Enforcement Regulations is satisfied, an authorised person may remove a vehicle and deliver it to a custodian for storage.

(2) The custodian may dispose of the vehicle and its contents in the circumstances described in, and subject to the provisions of, Regulation 28 of the Enforcement Regulations.

(3) Where a vehicle has been removed and delivered into the custody of a custodian in accordance with paragraph (1) the Council or the custodian may (whether or not any claim is made under Regulation 30 or 31 of the Enforcement Regulations) recover from the person who was the keeper of the vehicle when the vehicle was removed—

- (a) all outstanding charges under article 7;
- (b) all penalty charges that are outstanding in relation to the vehicle;
- (c) a penalty charge of £200 for its removal;
- (d) a penalty charge of £40 for each complete day or part of a day on which it has been held by the Council or a custodian; and
- (e) if the vehicle has been disposed of, a penalty charge of £70 for its disposal.

Duration of scheme

15. This Scheme will remain in force indefinitely.

Transitional provisions and temporary non-chargeable vehicles

16. Annex 4 to this Scheme which contains transitional provisions and classes of temporary non-chargeable vehicle has effect.

Ten and five year plans for net proceeds

17.—(1) Part 1 of Annex 5 to this Scheme constitutes the general plan, under paragraph 10(1)(a) of Schedule 12 to the Transport Act 2000, for the application of the Council's share of the net proceeds of this Scheme during the opening ten year period.

(2) Part 2 of Annex 5 to this Scheme constitutes the detailed programme, under paragraph 10(1)(b) of Schedule 12 to the Transport Act 2000, for the application of the Council's share of the net proceeds of this Scheme during the opening five year period.

ANNEX 1 TO THE SCHEME
DEPOSITED PLANS

Article 1(1)

PART 1 – CLEAN AIR ZONE PLAN

<i>(1)</i> <i>Sheet</i>	<i>(2)</i> <i>Plan title & notes</i>	<i>(3)</i> <i>Date</i>	<i>(4)</i> <i>Revision</i>
A	Clean Air Zone Plan – applicable up to and including 31 December 2024	09/11/2018	01
B	Clean Air Zone Plan – applicable on or after 1 January 2025	09/11/2018	01
C	Clean Air Zone Key For Boundary Plans	09/11/2018	01

PART 2 – CLEAN AIR ZONE BOUNDARY PLANS –
EXCLUDING SPECIFIED INDUSTRIAL AREAS,
APPLICABLE UP TO AND INCLUDING 31 DECEMBER 2024

<i>(1)</i> <i>Title & Sheet No.</i>	<i>(2)</i> <i>Date</i>	<i>(3)</i> <i>Revision</i>
Clean Air Zone Boundary Plan, Sheet 1	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 2	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 3	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 4	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 5	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 6	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 7	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 8A	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 9A	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 10	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 11	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 12	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 13	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 14	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 15	09/11/2018	01

Clean Air Zone Boundary Plan, Sheet 16	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 17	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 18	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 19	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 20	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 21	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 22	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 23	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 24	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 25	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 26	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 27	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 28	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 29	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 30	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 31A	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 32	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 33	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 34	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 35	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 36	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 37	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 38	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 39	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 40	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 41A	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 42A	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 43A	09/11/2018	01

Clean Air Zone Boundary Plan, Sheet 44A	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 45	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 46	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 47	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 48	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 49	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 50	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 51	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 52	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 53	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 54	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 55	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 56	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 57	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 58	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 59	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 60	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 61	09/11/2018	01

PART 3 – CLEAN AIR ZONE BOUNDARY PLANS –
FULL ZONE INCLUDING INDUSTRIAL AREAS,
APPLICABLE ON OR AFTER 1 JANUARY 2025

<i>(1)</i> <i>Title & Sheet No.</i>	<i>(2)</i> <i>Date</i>	<i>(3)</i> <i>Revision</i>
Clean Air Zone Boundary Plan, Sheet 1	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 2	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 3	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 4	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 5	09/11/2018	01

Clean Air Zone Boundary Plan, Sheet 6	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 7	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 8B	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 9B	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 10	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 11	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 12	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 13	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 14	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 15	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 16	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 17	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 18	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 19	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 20	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 21	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 22	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 23	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 24	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 25	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 26	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 27	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 28	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 29	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 30	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 31B	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 32	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 33	09/11/2018	01

Clean Air Zone Boundary Plan, Sheet 34	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 35	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 36	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 37	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 38	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 39	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 40	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 41B	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 42B	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 43B	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 44B	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 45	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 46	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 47	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 48	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 49	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 50	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 51	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 52	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 53	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 54	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 55	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 56	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 57	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 58	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 59	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 60	09/11/2018	01
Clean Air Zone Boundary Plan, Sheet 61	09/11/2018	01

NON-CHARGEABLE VEHICLES

Historic Vehicles

1. A vehicle is a non-chargeable vehicle if—
- (a) it is an exempt vehicle for the purposes of the 1994 Act in accordance with paragraph 1A(1) of Schedule 2 to that Act; or
 - (b) it is a vehicle of Class M₃ which the Council is satisfied would be treated as an exempt vehicle under paragraph 1A(1) of Schedule 2 to the 1994 Act but for the vehicle being used on a public road for hire or reward or for or in connection with a trade or business; or
 - (c) the Council is satisfied that, if a vehicle registered under legislation relating to the registration of vehicles in a country other than the United Kingdom had been registered under the 1994 Act, it would have fallen within paragraphs (a) or (b),
- and particulars of the vehicle are for the time being entered in the register.

Military vehicles

- 2.—(1) A vehicle is a non-chargeable vehicle if—
- (a) it belongs to any of Her Majesty's forces or is in use for the purposes of any of those forces; or
 - (b) the Council is satisfied the vehicle is used for naval, military or air force purposes and not registered under the 1994 Act, while it is being used on a road by a member of a visiting force or a member of a headquarters or organisation,
- and particulars of the vehicle are for the time being entered in the register.

(2) In this paragraph “member of a visiting force” and “member of a headquarters or organisation” have the meaning given in paragraph 1(2) of Schedule 5 to the Road Vehicles (Registration and Licensing) Regulations 2002.

Showman's vehicles

- 3.—(1) A vehicle is a non-chargeable vehicle if it is—
- (a) a showman's vehicle that is neither a trailer nor a semi-trailer and is permanently fitted with a special type of body or superstructure forming part of the equipment of the show of the person in whose name the vehicle is registered; and
 - (b) particulars of the vehicle are for the time being entered in the register.

(2) In this paragraph—

- (a) “showman's vehicle” means a vehicle that is—
 - (i) registered under the 1994 Act or, in a country other than the United Kingdom, in accordance with that country's rules governing the registration of such vehicles, in the name of a person following the business of a travelling showman; and
 - (ii) used solely by that person for the purposes of his business and no other purpose;
- (b) “trailer” and “semi-trailer” have the meaning given by regulation 3 of the Road Vehicles (Construction and Use) Regulations 1986.

Vintage buses

- 4.—(1) A vintage bus is a non-chargeable vehicle on an eligible non-chargeable day provided particulars of the vehicle are entered in the register on the eligible non-chargeable day concerned.
- (2) In this paragraph—

- (a) “vintage bus” means a vehicle of Class M₃ that—
 - (i) at any time during a given financial year was constructed more than 20 years and less than 40 years before 1 January in that financial year; and
 - (ii) is not used on a designated road for hire or reward or for or in connection with a trade or business;
 - (b) “eligible non-chargeable day” means each of the first 10 charging days in any financial year on which a vintage bus is used on one or more designated roads;
 - (c) “financial year” means a period of 12 months beginning with 1 April.
- (3) An application to enter particulars of a vintage bus on the register must—
- (a) include such information relating to the age, construction and use of the vehicle as the Council may specify on its website, and all such other information as the Council may reasonably require; and
 - (b) be made by such means as the Council may accept.

Emergency service vehicles

5.—(1) A vehicle which is a non-chargeable vehicle for the purposes of the 1994 Act by virtue of it falling within any of the following paragraphs of Schedule 2 to that Act is a non-chargeable vehicle—

- (a) paragraph 3A (police vehicles);
- (b) paragraphs 4 and 5 (fire engines etc.);
- (c) paragraphs 6 and 7 (ambulances and health service vehicles);
- (d) paragraph 11 (lifeboat vehicles);
- (e) paragraph 20 (vehicles used for the carriage of disabled people by a body recognised by the Secretary of State).

(2) If the Council is satisfied that if a vehicle registered under legislation relating to the registration of vehicles in a country other than the United Kingdom had been registered under the 1994 Act, it would have fallen within paragraph (1), that vehicle is a non-chargeable vehicle provided particulars of the vehicle are for the time being entered in the register.

Community minibuses

6.—(1) A community minibus is a non-chargeable vehicle provided particulars of the vehicle are for the time being entered in the register.

(2) In this paragraph—

- (a) “community minibus” means a vehicle of Class M₂ that is being used pursuant to a community minibus permit;
- (b) “community minibus permit” means a permit granted under section 19(3), 19(4), 19(5) or 22(2) of the Transport Act 1985.

School buses

7.—(1) A qualifying school bus is a non-chargeable vehicle provided particulars of the vehicle are for the time being entered in the register.

(2) A qualifying school bus is a school bus that—

- (a) the Council is satisfied is being used for the purpose of taking Leeds school pupils to or from school or a school-related activity; and
- (b) is a compression ignition vehicle that the Council is satisfied meets the emissions standards set out in Table A.

(3) In this paragraph—

- (a) “Leeds school pupil” means a pupil living in the Metropolitan District of Leeds and attending a school other than a private school;
- (b) “private school” means an independent school within the meaning of section 463 of the Education Act 1996 that is supported by the payment of school fees;
- (c) “pupil” has the meaning given by section 3 of the Education Act 1996;
- (d) “school bus” means any vehicle, other than a private hire vehicle, of class M₂ or M₃ that is operated by or on behalf of a school for the purpose of transporting Leeds school pupils.
- (4) A qualifying school bus meets the emissions standards set out in Table A if the Council is satisfied that—
- (a) the vehicle is certified by the appropriate national approval authority as having been manufactured to satisfy the EC emissions standard specified for that vehicle in column (e) of the Table;
- (b) the vehicle has been retrofitted so that the limit values for the emission of NO_x specified for the vehicle in column (e) would not be exceeded during the appropriate test or tests specified in column (f) of the Table; or
- (c) in respect of all other vehicles, the Council is satisfied that the limit values for the emission of NO_x specified for the vehicle in column (e) would not be exceeded during the appropriate test or tests specified in column (f) of the Table.
- (5) The Council will be satisfied that the vehicle has been retrofitted to meet the limit values referred to in paragraph (1)(b) if that vehicle has been certified as having been retrofitted in accordance with an approved retrofit scheme.

Table A — EURO 4/IV STANDARDS FOR COMPRESSION IGNITION VEHICLES

<i>(a)</i> Row No.	<i>(b)</i> Vehicle Class	<i>Maximum mass of vehicle, where relevant (kg)</i>	<i>(d)</i> Reference mass of vehicle, where relevant (kg)	<i>(e)</i> EC emissions standard	<i>(f)</i> Limit values for NO _x	<i>(g)</i> Appropriate tests
(1)	M ₂	not exceeding 2,500		Euro 4	0.25g/km	Type I
(2)	M ₂	exceeding 2,500 and not exceeding 3,500	exceeding 1,305 and not exceeding 1,760	Euro 4	0.33g/km	Type I
(3)	M ₂	exceeding 2,500 and not exceeding 3,500	exceeding 1,760	Euro 4	0.39g/km	Type I
(4a)	M ₂	exceeding 3,500	not exceeding 2,840	Euro 4	0.39g/km	Type I
(4b)	M ₂	exceeding 3,500	not exceeding 2,840	Euro IV	3.5g/kWh	ESC / ETC
(5)	M ₂	exceeding 3,500	exceeding 2,840	Euro IV	3.5g/kWh	ESC / ETC
(6)	M ₃			Euro IV	3.5g/kWh	ESC / ETC

Non-road-going vehicles

8.—(1) A non-road-going vehicle is a non-chargeable vehicle provided particulars of the vehicle are for the time being entered in the register.

(2) In this paragraph a “non-road-going vehicle” means any vehicle that the Council is satisfied is not a vehicle constructed or adapted for general use on roads.

Specialist vehicles

9.—(1) A specialist vehicle is a non-chargeable vehicle provided particulars of the vehicle are for the time being entered in the register.

(2) In this paragraph a “specialist vehicle” means any vehicle that the Council is satisfied has been adapted for a specialist purpose in such a way that it cannot be further adapted to meet the standards required of a compliant vehicle.

Diverted vehicles

10. Where the Council is satisfied that a vehicle has been used on one or more designated roads solely as a result of a traffic diversion that vehicle will be treated as if it were a non-chargeable vehicle.

EMISSIONS STANDARDS FOR COMPLIANT VEHICLES

1.—(1) A vehicle meets the standards set out in Tables 1 and 2 if the Council is satisfied that—

- (a) the vehicle is certified by the appropriate national approval authority as having been manufactured to satisfy the EC emissions standard specified for that vehicle in column (e) of the Table;
- (b) the vehicle has been retrofitted so that the limit values for the emission of NO_x specified for the vehicle in column (e) would not be exceeded during the appropriate test or tests specified in column (f) of the Table; or
- (c) in respect of all other vehicles, the Council is satisfied that the limit values for the emission of NO_x specified for the vehicle in column (e) would not be exceeded during the appropriate test or tests specified in column (f) of the Table.

(2) The Council will be satisfied that the vehicle has been retrofitted to meet the limit values referred to in paragraph (1)(b) if that vehicle has been certified as having been retrofitted in accordance with an approved retrofit scheme.

Table 1 — EURO 4/IV STANDARDS FOR POSITIVE IGNITION VEHICLES

<i>(a)</i> Row No.	<i>(b)</i> Vehicle Class	<i>(c)</i> Maximum mass of vehicle, where relevant (kg)	<i>(d)</i> Reference mass of vehicle, where relevant (kg)	<i>(e)</i> EC emissions standard	<i>(f)</i> Limit values for NO _x	<i>(g)</i> Appropriate test
(1)	M ₁	not exceeding 2,500		Euro 4	0.08g/km	Type I
(2)	M ₁	exceeding 2,500	not exceeding 1,305	Euro 4	0.08g/km	Type I
(3)	M ₁	exceeding 2,500	exceeding 1,305 and not exceeding 1,760	Euro 4	0.10g/km	Type I
(4)	M ₁	exceeding 2,500	exceeding 1,760	Euro 4	0.11g/km	Type I
(5)	M ₂	not exceeding 2,500		Euro 4	0.08g/km	Type I
(6)	M ₂	exceeding 2,500 and not exceeding 3,500	exceeding 1,305 and not exceeding 1,760	Euro 4	0.10g/km	Type I
(7)	M ₂	exceeding 2,500 and not exceeding 3,500	exceeding 1,760	Euro 4	0.11g/km	Type I
(8a)	M ₂	exceeding 3,500	not exceeding 2,840	Euro 4	0.11g/km	Type I
(8b)	M ₂	exceeding 3,500	not exceeding 2,840	Euro IV	3.5g/kWh	ETC
(9)	M ₂	exceeding 3,500	exceeding 2,840	Euro IV	3.5g/kWh	ETC

(10a)	N ₂		not exceeding 2,840	Euro 4	0.11g/km	Type I
(10b)	N ₂		not exceeding 2,840	Euro IV	3.5g/kWh	ETC
(11)	N ₂		exceeding 2,840	Euro IV	3.5g/kWh	ETC
(12)	M ₃ , N ₃			Euro IV	3.5g/kWh	ETC

Table 2 — EURO 6/VI STANDARDS FOR COMPRESSION IGNITION VEHICLES

<i>(a)</i> Row No.	<i>(b)</i> Vehicle Class	<i>Maximum mass of vehicle, where relevant (kg)</i>	<i>(d)</i> Reference mass of vehicle, where relevant (kg)	<i>(e)</i> EC emissions standard	<i>(f)</i> Limit values for NO _x	<i>(g)</i> Appropriate tests
(1)	M ₁		not exceeding 2610	Euro 6	0.08g/km	Type I
(2)	M ₁		exceeding 2610	Euro VI	0.4 g/kWh (WHSC) and 0.46 g/kWh (WHTC)	WHSC and WHTC
(3)	M ₂		not exceeding 2610	Euro 6	0.125g/km	Type I
(4)	M ₂		exceeding 2610	Euro VI	0.4 g/kWh (WHSC) and 0.46 g/kWh (WHTC)	WHSC and WHTC
(5)	M ₃ , N ₃			Euro VI	0.4 g/kWh (WHSC) and 0.46 g/kWh (WHTC)	WHSC and WHTC
(6)	N ₂		not exceeding 2610	Euro 6	0.125g/km	Type I
(7)	N ₂		exceeding 2610	Euro VI	0.4 g/kWh (WHSC) and 0.46 g/kWh (WHTC)	WHSC and WHTC

TRANSITIONAL PROVISIONS AND
TEMPORARY NON-CHARGABLE VEHICLES

Retrofitting of heavy vehicles

- 1.**—(1) During the retrofitting transitional period the Council will treat any relevant vehicle—
- (a) of Class M₃, Class N₂ or Class N₃;
 - (b) that meets the conditions specified in sub-paragraph (2); and
 - (c) particulars of which are for the time being entered in the register,
- as if it were a non-chargeable vehicle.
- (2) The conditions referred to in sub-paragraph (1)(b) are—
- (a) that the Council is satisfied that—
 - (i) the owner of the vehicle has, on or before 31 July 2019, placed an order for retrofitting of the vehicle concerned that would result in its becoming a compliant vehicle;
 - (ii) particulars of the vehicle are for the time being entered on the register.
- (3) In this paragraph—
- (a) “owner” includes a lessee of a vehicle, a person using a vehicle pursuant to a hire purchase agreement, and such other forms of use or ownership as the Council may specify on its website;
 - (b) “retrofitting transitional period” in respect of any vehicle means the period beginning with the commencement date and ending on the earlier of—
 - (i) the date on which, the Council being satisfied that the retrofitting referred to in sub-paragraph (2)(a)(i) has been completed, particulars of the vehicle are entered in the register as a compliant vehicle; or
 - (ii) 31 December 2020.

Wheelchair-accessible vehicles

- 2.**—(1) During the designated wheelchair-accessible vehicles transitional period the Council will treat any vehicle—
- (a) that is a designated wheelchair-accessible vehicle;
 - (b) that is liable to pay a charge imposed by article 7(2) of this Scheme; and
 - (c) particulars of which are for the time being entered in the register,
- as if it were a non-chargeable vehicle.
- (2) In this paragraph “designated wheelchair-accessible vehicles transitional period” means the period beginning with the commencement date and ending on 31 December 2021.

Taxis and private hire vehicles subject to finance agreements

- 3.**—(1) During the financing transitional period the Council will treat any local taxi or local private hire vehicle—
- (a) that meets the condition specified in sub-paragraph (2); and
 - (b) particulars of which are for the time being entered in the register,
- as if it were a non-chargeable vehicle.

(2) The condition referred to in sub-paragraph (1)(a) is that the Council is satisfied that the owner of the vehicle had on or before 17 October 2018 entered into a contractual arrangement for financing the purchase of the vehicle concerned.

(3) In this paragraph—

- (a) “financing transitional period” means the period beginning with the commencement date and ending on the earlier of—
 - (i) the date on which the payment for the purchase of the vehicle concerned is completed and the contractual arrangement referred to in sub-paragraph (2) ceases to apply; and
 - (ii) 31 December 2021.
- (b) “owner” includes a lessee of a vehicle, a person using a vehicle pursuant to a hire purchase agreement, and such other forms of use or ownership as the Council may specify on its website.

Heavy vehicles for which a replacement has been ordered

4.—(1) During the heavy vehicle replacement period the Council will treat a qualifying heavy vehicle as if it were a non-chargeable vehicle provided particulars of the vehicle are for the time being entered in the register.

(2) In this paragraph—

- (a) “qualifying heavy vehicle” means any relevant vehicle of Class M₃, Class N₂ or Class N₃ in respect of which the Council is satisfied that the owner has on or before 31 July 2019 placed an order for the purchase of a replacement compliant vehicle;
- (b) “heavy vehicle replacement period” means the period beginning with the commencement date and ending on the earlier of—
 - (i) the replacement date; and
 - (ii) 31 December 2020;
- (c) “owner” includes a lessee of a vehicle, a person using a vehicle pursuant to a hire purchase agreement, and such other forms of use or ownership as the Council may specify on its website;
- (d) “purchase” includes leasing, hire purchase, and such other form of credit agreement or other arrangements as the Council may specify on its website;
- (e) “replacement compliant vehicle” means a vehicle intended to replace the qualifying heavy vehicle which will meet the standards required of a compliant vehicle;
- (f) “replacement date” means the date specified in any application to enter particulars of a qualifying heavy vehicle on the register as the date on which a replacement compliant vehicle is to be provided for use in replacement of the qualifying heavy vehicle.

(3) An application to enter particulars of a qualifying heavy vehicle on the register must—

- (a) specify the replacement date;
- (b) include such evidence—
 - (i) that a replacement compliant vehicle has been ordered; and
 - (ii) of the replacement date; as the Council may reasonably require; and
- (c) be made by such means as the Council may accept.

Class M₂ vehicles

5.—(1) During the Class M₂ vehicles transitional period the Council will treat any relevant vehicle of Class M₂ as if it were a non-chargeable vehicle provided particulars of the vehicle are for the time being entered in the register.

(2) In this paragraph “Class M₂ vehicles transitional period” means the period beginning with the commencement date and ending on 31 December 2021.

Euro 6 diesel taxis and private hire vehicles

6.—(1) During the Euro 6 diesel taxis and private hire vehicles transitional period the Council will treat any Euro 6 diesel taxi or Euro 6 diesel private hire vehicle as if it were a non-chargeable vehicle provided particulars of the vehicle are for the time being entered in the register.

(2) In this paragraph—

- (a) “Euro 6 diesel private hire vehicle” means a local private hire vehicle that—
 - (i) is powered by a compression ignition engine;
 - (ii) the Council is satisfied meets the emissions standards specified for that vehicle in Table 2 of Annex 3; and
 - (iii) was on 17 October 2018 a local private hire vehicle.
- (b) “Euro 6 diesel taxi” means a local taxi that—
 - (i) is powered by a compression ignition engine;
 - (ii) the Council is satisfied meets the emissions standards specified for that vehicle in Table 2 of Annex 3; and
 - (iii) was on 17 October 2018 a local taxi;
- (c) “Euro 6 diesel taxis and private hire vehicles transitional period” means the period beginning with the commencement date and ending on 31 December 2021.

PART 1 –
THE COUNCIL'S GENERAL PLAN FOR APPLYING ITS SHARE OF THE PROCEEDS OF
THIS SCHEME DURING THE OPENING TEN YEAR PERIOD

It is proposed that the Scheme will commence on 6 January 2020. This plan therefore covers the ten year period from 6 January 2020 to 5 January 2030 with particular reference to the early part of this period.

The revenue generated by the Scheme will in the first place be used to cover the cost of operation, including the maintenance of cameras, operational staff etc. It is not intended that the Scheme should generate substantial net proceeds after covering these costs. Government policy is that the level of any charges should not be set as a revenue raising measure and the purpose of the Scheme is not to generate revenue but to encourage cleaner vehicles. The more vehicles that are compliant with the Scheme standards the less revenue the Council will make from charges and any penalty charge notices.

In the event that net proceeds are generated from the Scheme over the opening ten year period, these proceeds would be applied, in such proportions as may be decided by the Council, to directly or indirectly facilitate the achievement of the Council's local transport policies in accordance with the following high level spending objectives, set out below:

- Supporting the delivery of the ambitions of the Scheme and promoting cleaner air by offering packages for non-compliant vehicles to upgrade or retrofit their vehicles to meet the standards required by the Scheme;
- Supporting active travel and incentivising public transport use;
- Supporting green infrastructure along the most polluted roads where public exposure is the highest.

PART 2 –
THE COUNCIL'S DETAILED PROGRAMME FOR APPLYING ITS SHARE OF THE
PROCEEDS OF THIS SCHEME DURING THE OPENING FIVE YEAR PERIOD

The Council's detailed programme for applying any net proceeds during this period will depend to a great extent on:

- The level of net proceeds generated;
- How quickly compliance with Scheme standards will be achieved across the various sectors and therefore which sectors will still require support to meet those standards;
- What other work will already have been implemented via other means and what the demand for further support is;
- How long the Scheme stays in place and when compliance with relevant air quality standards will be achieved.

Given these uncertainties the Council intends to run a 6-monthly competition for the funding that has been raised in the 6 months previously. This means that the first competition will be launched 6 months after the Scheme commences. It will be promoted via a variety of methods, including Council social media and websites and variable signage. Applicants will be given one month to apply for funding and the evaluation will be completed in no more than one month, allowing successful applicants to receive funding within 2 months of applying.

The funding objectives of the competition are set out below and the competition will initially be focused on the first objective. The funding will then be focused on each of the remaining objectives.

Objective 1

The first objective will be to improve air quality through securing compliance with the Scheme standards by providing financial support to companies or individuals that operate HGVs, buses, coaches or Leeds licensed taxi and private hire vehicles to enable them to upgrade or retrofit vehicles that have not previously received financial support from the funding received through the Clean Air Fund.

The funding will be awarded on a priority basis and in considering the prioritisation the following factors will be considered:

- Impact on air quality (time spent within the Clean Air Zone (CAZ) and the wider city);
- Economic impact on the business or individual;
- Value for money (taking into account what will be achieved with the money provided and whether match funding can be provided to provide more benefits);
- Commitment to continue to use the retrofitted or upgraded vehicle within the CAZ and the wider city;
- Length of remaining life of the vehicle if retrofitted;
- Any retrofit solution proposed must be Clean Vehicle Retrofit Accreditation Scheme (or equivalent) approved.

Objective 2

Within the Scheme a number of vehicles have been exempted from charges indefinitely or for a specified 'sunset period'. The second objective will focus on improving air quality by supporting these vehicles to upgrade or retrofit where possible in order to meet the Scheme emissions standards. The primary focus will be on taxi and private hire vehicles that have been exempted as they are wheelchair-accessible vehicles and to school bus services.

Objective 3

The third objective will be to increase the use of active transport, public transport and low emission vehicles and to implement the most appropriate green infrastructure along the most polluted roads where there is the highest public exposure. This will also support the walkability of the city, driving the active travel agenda. This will be progressed through a number of measures, including:

- Supporting bike storage across workplaces and in public areas;
- Improved signage of walking and cycle routes;
- Improving the walkability of the city;
- Promotion of bike sharing;
- Further development of car sharing;
- Further installation of EV infrastructure.