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REGULATORY

Oxford ZEZ

Oxfordshire County Council has released proposals to introduce a zero emissions zone (ZEZ) in Oxford that would ban petrol and diesel cars, taxis, buses and light commercial vehicles in the city centre from 2020. Initially, it would cover a very central area, but be expanded by 2025. By 2030, the ZEZ will cover the whole city centre, and mean that all cars, taxis, buses and LCVs travelling through the central area will need to be zero-emission. HGVs will be included in the ZEZ from 2035. Natural gas, biomethane and hydrogen combustion vehicles are considered unsuitable as they still produce emissions when in use. The proposals depend on technology being sufficiently developed to allow this to be practical. They also require the city to secure further funding to install more electric vehicle charging infrastructure.

DVSA sanctions changes

New offences listed in the DVSA enforcement policy include a 'false instrument' offence and increased enforcement powers for not meeting weekly rest conditions.

The former covers offences such as possessing, and using, two tachograph cards when

driving a vehicle. In such an event, the DVSA policy is now to prosecute the driver, and carry out follow-up inquiries into the operator as well; their outcome will determine any further action. Also, an investigation of the operator's systems should be carried out, and its results reported to the traffic commissioner.

Where a driver has been found to have had insufficient regular weekly rest, he or she should receive a £300 fixed penalty, and the employer be subject to follow-up inquiries that may lead to further action, depending on the outcome.

Until recently, DVSA could only fine drivers for offences committed that day, and ongoing offences, such as manipulating tachograph records. Now, DVSA traffic examiners are being given the authority to issue immediate fines for up to five drivers' hours offences committed within the last 28 days. This means that a driver could be fined up to £1,500 if they've consistently broken the rules. It doesn't matter if the offence took place in the UK or elsewhere, and drivers who do not live in the UK will have to pay their fines immediately or risk having their vehicle immobilised.

In addition, since November, DVSA has been



fining drivers up to £300 if they spend their full weekly rest break in their vehicle in places where it causes a problem, such as residential areas.

T-charge comes into effect

The T-charge, a £10 per day fee to enter the London congestion charge zone between 07:00 and 18:00, applies to cars, vans, minibuses, buses, coaches and HGVs, as well as other specialist vehicle types that do not meet the minimum Euro emission standards. Vehicles first registered from 2006 will usually meet the standard (but see <https://is.gd/okonug> to make sure).

Those whose vehicles are subject to the T-charge pay the fee in the same way as the congestion charge; both can be paid in the same transaction. Those who fail to pay will receive a penalty charge notice. There are some exemptions and discounts; they are broadly the same as for the congestion charge.

EMPLOYMENT LAW

Employment tribunal fees refunds

Following a Supreme Court decision in July that employment tribunal fees were unlawful, the government has announced a refund scheme for those who have paid in the past. All fees will be repaid along with interest of 0.5% calculated from the

date of the original payment up until the refund date. Individuals who have contacted Ministry of Justice since The Supreme Court's decision will be contacted about reimbursements.

Similarly, employers who have reimbursed opponents' fees following a court order can also apply for refunds. However, if the employer reimbursed the fee to the claimant under a private settlement, it is the claimant who will be eligible for the refund. Also, employers should watch out for claims that were struck out due to a failure to pay a fee, as the government is proposing to reinstate them. Furthermore, it is arguable that an individual who may have failed to bring a claim due to the requirement to pay a fee can seek to reinstate the claim, albeit out of time.

Grieving leave

The Parental Bereavement (Pay and Leave) Bill has been published. It will, for the first time, give bereaved parents who lose a child under the age of 18 up to two weeks' paid leave, regardless of length of service.

Those employees with 26 weeks' continuous service will also be entitled to statutory parental bereavement pay that employers will be able to claim back from the government. The new bill is expected to become law in 2020.