

GREATER LONDON AUTHORITY ACT 1999

TRANSPORT ACT 2000

Greater London Low Emission Zone Charging Order 2006

Made 13 November 2006
Confirmed [with/without] modifications 2007
Coming into force In accordance with article 1

ARRANGEMENT OF INSTRUMENT

THE ORDER

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2. Scheme

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GREATER LONDON LOW EMISSION ZONE CHARGING SCHEME

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Whereas it appears to Transport for London expedient, for the purposes of facilitating the achievement of policies and proposals in the Mayor of London's Transport and Air Quality Strategies published pursuant to sections 142 and 362 respectively of the Greater London Authority Act 1999^(a), that it should make the following Order:

Now, therefore, Transport for London, in exercise of the powers conferred on it by sections 295 and 420(1) of the Greater London Authority Act 1999, by Schedule 23 to that Act, and of all other powers enabling it in that behalf, hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as the Greater London Low Emission Zone Charging Order 2006 and shall come into force on whichever is the later of the following days—

- (a) the day immediately following the day on which the Mayor confirms this Order;
- (b) the day on which the Secretary of State approves the plan set out in Annex 3 to the Scheme in the Schedule to this Order.

Scheme

2. The Scheme in the Schedule to this Order shall have effect.

Signed by authority of Transport for London

Dated 13 November 2006

Peter Hendy
Commissioner, Transport for London

(a) 1999 c. 29; Schedule 23 was amended by the Transport Act 2000 (c. 38).

GREATER LONDON LOW EMISSION ZONE CHARGING SCHEME

Interpretation**1. In this Scheme—**

- (a) “1994 Act” means the Vehicle Excise and Registration Act 1994(a);
- (b) “boundary plan” means a plan defining part of the boundary of the low emission zone;
- (c) “charge” means a charge imposed by article 6 except to the extent that this Scheme otherwise provides or that context otherwise requires;
- (d) “charging area” means the area designated by article 2;
- (e) “charging day” means the period of twenty four hours from midnight to midnight;
- (f) “class” in relation to any vehicle shall be construed in accordance with paragraph 2 of Annex 2;
- (g) “compliant vehicle” has the meaning given by article 4(3);
- (h) “deposited plans” means the portfolio of plans comprising the zone plan and the boundary plans—
 - (i) deposited at the offices of Transport for London at Faith Lawson House, 15-17 Dacre Street, London, SW1 0NR; and
 - (ii) consisting of the plans bearing the sheet numbers or letters, drawing numbers, and revision letters, if any, and signed by the person named in relation to each plan, specified in Annex 1 to the Scheme;
- (i) “designated road” means one of the designated roads specified in article 3(2);
- (j) “low emission zone” means the area shown shaded on the zone plan the boundaries of which are defined on the boundary plans;
- (k) “non-chargeable vehicle” has the meaning given by article 4(4);
- (l) “outstanding” in relation to a penalty charge shall be construed in accordance with regulation 11(2) of the Road User Charging (Charges and Penalty Charges) (London) Regulations 2001(b);
- (m) “penalty charge” has the meaning given in regulation 2(1) of the Road User Charging (Charges and Penalty Charges) (London) Regulations 2001;
- (n) “register” means the register of compliant and non-chargeable vehicles to be maintained by Transport for London under article 9(1);
- (o) “registered in the records of Great Britain” in relation to a vehicle means that the vehicle is registered under section 21 of the 1994 Act in that part of the register (as defined by section 62(1) of that Act) which is maintained on behalf of the Secretary of State by the Driver and Vehicle Licensing Agency;
- (p) “registered in the records of Northern Ireland” in relation to a vehicle means that the vehicle is registered under section 21 of the 1994 Act in that part of the register (as defined by section 62(1) of that Act) which is maintained on behalf of the Secretary of State by Driver and Vehicle Licensing Northern Ireland;
- (q) “registered keeper” means—

(a) 1994 c. 22.

(b) S.I. 2001/2285, amended by S.I. 2003/109.

- (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;
 - (r) “relevant vehicle” has the meaning given by article 4;
 - (s) “standards” in relation to a vehicle means the emissions standards set out in article 5 and Annex 2;
 - (t) “working day” means a day other than—
 - (i) a Saturday or Sunday;
 - (ii) New Year’s Day;
 - (iii) Good Friday;
 - (iv) Christmas Day;
 - (v) any other day which is a bank holiday;
 - (vi) the earliest 3 days falling after 26th December which are not bank holidays, and in this paragraph “bank holiday” means a day which is a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971(a);
 - (u) “zone plan” means the plan showing the low emission zone.
- (2) In this Scheme—
- (a) a reference in any provision to an instrument of the European Community is to that instrument as amended at the date on which this Scheme comes into effect;
 - (b) a reference in any provision to an authorised person is to a person authorised by Transport for London 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 Transport for London in relation to any matter a reference to Transport for London shall be taken to include a reference to that person.
- (3) For the purposes of this Scheme—
- (a) a sum of money shall be taken to have been paid on the date on which payment is received by Transport for London; and
 - (b) the number of seats of a vehicle shall be 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(b).

Charging area

- 2. Greater London is hereby designated as the area to which this Scheme applies.

Designation of roads in charging area

- 3.—(1) Charges are imposed by this Scheme in respect of the designated roads.
- (2) All roads within the low emission zone are designated roads.

Relevant vehicles

- 4.—(1) A relevant vehicle is a vehicle falling within a specified class that is not—
 - (a) a compliant vehicle; or
 - (b) a non-chargeable vehicle.

(a) 1971 c. 80.
 (b) S.I. 2002/2742.

(2) The classes specified for the purposes of paragraph (1) are Class M₂, Class M₃, Class N₁ subclasses (ii) and (iii), Class N₂ and Class N₃.

(3) 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.

(4) A vehicle is a non-chargeable vehicle if—

- (a) the vehicle falls within one of the classes of non-chargeable vehicles specified in paragraph (5); and
- (b) particulars of the vehicle are for the time being entered in the register.

(5) The following classes of vehicle are specified for the purposes of paragraph (4)(a)—

- (a) any vehicle while it is being used on a road by an individual for the time being subject to the orders of a member of the armed forces of the Crown, or to the instructions of an official of the Ministry of Defence, if—
 - (i) Transport for London is satisfied on the application of the Ministry of Defence that it is a vehicle used for naval, military or air force purposes; and
 - (ii) it is not registered under the 1994 Act;
- (b) any vehicle 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;
- (c) any vehicle constructed before 1st January 1973 provided that vehicle is not used on a road for any commercial use; and
- (d) any vehicle in respect of which Transport for London is satisfied that it is not a vehicle constructed or adapted for general use on roads.

(6) In this article—

- (a) “commercial use” means use for hire or reward or for or in connection with a trade or business;
- (b) “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.

Emissions standards

5. A vehicle meets the standards required of a compliant vehicle for the purposes of this Scheme if Transport for London is satisfied that—

- (a) before 3 January 2012 the limit values for the emission of particulate matter specified for the vehicle in Table 1 of Annex 2 would not be exceeded during the appropriate test or tests specified by that table; or
- (b) on or after 3 January 2012 the limit values for the emission of particulate matter specified for the vehicle in Table 2 of Annex 2 would not be exceeded during the appropriate test or tests specified by that table.

Imposition of charges

6.—(1) Subject to the following provisions of this Scheme, a charge of an amount specified in article 8 is imposed in respect of—

- (a) a relevant vehicle of class N₃ for each charging day within the period beginning with 4th February 2008 and ending on 6th July 2008 on which it is at any time used on one or more designated roads;
- (b) a relevant vehicle of class M₃, N₂ or N₃ for each charging day within the period beginning with 7th July 2008 and ending on 3rd October 2010 on which it is so used;

- (c) any relevant vehicle for each charging day which falls after 3rd October 2010 on which it is so used.

Payment of charges

7.—(1) A charge shall be paid to Transport for London in accordance with the following provisions.

- (2) A charge may be paid only in respect of—
 - (a) a single charging day; and
 - (b) a particular vehicle.
- (3) A vehicle referred to in paragraph (2)(b) shall be identified by its registration mark; and—
 - (a) the payer of a charge shall specify to Transport for London the registration mark of the vehicle in respect of which that charge is paid;
 - (b) a payment shall not be valid in respect of any vehicle having a registration mark different from the mark so specified.
- (4) A charge may only be paid—
 - (a) on a day falling within the period of 64 working days immediately preceding the charging day concerned;
 - (b) on that charging day; or
 - (c) on the next working day after that charging day.
- (5) The charge shall be paid by one of the following means—
 - (a) if the charge is paid on or before the charging day concerned—
 - (i) by post;
 - (ii) by call centre; or
 - (iii) on-line; and
 - (b) if the charge is paid on the next working day after the charging day concerned—
 - (i) by call centre; or
 - (ii) on-line.
- (6) For the purposes of this paragraph and paragraph (5)—
 - (a) a charge is paid by post if the form provided by Transport for London for payment of the particular charge is sent, duly completed and accompanied by a cheque, or completed to enable payment to be made by credit or debit card, by pre-paid post to the address given on the form;
 - (b) a charge is paid by call centre if it is paid by credit or debit card through the call centre provided for the purpose by Transport for London;
 - (c) a charge is paid on-line if it is paid by credit or debit card through the web-site provided for the purpose by Transport for London;
 - (d) “cheque” means a cheque, or postal order, crossed “account payee” and drawn in favour of “Transport for London Low Emission Zone”;
 - (e) “credit or debit card” means—
 - (i) “Visa”, “MasterCard”, “Delta”, “Switch”, “Maestro”; or
 - (ii) any other credit or debit card the name of which is for the time being published by Transport for London on its web-site as being acceptable to it.
- (7) Where payment is not received by Transport for London (whether because a cheque is dishonoured or otherwise), the charge shall be treated as not paid.

Amount of charge

8. The amount of the charge imposed by article 6 shall be—
- (a) in respect of a relevant vehicle of classes M₃, N₂ or N₃, £200 per charging day;
 - (b) in respect of a relevant vehicle of class M₂ and class N₁ sub-classes (ii) and (iii), £100 per charging day.

Register of compliant and non-chargeable vehicles

9.—(1) Transport for London shall maintain a register of compliant and non-chargeable vehicles (“the register”) for the purposes of article 4(3) 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) shall include all such information as Transport for London may reasonably require; and
 - (b) shall be made by such means as Transport for London may accept.
- (3) If Transport for London 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 shall enter particulars of the vehicle in the register.

(4) If Transport for London 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 and, if it does so, shall notify the registered keeper.

(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 shall notify Transport for London of the fact and Transport for London may remove the particulars of the vehicle from the register forthwith, or from the date notified to Transport for London as the date on which it will cease to be such a vehicle.

(6) Nothing in this article shall prevent 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

10.—(1) A person who has paid a charge may obtain a refund in accordance with the following provisions of this article.

(2) An application for a refund shall be made by post to Transport for London at the address specified for the purpose on the receipt for payment of the charge (“the receipt”).

(3) The application shall state the date in respect of which the charge was paid and be accompanied by one of the following documents—

- (a) the receipt;
- (b) a photocopy of the receipt;
- (c) a statement of the number of the receipt; or
- (d) the registration document issued by the Secretary of State under the 1994 Act for the vehicle to which the charge relates or, in the case of a vehicle registered in a country

other than the United Kingdom, an equivalent registration document issued by the appropriate body in that country,

and the applicant shall provide such further information to Transport for London as it may reasonably require.

(4) An application for a refund shall not be valid unless it is received by Transport for London at least 7 working days before the date in respect of which the charge was paid.

Application of charge to different date or vehicle

11.—(1) Subject to the following provisions of this article, on an application by a person who has paid a charge, Transport for London may treat that charge as if it had been paid in respect of—

- (a) a day other than the day in respect of which the charge was originally paid; or
- (b) a registration mark different from that specified under article 7(3).

(2) An application under paragraph (1) shall—

- (a) be made either by post or by telephone;
- (b) include particulars of the receipt number for payment of the charge and such evidence as Transport for London may reasonably require to show that the applicant is the person who has paid that charge; and
- (c) specify a day in respect of which the charge is to be applied under paragraph (1)(a) which complies with paragraph (5) or, as the case may be, specify the registration mark in respect of which the charge is to be applied under paragraph (1)(b) and a date which complies with paragraph (6).

(3) In this article, “the application date” in relation to an application means the day on which an application which complies with the requirements of paragraph (2) is received by Transport for London.

(4) An application under paragraph (1)(a) shall be of no effect unless the application date falls before—

- (a) in the case of a postal application, the beginning of the period of 7 working days ending with the day for which the charge was originally paid; or
- (b) in the case of a telephone application, the day for which the charge was originally paid.

(5) No date may be specified under paragraph (2)(c) which is—

- (a) earlier than—
 - (i) in the case of a postal application, the last day of the period of 8 working days beginning with the application date; or
 - (ii) in the case of a telephone application, the first working day falling after the application date; or
- (b) later than the last day of the period of 65 working days beginning with the application date.

(6) No date may be specified for the purposes of paragraph (1)(b) which is earlier than—

- (a) in the case of a postal application, the last day of the period of 7 working days beginning with the application date; or
- (b) in the case of a telephone application, the first working day falling after the application date.

Penalty charge for non-payment of charge

12.—(1) A penalty charge shall be payable 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 6;

- (b) the 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 7.

(2) A penalty charge payable by virtue of paragraph (1) shall 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 12 of the Road User Charging (Enforcement and Adjudication) (London) Regulations 2001^(a) in respect of the penalty charge and in a manner specified in the penalty charge notice.

(3) The amount of a penalty charge payable in accordance with paragraph (1) shall be—

- (a) in respect of relevant vehicles of classes M₃, N₂ and N₃, £1,000 but, if the penalty charge is paid before the end of the fourteenth day of the payment period, the amount shall be reduced by one half to £500; or;
- (b) in respect of relevant vehicles of class M₂ and class N₁ sub-classes (ii) and (iii), £500 but, if the penalty charge is paid before the end of the fourteenth day of the payment period, the amount shall be reduced by one half to £250.

(4) Where a charge certificate is issued in accordance with regulation 17(1) of the Road User Charging (Enforcement and Adjudication) (London) Regulations 2001, the amount of the penalty charge to which it relates shall be increased by one half to—

- (a) in respect of relevant vehicles of classes M₃, N₂ and N₃, £1,500; or
- (b) in respect of relevant vehicles of class M₂ and class N₁ sub-classes (ii) and (iii), £750.

Immobilisation of vehicles

13.—(1) This article applies where an authorised person has reason to believe that there are at least 3 penalty charges outstanding in relation to a relevant vehicle which is stationary on a road in the charging area.

(2) Where this article applies, the authorised person or a person acting under the authorised person's direction may—

- (a) fix an immobilisation device to the vehicle while it remains in the place where it is stationary; or
- (b) move it, or require it to be moved, to another place on that road or another road and fix an immobilisation device to the vehicle in that other place.

(3) Where an immobilisation device is fixed to a vehicle in accordance with paragraph (2), the person fixing the device shall also fix to the vehicle an immobilisation notice—

- (a) indicating that the device has been fixed to the vehicle and warning that no attempt should be made to drive it or otherwise put it in motion until it has been released from the device;
- (b) stating that the vehicle may only be released from the device by or under the direction of an authorised person;
- (c) stating that the notice must not be removed or interfered with except by or on the authority of an authorised person; and
- (d) specifying the steps to be taken to secure its release including the penalty charge payable under paragraph (4) and the person to whom and the means by which that charge may be paid.

(4) 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 (4)(a), shall be released—
 - (i) if all outstanding penalty charges are paid to Transport for London; and

^(a) S.I. 2001/2313, amended by S.I. 2003/108.

- (ii) if a penalty charge of £100 for the release of the vehicle from the immobilisation device is so paid.

Removal of vehicles

14.—(1) This article applies where an authorised person has reason to believe that there are at least 3 penalty charges outstanding in relation to a relevant vehicle which is stationary on a road in the charging area.

(2) Where this article applies, the authorised person or a person acting under the authorised person's direction, may remove the vehicle and deliver it to Transport for London or to a person authorised by Transport for London to keep vehicles so removed (a "custodian").

(3) Where a vehicle has been removed and delivered into the custody of a custodian in accordance with paragraph (2), Transport for London or the custodian may (whether or not any claim is made under regulation 15 or 16 of the Road User Charging (Charges and Penalty Charges) (London) Regulations 2001) recover from the person who was the owner of the vehicle when the vehicle was removed—

- (a) all penalty charges that are outstanding in relation to the vehicle;
- (b) a penalty charge of £250 for its removal;
- (c) a penalty charge of £100 for each complete day or part of a day on which it has been held by Transport for London or a custodian; and
- (d) if the vehicle has been disposed of, a penalty charge of £60 for its disposal.

Ten year plan for net proceeds

15. Annex 3 to this Scheme constitutes the statement, under paragraph 19 of Schedule 23 to the Greater London Authority Act 1999, of Transport for London's general plan for applying its share of the net proceeds, if any, of this Scheme during the opening ten year period, which Transport for London prepared and submitted to the Secretary of State for Transport and which was approved by him under paragraph 19 of Schedule 23 to the Greater London Authority Act 1999 on [].

Duration of scheme

16. This Scheme shall remain in force indefinitely.

ANNEX 1 TO THE SCHEME
DEPOSITED PLANS

Article 1(h)

<i>(1)</i> <i>Sheet.</i>	<i>(2)</i> <i>Drawing No. & revision letter</i>	<i>(3)</i> <i>Signatory</i>
A	G060245A-DD-300	Peter Hendy
1	G060254A-DD-001	Peter Hendy
2	G060254A-DD-002	Peter Hendy
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256	G060254A-DD-256	Peter Hendy
257	G060254A-DD-257	Peter Hendy

ANNEX 2 TO THE SCHEME

Article 5

EMISSIONS LIMIT VALUES FOR COMPLIANT VEHICLES

Table 1 —BEFORE 3 JANUARY 2012

<i>Class of vehicle</i>	<i>Maximum mass of vehicle, where relevant (kilograms)</i>	<i>Reference mass of vehicle, where relevant (kilograms)</i>	<i>Appropriate tests</i>	<i>Limit values for mass of particulate matter emissions</i>
M ₂	not exceeding 2,500		Type I	0.05 g/km
M ₂	exceeding 2,500 and not exceeding 3,500	exceeding 1,305 and not exceeding 1,760	Type I	0.07 g/km
M ₂	exceeding 2,500 and not exceeding 3,500	exceeding 1,760	Type I	0.10 g/km
M ₂	exceeding 3,500	not exceeding 2,840	Type I or ESC	0.10 g/km (Type I) or 0.10g/kWh (ESC)
M ₂	exceeding 3,500	exceeding 2,840	ESC	0.10 g/kWh
M ₃ , N ₃			ESC	0.10 g/kWh
N ₂		not exceeding 2,840	Type I or ESC	0.10 g/km (Type I) or 0.10g/kWh (ESC)
N ₂		exceeding 2,840	ESC	0.10 g/kWh
N ₁ sub-class (ii)			Type I	0.07 g/km
N ₁ sub-class (iii)			Type I	0.10 g/km

Table 2 —ON OR AFTER 3 JANUARY 2012

<i>Class of vehicle</i>	<i>Maximum mass of vehicle, where relevant (kilograms)</i>	<i>Reference mass of vehicle, where relevant (kilograms)</i>	<i>Appropriate tests</i>	<i>Limit values for mass of particulate matter emissions</i>
M ₂	not exceeding 2,500		Type I	0.05 g/km
M ₂	exceeding 2,500 and not exceeding 3,500	exceeding 1,305 and not exceeding 1,760	Type I	0.07 g/km
M ₂	exceeding 2,500 and not exceeding 3,500	exceeding 1,760	Type I	0.10g/km
M ₂	exceeding 3,500	not exceeding 2,840	Type I or ESC	0.10 g/km (Type I) or 0.10g/kWh (ESC)
M ₂	exceeding 3,500	exceeding 2,840	ESC	0.10 g/kWh
M ₃ , N ₃			both ESC and ETC	0.02 g/kWh (ESC) and 0.03 g/kWh (ETC)
N ₂		not exceeding 2,840	Type I or both ESC and ETC	0.06g/km (Type I) or 0.02 g/kWh (ESC) and 0.03 g/kWh (ETC)

N ₂		exceeding 2,840	both ESC and ETC	0.02 g/kWh (ESC) and 0.03 g/kWh (ETC)
N ₁ sub-class (ii)			Type I	0.07 g/km
N ₁ sub-class (iii)			Type I	0.10 g/km

1. In respect of—

- (a) any vehicle falling within Class M₂ and with a maximum mass exceeding 3,500kg and a reference mass not exceeding 2,840kg; and
- (b) any vehicle falling within Class N₂ and with a reference mass not exceeding 2,840kg,

the Type I test shall not be considered an appropriate test for the purposes of determining whether the vehicle is a compliant vehicle unless that vehicle has been approved as a light duty vehicle under Council Directive 70/220/EEC(a).

2. For the purposes of this Scheme—

- (a) “Class M₂” comprises vehicles powered by compression-ignition engine and designed and constructed for the carriage of passengers, comprising more than eight seats in addition to the drivers seat, and having a maximum mass not exceeding 5,000 kilograms;
- (b) “Class M₃” comprises vehicles powered by compression-ignition engine and designed and constructed for the carriage of passengers, comprising more than eight seats in addition to the drivers seat, and having a maximum mass exceeding 5,000 kilograms;
- (c) “Class N₁ sub-class (ii)” comprises vehicles powered by compression-ignition engine and designed and constructed for the carriage of goods and having a reference mass exceeding 1,305 kilograms but not exceeding 1,760 kilograms and a maximum mass not exceeding 3,500 kilograms;
- (d) “Class N₁ sub-class (iii)” comprises vehicles powered by compression-ignition engine and designed and constructed for the carriage of goods and having a reference mass exceeding 1,760 kilograms and a maximum mass not exceeding 3,500 kilograms;
- (e) “Class N₂” comprises vehicles powered by compression-ignition engine and designed and constructed for the carriage of goods and having a maximum mass exceeding 3,500 kilograms but not exceeding 12,000 kilograms;
- (f) “Class N₃” comprises vehicles powered by compression-ignition engine and designed and constructed for the carriage of goods and having a maximum mass exceeding 12,000 kilograms;
- (g) “ESC test” means a test as described in section 2.12 of Annex I to Council Directive 88/77/EEC(b) and carried out using the procedure described in Appendix 1, Annex III of that Directive;
- (h) “ETC test” means a test as described in section 2.14 of Annex I to Council Directive 88/77/EEC and carried out using the procedure described in Appendices 2 and 3, Annex III of that Directive;
- (i) “g/km” means grams per kilometre;
- (j) “g/kWh” means grams per kilowatt-hour;

(a) O.J. No. L 76, 6.4.1970, p.1, as last amended by the Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded (O.J. No. L 236, 23.9.2003, p.33) (“the Act of Accession”).

(b) O.J. No. L 36, 9.2.1988, p.33, as last amended by the Act of Accession.

- (k) “maximum mass” in relation to a vehicle means the technically permissible maximum laden mass as specified by the manufacturer;
- (l) “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; and
- (m) “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.

**TRANSPORT FOR LONDON'S GENERAL PLAN FOR APPLYING ITS SHARE
OF ANY NET PROCEEDS OF THIS SCHEME DURING THE OPENING TEN
YEAR PERIOD**

Subject to the Scheme Order being confirmed in May 2007, the earliest date that the proposed Greater London Low Emission Zone charging scheme ("LEZ") could commence is February 2008. This plan therefore covers the ten year period 2008 to 2018 with particular reference to the early part of this period.

It is not anticipated that the proposed LEZ would generate any net revenues. Indeed, the more vehicles that are compliant with the LEZ standards, the less revenue Transport for London would make from the daily charge and penalty notices. The objective of the LEZ is to take steps towards meeting London's air quality objectives and limit values, and by so doing reduce exposure of people to excessive levels of particulate matter ('PM'), and the illnesses these cause or exacerbate. This would be done by applying a substantial daily charge so that operators would make an economic decision whether or not to take their vehicles into the LEZ. The charge would be set at such a level as to encourage operators to modify or replace their vehicles, and so maximise the air quality and health benefits of the LEZ.

However, in the unlikely event that net revenues were generated from the proposed LEZ over the opening ten year period, it is envisaged that these revenues would be used to support value for money measures consistent with the objectives of the Mayor's Transport and Air Quality Strategies and so help bring improvements across Greater London. These improvements could include:

(1) Air quality technology and monitoring improvements. Initiatives could include:

- Further development, testing and subsequent introduction of new technology for the London bus fleet to reduce emissions, including fuel cell buses, hybrid buses and exhaust emissions reduction technology;
- Continued implementation of the Mayor's Taxi Emissions Strategy;
- Enhancement of equipment and/or expansion of sites in the London air quality monitoring network; and
- Funding measures in borough Air Quality Action Plans.

These initiatives would help contribute to the Government's objectives for improving air quality, improving health and reducing greenhouse gas emissions.

(2) Traffic management initiatives to ensure efficient use of the road network and to improve air quality. Initiatives could include:

- Additional funding of boroughs in the implementation of the Traffic Management Act and development of Road Network Management Plans to ensure greater journey reliability;
- Promotion of Workplace and School Travel Plans;
- Promotion of car-sharing and car club schemes;
- Additional action to reduce the number of buses and coaches leaving their engines idling when stationary at designated stands; and
- Enhanced enforcement systems for red routes, Congestion Charging, the Low Emission Zone and yellow-box junctions to improve traffic flows.

These initiatives would help contribute to the Government's objectives for improving air quality, making better use of the existing road network, reducing greenhouse gas emissions and reducing road congestion.