

H TfL's recommended modifications to the December 2001 Scheme Order

H.1 Introduction

- H.1.1 The Scheme Order is the legal instrument that defines the congestion charging scheme.
- H.1.2 Transport for London made a Scheme Order in July 2001, which was subject to public consultation. After consideration of representations and objections and other developments, Transport for London were, in December 2001, minded, subject to further consultation, to propose modifications to the July 2001 made Scheme Order. A Scheme Order as proposed to be modified was subject to consultation between 10 December 2001 and 18 January 2002. A Schedule of Modifications was produced as part of the public consultation information.
- H.1.3 Having considered the representations and objections received to the December consultation, and other developments, TfL are recommending a number of further modifications to the December 2001 version of the Scheme Order.
- H.1.4 This schedule lists the recommended further modifications. It explains Transport for London's reasons for recommending the modifications. The schedule provides cross-references to a revised text of the Scheme Order, as it would appear if the Mayor confirmed the Order with all of the modifications recommended by Transport for London.
- H.1.5 The schedule is divided into five columns:
- Column 1 is a reference number.
 - Column 2 gives a title for each proposed modification.
 - Column 3 gives details of each proposed modification.
 - Column 4 sets out Transport for London's reasons for each proposed modification.
 - Column 5 provides a cross-reference to the text of the revised Scheme Order.
- H.1.6 The schedule could also usefully be read in conjunction with Annex I, the Instrument of Confirmation and, in particular, the final schedule of that instrument, Schedule 5, which sets the text of the Order as recommended to be modified .
- H.1.7 Transport for London has passed all representations and objections that were received to the Mayor for his consideration. It is for the Mayor to consider whether or not to confirm the scheme Order as made in July 2001, with or without modifications.

Annex H

Col. 1 –Ref. No.	Col. 2 – Topic	Col. 3 – Details of TfL’s recommended modification	Col. 4 – TfL’s reasons for recommended modification	Col. 5 - Relevant aspect of the Scheme Order with recommended modifications
1.	Post-payment surcharge	£10 post-payment surcharge for daily licenses to apply from 10.00 pm rather than 8.00 pm. Weekly, monthly and annual licences able to be purchased up to 10.00 pm on first day of validity rather than 8.00 pm	To provide an improved payment regime for users and to respond to representations.	Article 7 Article 6 (5) (c)
2.	Fleet accounts	The increased charge for the fleet scheme where the operator is not required to provide details of vehicle usage to be reduced from 115% of the normal charge to 110%	To respond to representations from the business community.	Article 6 (11) (a) (ii)
3.	NHS discount scheme	Scheme to be extended to cover vehicles used by individuals, including locums and agency staff, providing services on behalf of NHS bodies, provided they are used for the specified purposes.	To respond to concerns from the NHS London Regional Office and individual NHS trusts and health authorities.	Annex 1, Article 7
4.	Military vehicles	The 100% discount for military vehicles is extended to include the keeping of vehicles on a road and vehicles being used or kept under instructions from a Ministry of Defence official	To respond to a representation from the Ministry of Defence.	Annex 1, Article 4 (5)
5.	Alternative fuel vehicles	Vehicles to be required to register with the TransportAction Powershift database in the relevant group to qualify for the discount, i.e. discount for vehicles meeting the same quality standards	To respond to a request from the Energy Savings Trust and to ensure the practical application and enforcement of this discount.	Annex 1, Article 6 (5)

Annex H

Col. 1 -Ref. No.	Col. 2 – Topic	Col. 3 – Details of TfL’s recommended modification	Col. 4 – TfL’s reasons for recommended modification	Col. 5 - Relevant aspect of the Scheme Order with recommended modifications
		removed		
6.	Buses and coaches with 9 or more seats	Extend the exemption or discount for public service vehicles with 9 or more seats, community buses and vehicles operated under section 19 of the Transport Act 1985 and their Northern Ireland equivalents to include all buses and coaches with 9 or more seats.	To provide a discount for buses and coaches with 9 or more seats as they provide public and group transport in central London and help to reduce car use	Annex 1, Article 3

GREATER LONDON AUTHORITY ACT 1999
TRANSPORT ACT 2000

The Greater London (Central Zone) Congestion Charging Order 2001
Instrument of Confirmation 2002

Made

date to be inserted when signed

Whereas Transport for London on 23rd July 2001 made the Greater London (Central Zone) Congestion Charging Order 2001 and, pursuant to paragraph 4(1)(b) of Schedule 23 to the Greater London Authority Act 1999(a), has submitted that Order to the Mayor of London for confirmation and whereas the Mayor of London has decided to confirm the Order with modifications:

Now, therefore, the Mayor of London, in exercise of the powers conferred on him by paragraph 4(1)(b) of Schedule 23 to that Act, and of all other powers enabling him in that behalf, hereby makes the following Instrument:—

Citation and interpretation

1.—(1) This Instrument may be cited as the Greater London (Central Zone) Congestion Charging Order 2001 Instrument of Confirmation 2002.

(2) In this Instrument—

- (a) "the deposited plans" has the meaning given by article 1(1)(e) of the Scheme;
- (b) "the Order" means the Greater London (Central Zone) Congestion Charging Order 2001;
- (c) "the Scheme" means the Scheme in the Schedule to the Order.

Confirmation of the Order

2.—(1) The Order is hereby confirmed subject to—

- (a) the modifications to the Order set out in Schedule 1 to this Instrument;
- (b) the modifications to the body of the Scheme set out in Schedule 2 to this Instrument;

(a) 1999 c. 29; Schedule 23 was amended by the Transport Act 2000 (c. 38), Schedule 13.

- (c) the modification of Annex 1 to the Scheme by the substitution of Annex 1 set out in Schedule 3;
- (d) the modification to Annex 2 to the Scheme set out in Schedule 4; and
- (e) the substitution of the plans annexed to this Instrument bearing the numbers specified in column (1) of the Table below for the plans comprised in the deposited plans bearing the numbers specified in column (2).

TABLE

<i>(1) Substituted plans</i>	<i>(2) Superseded plans</i>
SHEET 14 (MODIFIED): L4/13/17/01/ TQ2982SW Rev: C	SHEET 14: L4/13/17/01/ TQ2982SW Rev: A
SHEET 25 (MODIFIED): L4/13/17/01/ TQ2781NE Rev: C	SHEET 25: L4/13/17/01/ TQ2781NE Rev: A
SHEET 53 (MODIFIED): L4/13/17/01/ TQ2880NW Rev: C	SHEET 53: L4/13/17/01/ TQ2880NW Rev: A
SHEET 65 (MODIFIED): L4/13/17/01/ TQ2880SW Rev: C	SHEET 65: L4/13/17/01/ TQ2880SW Rev: A
SHEET 87 (MODIFIED): L4/13/17/01/ TQ3379NW Rev: C	SHEET 87: L4/13/17/01/ TQ3379NW Rev: A
SHEET 88 (MODIFIED): L4/13/17/01/ TQ3379NE Rev: C	SHEET 88: L4/13/17/01/ TQ3379NE Rev: A

(2) A portfolio of plans incorporating the substitutions made by paragraph (1)(e) shall be substituted for the portfolio of plans defined as "the deposited plans" by article 1 of the Scheme.

Text of the Order as modified

3. The text of the Order as modified by this Instrument and with consequential renumbering and re-lettering shall be that set out in Schedule 5 to this Instrument.

date to be inserted when

Ken Livingstone,
Mayor of London

signed

MODIFICATIONS TO THE ORDER

1. The Order shall be modified in accordance with the following provisions of this Schedule.
2. In article 1 for "the day immediately following the day on which the Mayor confirms it" there shall be substituted—
"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 2 to the Scheme in the Schedule to this Order".
3. In article 2(2)—
 - (a) after "1 to 3," there shall be inserted "4(3) and (4),";
 - (b) for "9 months" there shall be substituted "8 months";
 - (c) for "14 months" there shall be substituted "12 months".

MODIFICATIONS TO THE BODY OF THE SCHEME

Preliminary

1. The Scheme shall be amended in accordance with the following provisions of this Schedule.

Article 1 (interpretation)

2.—(1) Article 1 shall be modified as follows.

(2) In paragraph (1)—

- (a) in the definition of "charging day", after "4(3)" there shall be inserted ",
"consecutive charging days" shall be construed in accordance with article 6(4) and
"charging hours" means the hours between 7.00 am and 6.30 pm on a charging
day";
- (b) in the definition of "the deposited plans"—
 - (i) after "portfolio of plans" there shall be inserted "of which 6 are signed by Ken
Livingstone, the Mayor of London, and the others are"; and
 - (ii) after "Commissioner of Transport, which" there shall be inserted "portfolio";
- (c) for the definition of "disabled person's badge" there shall be substituted—
""disabled person's badge" means any badge issued, or having effect as if issued,
to an individual or to an institution under regulations for the time being in force
under section 21 of the Chronically Sick and Disabled Persons Act 1970 or under
section 14 of the Chronically Sick and Disabled Persons (Northern Ireland) Act
1978 and references to the holder of such a badge are to the individual to whom
or, as the case may be, the institution to which the badge is issued;";
- (d) in the definition of "non-chargeable vehicle", after "article 5" there shall be
inserted "and paragraph 1, 2, 3 or 4 of Annex 1";
- (e) the definition of "public service vehicle" shall be omitted;
- (f) for the definition of "the register of non-chargeable and reduced rate vehicles"
there shall be substituted—
""the register" means the register of non-chargeable, reduced rate and resident's
vehicles to be maintained by Transport for London under article 9;"; and
- (g) in the definition of "relevant vehicle", after "non-chargeable vehicle" there shall be
inserted "or a reduced rate vehicle".

(3) At the appropriate points in paragraph (1) there shall be inserted the following definitions—

"EEA Agreement" means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993;

"EEA State" means a state which is a contracting Party to the EEA Agreement;

"reduced rate vehicle" means a vehicle which is a reduced rate vehicle by virtue of article 5 and paragraph 5 or 6 of Annex 1;

"registered in the GB records" 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;

"registered in the NI records" 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;

"registered keeper" in relation to a vehicle means the person in whose name the vehicle is registered under the 1994 Act;

"the residents' discount zone" means the area comprising the central zone and the areas shown by diagonal hatching on the deposited plans;".

(4) In paragraph (2)—

(a) "any provision of" shall be omitted; and

(b) in sub-paragraph (a) after "a reference" there shall be inserted "in any provision".

(5) In paragraph (3) for "A person is a "qualified resident" of the central zone for the purposes of article 8(1) or, as the case may be, of the charging area for the purposes of paragraph 4 of Annex 1, at any time if that person is" there shall be substituted "In this Scheme, subject to paragraph (5A), "qualified resident" means".

(6) In paragraph (4)—

(a) before sub-paragraph (a) there shall be inserted the following sub-paragraph—

"(xa) that the individual has attained the age of 17 years;"; and

(b) in sub-paragraph (a) for "central zone or, as the case may be, the charging area" there shall be substituted "residents' discount zone".

(7) In paragraph (5)—

(a) after "the individual is" there shall be inserted ", for reasons not connected with his place of residence,"; and

(b) for "the register" there shall be substituted "either register of electors".

(8) After paragraph (5) there shall be inserted the following paragraph—

"(5A) Where a qualified resident ceases to reside at the premises in relation to which Transport for London was satisfied that the requirements in paragraph (4)(a) to (d) were met but resides at other premises within the residents' discount zone, that person shall cease to be a qualified resident unless that person has notified the change of residence to

Transport for London and Transport for London is satisfied that those requirements are met in relation to those other premises."

Article 2 (the charging area)

3. In article 2 after "Greater London" there shall be inserted "(exclusive of trunk roads)".

Article 4 (imposition of charges)

4.—(1) Article 4 shall be modified as follows.

(2) In paragraph (1)—

- (a) after "article 7" there shall be inserted "or article 8"; and
- (b) for "between the hours of 7.00 am and 7.00 pm" there shall be substituted "during charging hours".

(3) In paragraph (4) the word "and" between sub-paragraphs (d) and (e) shall be omitted.

Article 5 (non-chargeable vehicles)

5. For article 5 there shall be substituted—

"Non-chargeable and reduced rate vehicles etc.

5. Annex 1 to this Scheme, which sets out classes of non-chargeable and reduced rate vehicles and provides for vehicles to be treated as having been non-chargeable vehicles in certain circumstances, shall have effect."

Article 6 (payment of charges)

6.—(1) Article 6 shall be modified as follows.

(2) In paragraph (1)—

- (a) for "A charge imposed by this scheme" there shall be substituted "Subject to the following provisions of this article, a charge imposed by this Scheme"; and
- (b) after "specified period" there shall be inserted "falling on or".

(3) For paragraph (2) there shall be substituted—

"(2) Paragraph (1) does not apply to a charge payable—

- (a) in accordance with paragraphs (8) and (9);
- (b) under article 8(2)(c) or Annex 1—
 - (i) for particulars of a vehicle to be entered in the register; or
 - (ii) for the issue of an eligibility certificate; or
- (c) under article 11 for the amendment of a licence."

- (4) In paragraph (4) for "paragraph (3)" there shall be substituted "this Scheme".
- (5) In paragraph (5)—
- (a) for "paragraph (7)" there shall be substituted "paragraph (10)";
 - (b) in sub-paragraph (b) after "one charging day" there shall be inserted "(other than a licence purchased in accordance with paragraph (8))" and for "56 days" there shall be substituted "65 consecutive charging days"; and
 - (c) in sub-paragraph (c) for "7.00 pm" there shall be substituted "10 pm" and for "56 days" there shall be substituted "65 consecutive charging days".
- (6) For paragraphs (6) to (9) there shall be substituted the following paragraphs—
- "(6) A charge imposed by this Scheme shall be paid in such manner and by such means as Transport for London may in relation to the type of charge and the circumstances of payment accept.
- (7) Where a licence is purchased otherwise than in cash and payment is not received by Transport for London (whether because a cheque is dishonoured or otherwise), the charge to which the licence relates shall be treated as not paid and the licence shall be void.
- (8) Notwithstanding paragraph (1) a licence may, at the discretion of Transport for London, be purchased for a charging day which is to be specified after the grant of the licence in accordance with the conditions subject to which the licence is granted.
- (9) Those conditions may in particular include conditions as to the time within which, and the manner in which, a charging day is to be specified for the licence.
- (10) Notwithstanding paragraph (5)(a), a fleet operator which has entered into an agreement with Transport for London may purchase licences which, to the extent provided for in that agreement, cover the use or keeping on a designated road of any relevant vehicle specified in the agreement on any charging day within a period so specified.
- (11) An agreement under paragraph (10) shall be on such terms as Transport for London may in each case determine but—
- (a) the amount of the charge per charging day for each licence—
 - (i) shall be the amount specified in item 1 of the Table in article 7, in a case where the fleet operator undertakes to notify to Transport for London particulars of each occasion on which a charge is incurred in respect of a vehicle specified in the agreement;
 - (ii) shall be 110 per cent of that amount in any other case;
 - (b) a vehicle shall not be specified as mentioned in paragraph (10) unless it is a vehicle of which the fleet operator is the registered keeper or which is leased or hired by the fleet operator for the purposes of its business and the total number of vehicles so specified shall be at least 25; and

- (c) the agreement shall provide for an additional charge of £10 to be paid to Transport for London in respect of each relevant vehicle specified as mentioned in paragraph (10).

(12) In paragraphs (10) and (11) "fleet operator" means a person who is the registered keeper of, or who hires or leases, at least 25 relevant vehicles used for the purposes of a business carried on by that person and, for the purposes of this paragraph and paragraph (11), "registered keeper" includes a person in whose name a vehicle is registered under legislation relating to the registration of vehicles in an EEA State."

Article 7 (amount of charge payable by the purchase of a licence)

7. In the table in article 7 in column (2) of items 1 and 2 for "7.00 p.m." there shall in each case be substituted "10.00 pm".

Article 8 (reduced rates — resident's vehicles)

8.—(1) Article 8 shall be modified as follows.

(2) For the heading there shall be substituted "Resident's vehicles".

(3) For paragraph (1) there shall be substituted—

"(1) In this Scheme "resident's vehicle" means a relevant vehicle—

(a) of which the registered keeper is a qualified resident or the employer of such a resident or which is hired by, or leased to, a qualified resident or the employer of such a resident; and

(b) which meets the requirements specified in paragraph (2)."

(4) In paragraph (2)—

(a) in sub-paragraph (a) "of the central zone" shall be omitted and after "the same address" there shall be inserted "as the resident"; and

(b) in sub-paragraphs (b) and (c) for "the register of non-chargeable and reduced rate vehicles" in both places occurring there shall be substituted "the register".

(5) In paragraph (3)—

(a) for the words preceding the table there shall be substituted—

"(3) An individual who is a qualified resident in relation to a resident's vehicle shall subject to paragraph (4) be entitled to purchase a licence for that vehicle for a period specified in column (2) of an item in the table below for a charge of the amount specified in column (3) of that item."; and

(b) in the heading of column (2) of the table "and circumstances" shall be omitted.

(6) After paragraph (3) there shall be inserted the following paragraphs—

"(4) At no time may—

- (a) particulars of more than one vehicle be entered in the register; or
- (b) licences purchased under paragraph (3) above be in force for more than one resident's vehicle for the same charging day,

in relation to any one individual who is a qualified resident.

(5) Where an individual purchases a licence in circumstances where the provisions of this article do not entitle that individual to do so, the licence shall be void.

(6) If the holder of a licence purchased under this article ceases to be a qualified resident, the licence shall thereupon cease to have effect, but without prejudice to the holder's right to a refund in accordance with article 10."

Article 9 (the register of non-chargeable and reduced rate vehicles)

9. For article 9 there shall be substituted—

"The register of non-chargeable, reduced rate and resident's vehicles

9.—(1) Transport for London shall maintain a register of non-chargeable, reduced rate and resident's vehicles ("the register") for the purposes of the provisions of Annex 1 (non-chargeable and reduced rate vehicles etc.) and article 8 (resident's vehicles) which require particulars of a vehicle to be entered in the register.

(2) Particulars of a vehicle shall be removed from the register—

- (a) in the case of a vehicle registered under paragraph 5 of Annex 1 in relation to the holder of a disabled person's badge, when that person ceases to be an eligible person for the purposes of that paragraph;
- (b) in the case of any other vehicle, immediately following the last day of the registration period, unless Transport for London renews the registration for a further period on application to it;
- (c) in the case of any vehicle other than a resident's vehicle or a vehicle registered under paragraph 5 of Annex 1 in relation to the holder of a disabled person's badge, at the end of the period of 7 consecutive charging days beginning with the day on which a change in the keeper of the vehicle occurred, unless Transport for London renews the registration for a further period on application to it.

(3) Subject to paragraph (4), an application to enter particulars of a vehicle on the register or to renew the registration of a vehicle (not being in either case a vehicle specified in relation to the holder of a disabled person's badge)—

- (a) shall include all such information as Transport for London may reasonably require;
- (b) shall be made by such means as Transport for London may accept;
- (c) if received later than the fifty-fifth charging day of the application period shall be treated as an application to register the vehicle for a registration period of which the first day will be the last day of the period of 10 consecutive charging days beginning with the day on which the application is received; and

- (d) if received earlier than the first day of the application period shall not be valid unless Transport for London decides to treat the application as made on that day.

(4) Sub-paragraphs (c) and (d) of paragraph (3) shall not apply to an application to enter particulars of a vehicle on the register if it is received during the initial application period and, if such an application is received later than the forty-fifth charging day of the application period, it shall be treated as an application to register the vehicle for a registration period of which the first day will be the last day of the period of 20 consecutive charging days beginning with the day on which the application is received.

(5) Nothing in this article shall prevent the making of a fresh application under Annex 1 or article 8 after particulars of a vehicle have been removed from the register under paragraph (6).

(6) Where the registered keeper of a vehicle or a qualified resident in relation to whom particulars of a vehicle are entered in the register is aware that the vehicle has ceased or will cease to be a non-chargeable vehicle, a reduced rate vehicle or a resident's vehicle, the keeper or, as the case may be, the qualified resident, shall notify Transport for London of the fact and Transport for London shall 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.

(7) If Transport for London is no longer satisfied that a vehicle is a non-chargeable vehicle, a reduced rate vehicle or a resident's vehicle, it shall—

- (a) remove the particulars of a vehicle from the register; and
- (b) notify—
 - (i) in the case of a resident's vehicle, the qualified resident in relation to whom the vehicle was registered;
 - (ii) in the case of a vehicle which has been specified under paragraph 5(11) of Annex 1 in relation to an eligible person, that eligible person; or
 - (iii) in any other case, the registered keeper.

(8) In this article—

- (a) "application period" means the period of 65 consecutive charging days ending,
 - (i) in the case of an application to renew a registration, with the charging day following the last day of the registration period; or
 - (ii) in the case of any other application with the first day of the registration period applied for;
- (b) "initial application period" means the period of which—
 - (i) the first day is the day on which this article of this Scheme comes into force; and
 - (ii) the last day is the last day of the period of one month beginning with the day on which article 4(1) and (2) comes into force; and
- (c) "registration period" means the period of 12 months (or such longer period not exceeding 15 months as Transport for London may in any class of case determine for the purpose of staggering the renewal of registrations) beginning with the day

on which particulars of a vehicle are entered in the register or, as the case may be, the registration is renewed.

(9) The first day of a registration period shall be a charging day."

Article 10 (refunds of charges)

10.—(1) Article 10 shall be modified as follows.

(2) In paragraph (3)—

- (a) in sub-paragraph (a) for "(or a statement of the number of the receipt)" there shall be substituted "(or a photocopy of it) or a statement of the number of the receipt"
- (b) the word "and" shall be inserted between sub-paragraphs (a) and (b); and
- (c) sub-paragraph (c) shall be omitted.

(3) In paragraph (6)—

- (a) in sub-paragraph (a) for "stated" there shall be substituted "specified"; and
- (b) in sub-paragraph (b) after "period of 7" there shall be inserted "consecutive".

Article 11 (amendment of licences)

11.—(1) Article 11 shall be modified as follows.

(2) For the heading there shall be substituted "Amendment of licences".

(3) In paragraph (1) for "later" there shall be substituted "different" and between sub-paragraphs (a) and (b) there shall be inserted "and".

(4) For paragraphs (2) to (5) there shall be substituted the following—

"(2) A day may not be substituted under paragraph (1)(a) unless it is—

- (a) not earlier than—
 - (i) the eighth day, in the case of an application made by post; or
 - (ii) the fourth day, in the case of an application made by telephone, of the period of 65 consecutive charging days beginning with the day on which the application is received; and
- (b) not later than the last day of that period.

(3) An application under paragraph (1)(a) shall not have effect unless it is received on or before the first day of the period of—

- (a) 7 charging days, in the case of an application made by post; or
- (b) 3 charging days, in the case of an application made by telephone,

ending with the first day of the period for which the licence was originally purchased.

(4) An application under paragraph (1)(b) shall take effect—

- (a) on the last day of the application period; or
- (b) on such later date as the applicant may specify.

(5) For the purposes of paragraph (4) "the application period" is the period of —

- (a) 7 charging days, in the case of an application made by post; or
- (b) 3 charging days, in the case of an application made by telephone,

beginning with the day on which the application is received.

(6) An application under paragraph (1) shall be made either by post or by telephone and, in either case, the applicant must state the receipt number of the licence and provide such evidence as Transport for London may reasonably require to show that the applicant is the holder of the licence.

(7) Where purported payment of a charge under paragraph (1) is made otherwise than in cash and payment is not received by Transport for London (whether because a cheque is dishonoured or otherwise), the charge shall be treated as not paid and the licence to which it relates shall not be treated as having been amended in accordance with the application."

Article 12 (penalty charge for non-payment of charge)

12.—(1) Article 12 shall be modified as follows.

(2) In paragraph (2) after "in respect of the penalty charge" there shall be inserted "and in a manner specified in the penalty charge notice".

(3) In paragraph (3) for "£40" there shall be substituted "reduced by one half to £40".

(4) In paragraph (4) for "to £120" there shall be substituted "by one half to £120".

Article 13 (immobilisation of vehicles)

13. For paragraph (1) there shall be substituted—

"(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."

Article 14 (removal of vehicles)

14.—(1) For paragraph (1) there shall be substituted—

"(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) In paragraph (2) "In a case" shall be omitted.

Article 15 (10 year plan for net proceeds)

15. In paragraph 15 after "period" there shall be inserted "which Transport for London has prepared and submitted to the Secretary of State for Transport, Local Government and the Regions for his approval under paragraph 21 of Schedule 23 to the Greater London Authority Act 1999".

ANNEX TO BE SUBSTITUTED FOR ANNEX 1 TO THE SCHEME

"ANNEX 1 TO THE SCHEME

Article 5

NON-CHARGEABLE AND REDUCED RATE VEHICLES ETC.

Motorbicycles, licensed hackney carriages and licensed private hire vehicles

1.—(1) A vehicle which falls within any of the following descriptions is a non-chargeable vehicle—

- (a) a motorbicycle;
- (b) a vehicle licensed as a hackney carriage under section 6 of the Metropolitan Public Carriage Act 1869^(a);
- (c) a vehicle being used as a private hire vehicle, so long as the conditions specified in sub-paragraph (2) are met.

(2) The conditions are that—

- (a) all the provisions of the Private Hire Vehicles (London) Act 1998^(b) have been brought into force;
- (b) a London PHV licence is in force for the vehicle;
- (c) the vehicle is being driven by the holder of a London PHV driver's licence;
- (d) the vehicle has been hired to carry one or more passengers; and
- (e) the operator of the vehicle is the holder of a London PHV operator's licence.

(3) In this paragraph the expressions "London PHV licence", "London PHV driver's licence" and "London PHV operator's licence" have the meanings given by section 36 of the Private Hire Vehicles (London) Act 1998 and the references to "a vehicle being used as a private hire vehicle" and to the "operator" of the vehicle shall be construed in accordance with section 1 of that Act.

^(a) 32 & 33 Vict c. 115; section 6 was substituted by the Greater London Authority Act 1999, Schedule 20, paragraph 5(3).

^(b) 1998 c. 34.

Vehicles exempt from vehicle excise duty

2.—(1) A vehicle which is an exempt vehicle for the purposes of the 1994 Act by virtue of its falling within any of the following paragraphs of Schedule 2 to that Act is a non-chargeable vehicle if, in the case of a vehicle registered in the GB records condition A is met or, in the case of a vehicle registered in the NI records, conditions A and B are both met—

- (a) paragraph 3A (police vehicles);
- (b) paragraphs 4 and 5 (fire engines etc.);
- (c) paragraphs 6, 7 and 8 (ambulances and health service vehicles);
- (d) paragraph 11 (lifeboat vehicles);
- (e) paragraphs 18, 19 and 20 (certain vehicles used by or for the carriage of disabled persons).

(2) If Transport for London is satisfied that, if a vehicle registered under legislation relating to the registration of vehicles in a member State had been registered under the 1994 Act, it would have been an exempt vehicle under paragraph 6 (ambulances), 18 (invalid vehicles) or 20 (vehicles used for the carriage of disabled people by a recognised body), that vehicle is a non-chargeable vehicle if condition B is met.

(3) In this paragraph—

- (a) condition A is that a nil licence is in force for the vehicle and is displayed on the vehicle in accordance with section 33 of the 1994 Act; and
- (b) condition B is that particulars of the vehicle are for the time being entered in the register.

Large passenger vehicles

3.—(1) In this paragraph "large passenger vehicle" means a vehicle constructed or adapted for the carriage of passengers and their effects and having a seating capacity of 9 or more persons.

(2) A large passenger vehicle is a non-chargeable vehicle if it is—

- (a) registered in the GB records and licensed as a bus under paragraph 3 of Schedule 1 to the 1994 Act^(a);
- (b) registered under the 1994 Act and the condition specified in sub-paragraph (3) is met; or
- (c) registered under legislation relating to the registration of vehicles in an EEA State and the condition specified in sub-paragraph (3) is met.

(3) The condition is that particulars of the vehicle are for the time being entered in the register.

(a) Paragraph 3 of Schedule 1 to the Vehicle Excise and Registration Act 1994 was substituted by the Finance Act 1995 Schedule 4 paragraph 8.

Vehicles used in the provision of particular public services

4.—(1) A vehicle which falls within one of the descriptions specified in sub-paragraph (2) and is in use for the purposes specified in that description is a non-chargeable vehicle if both the conditions specified in sub-paragraph (3) are met.

(2) The descriptions are—

- (a) a vehicle used for fire, police or ambulance purposes and not falling within paragraph 2(1)(a), (b) or (c) of this Annex;
- (b) a vehicle used for the purposes of an operational function of any of the following councils where it is necessary for the purpose of discharging the function, that the vehicle should be used or kept on a designated road—
 - (i) the Common Council of the City of London;
 - (ii) the Council of the City of Westminster;
 - (iii) the Council of the London borough of Camden;
 - (iv) the Council of the London borough of Hackney;
 - (v) the Council of the London borough of Islington;
 - (vi) the Council of the London borough of Lambeth;
 - (vii) the Council of the London borough of Southwark; or
 - (viii) the Council of the London borough of Tower Hamlets;
- (c) a vehicle used for the purposes of an operational function of the Royal Parks Agency in relation to any Royal Park (as defined by section 132AA of the Road Traffic Regulation Act 1984(a));
- (d) a vehicle used for the purposes of lifeboat haulage or HM Coastguard and not falling within paragraph 2(1)(d) of this Annex;
- (e) operational vehicles of the Port of London Authority used to attend an emergency on the River Thames.

(3) The conditions referred to in sub-paragraph (1) are that—

- (a) Transport for London is satisfied on an application by the body for the purposes of which the vehicle is used that the vehicle falls within a description specified in sub-paragraph (2); and
- (b) particulars of the vehicle are for the time being entered in the register.

(4) For the purposes of sub-paragraph (2)(b) or (c) a vehicle is in use for an operational function if and only if it is in use for one or more of the following purposes—

- (a) street cleaning;
- (b) road maintenance;
- (c) waste collection;
- (d) waste disposal;

(a) 1984 c. 27; section 132AA was inserted by the Greater London Authority Act 1999 section 293.

- (e) the management or maintenance of parks and open spaces;
- (f) mobile libraries;
- (g) dog wardens;
- (h) pest control;
- (i) meals on wheels;
- (j) parking enforcement;
- (k) schools transport.

(5) A vehicle is a non-chargeable vehicle while it is being used or kept 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—

- (a) 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;
- (b) it is not registered under the 1994 Act; and
- (c) the condition in sub-paragraph (3)(b) is met.

Disabled persons' vehicles

5.—(1) In this paragraph—

- (a) "eligibility certificate" means a certificate issued under sub-paragraph (6) below;
- (b) "eligible individual" means an individual who is the holder of an eligibility certificate;
- (c) "eligible institution" means an institution which is the holder of an eligibility certificate;
- (d) "eligible person" means an eligible individual or an eligible institution;
- (e) "specified vehicle" means a vehicle which is specified under this paragraph by an eligible person in relation to a charging day.

(2) A vehicle being used or kept on a designated road is a reduced rate vehicle if it falls within Case A, Case B or Case C.

(3) A vehicle falls within Case A if—

- (a) it is being driven by, or carrying, an eligible individual and that individual's eligibility certificate is being displayed on it; and
- (b) it is a specified vehicle in relation to that certificate for the charging day on which it is being used on a designated road.

(4) A vehicle falls within Case B if—

- (a) it is being kept on a designated road in order that it may be available to be driven by, or to carry, an eligible individual;
- (b) it is being driven on a designated road to a place within the central zone for the purpose of collecting such an individual from that place; or
- (c) having been used to take such an individual to such a place, it is being driven out of the central zone,

and in each case it is a specified vehicle in relation to that individual's eligibility certificate for the charging day on which it is being used or kept on a designated road.

(5) A vehicle falls within Case C if—

- (a) a disabled person's badge is being displayed on it in compliance with regulation 15 or 16 (display of an institutional badge when a vehicle is being driven or parked) of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000^(a);
- (b) the holder of the badge is an eligible institution; and
- (c) it is a specified vehicle in relation to that institution's eligibility certificate for the day on which it is being used or kept on a designated road.

(6) Transport for London may issue an eligibility certificate to an individual or an institution—

- (a) on payment of a charge of £10; and
- (b) on its being satisfied that the individual or institution is the holder of a disabled person's badge or in the case of an individual, of a parking card issued, on the ground of the individual's reduced mobility, by a member State in accordance with Council Recommendation 98/376/EC^(b).

(7) Not more than one eligibility certificate may be held by any individual at any time and not more than one eligibility certificate may be held by an institution for each disabled badge held by it at any time.

(8) An eligibility certificate shall cease to have effect on whichever is the earlier of—

- (a) the expiration of the period of 12 months (or such longer period not exceeding 15 months as Transport for London may in any class of case determine for the purpose of staggering the renewal of registrations) beginning with its date of issue; or
- (b) the day on which the disabled person's badge held by the eligible person at the time the certificate was issued ceases to have effect.

(9) An eligibility certificate which ceases to have effect in accordance with sub-paragraph (8)(b) ("the expiring certificate") may, subject to the issue of a further disabled person's badge to the holder of that certificate, be renewed—

- (a) until the expiration of the period of 12 months (or such longer period not exceeding 15 months as Transport for London may in any class of case determine for the purpose of staggering the renewal of registrations) beginning with its date of issue; or
- (b) on payment of a charge of £10, until the expiration of the period of 24 months (or such longer period not exceeding 27 months as Transport for London may in any

(a) S.I. 2000/682.

(b) Council Recommendation of 4th June 1998 on a parking card for people with disabilities, O.J. EN 12. 6. 98 L 167 page 25.

class of case determine for the purpose of staggering the renewal of registrations) beginning with its date of issue.

(10) Where purported payment of a charge under sub-paragraph (6) or (9) is made otherwise than in cash and payment is not received by Transport for London (whether because a cheque is dishonoured or otherwise), the charge shall be treated as not paid and any eligibility certificate issued in relation to the charge shall be void and of no effect.

(11) An eligible person may—

- (a) specify up to 2 vehicles for any charging day in relation to the eligibility certificate held by that person; and
- (b) subject to sub-paragraph (13) specify a different vehicle in place of a specified vehicle.

(12) Unless a vehicle has been specified for a particular charging day or days it remains specified for all charging days until a different vehicle has been specified in place of it.

(13) Not more than 2 vehicles may be treated as reduced rate vehicles for the purposes of this paragraph in relation to any eligible person in respect of any charging day.

(14) A vehicle shall not be treated as specified in relation to an eligibility certificate on any particular day unless particulars of it—

- (a) appeared in the register at the time at which it was used; or
- (b) were entered in the register by the end of that day.

Other reduced rate vehicles

6.—(1) A vehicle which falls within any of the following descriptions is a reduced rate vehicle if the conditions specified in sub-paragraph (2) are met—

- (a) a recovery vehicle or breakdown vehicle;
- (b) a vehicle for which a nil licence is in force by virtue of its 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;
- (c) an alternative fuel vehicle.

(2) The conditions referred to in sub-paragraph (1) are that—

- (a) particulars of the vehicle are for the time being entered in the register; and
- (b) there has been paid to Transport for London a charge of £10 before particulars of the vehicle were entered in the register.

(3) Where purported payment of a charge under sub-paragraph (2)(b) is made otherwise than in cash and payment is not received by Transport for London (whether because a cheque is dishonoured or otherwise), the condition referred to in sub-paragraph (2)(b) shall not be treated as having been satisfied and particulars of the vehicle shall be removed from the register.

(4) In this paragraph—

- (a) "breakdown vehicle" means a vehicle which is—
 - (i) constructed, adapted or equipped to provide roadside assistance or recovery services and in use to provide such services; and
 - (ii) operated by an accredited recovery organisation;
- (b) "accredited recovery organisation" means an organisation accredited—
 - (i) by a certified accreditation body as operating to BS EN ISO 9002: 1994 in accordance with the Specification for the application of BS EN ISO 9002 to quality management systems in the Roadside Assistance and Recovery Industry published by the British Standards Institution or any British Standard or Specification for the time being replacing or amending the same; or
 - (ii) by a certified accreditation body in an EEA State to an equivalent specification published by a national standards body in an EEA State;
- (c) "certified accreditation body" means a body that is certified by the UK Accreditation Service to undertake audits in accordance with BS EN ISO 9002 or an equivalent body in an EEA State;
- (d) "goods vehicle" has the same meaning as in the 1994 Act;
- (e) "recovery vehicle" means—
 - (i) a vehicle licensed as a recovery vehicle under paragraph 5 of Schedule 1 to the 1994 Act; or
 - (ii) a vehicle registered under legislation relating to the registration of vehicles in an EEA State as respects which Transport for London is satisfied that, had it been registered under the 1994 Act, it would have fallen to be licensed as a recovery vehicle under paragraph 5 of Schedule 1 to the 1994 Act; and
- (f) "revenue weight" has the same meaning as in the 1994 Act.

(5) An "alternative fuel vehicle" is a vehicle (not being a vehicle that can only be propelled by petrol or diesel fuel) as respects which particulars are registered in the TransportAction Powershift database maintained by the Energy Savings Trust—

- (a) in the case of a goods vehicle having a revenue weight exceeding 3500 kilograms, in funding group 2, 3 or 4 of that register; or
- (b) in the case of any other vehicle, in funding group 4 of that register.

Vehicles used for specified national health service purposes

7.—(1) A relevant vehicle not falling within any of the preceding paragraphs of this Annex which was on any occasion used on designated roads during charging hours shall, subject to the provisions of this paragraph, be treated as having been a non-chargeable vehicle on that occasion if—

- (a) the charge imposed by article 4 of this Scheme in respect of the use of the vehicle on that occasion was duly paid;
- (b) the vehicle was used on that occasion on designated roads by an NHS employee for the purpose of transporting in the course of employment—
 - (i) bulky, heavy or fragile equipment or supplies;

- (ii) patients' notes or other clinically confidential material;
- (iii) controlled drugs;
- (iv) clinical waste, radioactive materials, contaminated sharps or non-medicinal poisons;
- (v) prescription only medicines or waste medicinal products; or
- (vi) clinical specimens, body fluids, tissues or organs; and
- (c) the relevant NHS employer subsequently issued a certificate to Transport for London that conditions (a) and (b) are met.

(2) Where Transport for London, on receiving such a certificate, is satisfied that a vehicle falls to be treated as having been a non-chargeable vehicle in accordance with this paragraph, it shall refund the charge incurred to the relevant NHS employer.

(3) In this paragraph—

- (a) "controlled drugs" has the same meaning as in the Misuse of Drugs Act 1971(a);
- (b) "medicinal product" has the same meaning as in the Medicines Act 1968(b);
- (c) "NHS employee" means—
 - (i) an employee or an individual providing services on behalf of or seconded to a health authority, primary care trust, National Health Service trust or other National Health Service organisation;
 - (ii) a medical practitioner with whom a health authority or primary care trust has made arrangements for the provision of personal medical services under section 29 of the National Health Service Act 1977(c); or
 - (iii) a medical practitioner registered with a health authority or primary care trust to provide general medical services or personal medical services on either the principal list or the supplementary list under the National Health Service Act 1977;
- (d) "non-medicinal poison" has the same meaning as in the Poisons Act 1972(d); and
- (e) the "relevant NHS employer" in relation to an NHS employee means the health authority, primary care trust, National Health Service trust or other National Health Service organisation by, to or with whom that employee is employed, has been seconded, has made arrangements or, as the case may be, is registered.

(a) 1971 c. 38; as to controlled drugs see section 2 and Schedule 2.

(b) 1968 c. 67; as to medicinal product see section 130 (amended by the Animal Health and Welfare Act 1984 sections 13(2) and 16, Schedule 1, paragraphs 3(1), (7), (8), (9) and Schedule 2 and by S.I. 1994/3119).

(c) 1977 c. 49; section 29 was amended by the Health Services Act 1980 section 7; the Health and Social Services and Social Security Adjudications Act 1983 section 14, Schedule 6 paragraph 2; by the Medical Act 1983 section 56(1), Schedule 5 paragraph 16; by the Medical (Professional Performance) Act 1995 Section 4, Schedule paragraph 28; by the Health Authorities Act 1995 section 2(1), Schedule 1, Part I paragraphs 1, 18; by the National Health Service (Primary Care) Act 1997 section 41(10), (12), Schedule 2 Part I, paragraphs 3, 8, Schedule 3; and by S.I. 1985/39.

(d) 1972 c. 66; as to non-medicinal poison see section 2(1) and Schedule 2.

Vehicles used by firefighters for operational reasons

8.—(1) A relevant vehicle not falling within any of the preceding paragraphs of this Annex which was on any occasion used on designated roads during charging hours shall, subject to the provisions of this paragraph, be treated as having been a non-chargeable vehicle on that occasion if—

- (a) a charge imposed by article 4 of this Scheme in respect of the use of the vehicle on that occasion was duly paid;
- (b) the vehicle was used on that occasion on designated roads by a firefighter employed by the London Fire and Emergency Planning Authority ("the LFEPA") who, whilst on duty was required for operational reasons to proceed to another fire station; and
- (c) the LFEPA subsequently issues a certificate to Transport for London that conditions (a) and (b) are met.

(2) Where Transport for London, on receiving such a certificate, is satisfied that a vehicle falls to be treated as having been a non-chargeable vehicle in accordance with this paragraph it shall refund the charge incurred to the LFEPA."

MODIFICATIONS TO ANNEX 2 TO THE SCHEME

Annex 2 to the Scheme shall be modified by the substitution of the following paragraph for the first paragraph of the Annex—

" Subject to the Scheme Order being confirmed early in 2002, the earliest date that the proposed congestion charging scheme could commence is early 2003 i.e. 12 months from the confirmation. This plan therefore covers the ten year period 2003/04 to 2013/14 with particular reference to the early part of this period. It is estimated that the net revenues from the scheme will be of the order of £130m per year."

THE GREATER LONDON (CENTRAL ZONE) CONGESTION CHARGING ORDER
2001 AS MODIFIED ON CONFIRMATION BY THE MAYOR OF LONDON

GREATER LONDON AUTHORITY ACT 1999
TRANSPORT ACT 2000

The Greater London (Central Zone) Congestion Charging Order 2001

Made

23rd July 2001

Confirmed with modifications

date to be inserted

Coming into force

In accordance with article 1

Whereas the Transport Strategy published pursuant to section 142 of the Greater London Authority Act 1999(**a**) by the Mayor of London on 10th July 2001 includes a proposal 4G.13 that Transport for London should introduce a congestion charging scheme in central London and it appears to Transport for London expedient that it should make an order for the purposes of facilitating the achievement of that proposal and of other policies and proposals in the Transport Strategy:

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 by the Road User Charging (Charges and Penalty Charges) (London) Regulations 2001(**b**), 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 (Central Zone) Congestion Charging Order 2001 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 2 to the Scheme in the Schedule to this Order.

(a) 1999 c. 29; Schedule 23 was amended by the Transport Act 2000 (c. 38), Schedule 13.

(b) S.I. 2001/2285.

Scheme

2.—(1) The Scheme in the Schedule to this Order shall have effect.

(2) Articles 1 to 3, 4(3) and (4), 5 to 11 and 15 and 16 of the Scheme shall come into force on the last day of the period of 8 months beginning with the day on which this Order is confirmed and the remainder shall come into force on the last day of the period of 12 months beginning with the day on which this Order is confirmed.

Signed by authority of Transport for London

Dated 23rd July 2001

R R Kiley

Commissioner of Transport

SCHEDULE TO THE ORDER

Article 2(1)

SCHEME FOR CONGESTION CHARGING IN CENTRAL LONDON

Interpretation

1.—(1) In this Scheme—

- (a) "the 1994 Act" means the Vehicle Excise and Registration Act 1994(a);
- (b) "the central zone" means the area shown by stipple on the deposited plans;
- (c) "the charging area" means the area designated by article 2;
- (d) "charging day" shall be construed in accordance with article 4(3), "consecutive charging days" shall be construed in accordance with article 6(4) and "charging hours" means the hours between 7.00 am and 6.30 pm on a charging day;
- (e) "the deposited plans" means the portfolio of plans of which 6 are signed by Ken Livingstone, the Mayor of London, and the others are signed on behalf of Transport for London by Robert Kiley, its Commissioner of Transport, which portfolio has been deposited at the offices of Transport for London at Windsor House, 42-50 Victoria Street, London SW1H 0TL;
- (f) "designated road" means one of the designated roads specified in article 3(2);
- (g) "disabled person's badge" means any badge issued, or having effect as if issued, to an individual or to an institution under regulations for the time being in force under section 21 of the Chronically Sick and Disabled Persons Act 1970(b) or under section 14 of the Chronically Sick and Disabled Persons (Northern Ireland) Act

(a) 1994 c. 22.

(b) 1970 c. 44.

- 1978(a) and references to the holder of such a badge are to the individual to whom or, as the case may be, the institution to which the badge is issued;
- (h) "EEA Agreement" means the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 as adjusted by the Protocol signed at Brussels on 17th March 1993;
 - (i) "EEA State" means a state which is a contracting Party to the EEA Agreement;
 - (j) "free day" has the meaning given by article 4(4);
 - (k) "licence" means a licence purchased under article 6(1);
 - (l) "motorbicycle" means a motor vehicle which is a motorbicycle for the purposes of paragraph 2 of Schedule 1 to the 1994 Act;
 - (m) "nil licence" has the same meaning as in section 62(1) of the 1994 Act;
 - (n) "non-chargeable vehicle" means a vehicle which is a non-chargeable vehicle by virtue of article 5 and paragraph 1, 2, 3 or 4 of Annex 1;
 - (o) "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;
 - (p) "reduced rate vehicle" means a vehicle which is a reduced rate vehicle by virtue of article 5 and paragraph 5 or 6 of Annex 1;
 - (q) "the register" means the register of non-chargeable, reduced rate and resident's vehicles to be maintained by Transport for London under article 9;
 - (r) "registered in the GB records" 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;
 - (s) "registered in the NI records" 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;
 - (t) "registered keeper" in relation to a vehicle means the person in whose name the vehicle is registered under the 1994 Act;
 - (u) "relevant vehicle" means a motor vehicle which is not a non-chargeable vehicle or a reduced rate vehicle;
 - (v) "the residents' discount zone" means the area comprising the central zone and the areas shown by diagonal hatching on the deposited plans; and
 - (w) "resident's vehicle" has the meaning given by article 8(1).

(2) In this Scheme—

- (a) 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
- (b) 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) In this Scheme, subject to paragraph (6), "qualified resident" means an individual as respects whom Transport for London is for the time being satisfied, by the production of such evidence as it may reasonably require, that the requirements specified in paragraph (4) are met.

(4) The requirements are—

- (a) that the individual has attained the age of 17 years;
- (b) that the individual's only or main residence is at premises primarily used for residential purposes situated in the residents' discount zone;
- (c) that, subject to paragraph (5), the name of the individual is shown in the register of parliamentary electors or the register of local government electors prepared and published under section 9 of the Representation of the People Act 1983(a) for the constituency or local government area in which those premises are situated and those premises are shown as the individual's qualifying address;
- (d) that the individual is normally present at those premises during at least 4 nights a week; and
- (e) that the individual—
 - (i) has satisfied (b) and (d) above in relation to those premises for a period of at least 13 weeks; or
 - (ii) intends to continue to satisfy (b) and (d) above in relation to those premises for a period which, taken with any period during which the individual has already done so, will amount to a period of at least 13 weeks.

(5) Paragraph (4)(c) does not apply where the individual is, for reasons not connected with his place of residence, not eligible to be an elector at parliamentary or local government elections or there has been insufficient time for the individual's name to be included in either register of electors.

(6) Where a qualified resident ceases to reside at the premises in relation to which Transport for London was satisfied that the requirements in paragraph (4)(b) to (e) were met but resides at other premises within the residents' discount zone, he shall cease to be a qualified resident unless he has notified the change of residence to Transport for London and Transport for London is satisfied that those requirements are met in relation to those other premises.

(a) 1983 c. 2.

(7) 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 seating capacity of a vehicle shall be determined in accordance with regulations for the time being in force, and made or having effect as if made, under paragraph 3(5) of Schedule 1 to the 1994 Act.

The charging area

2. Greater London (exclusive of trunk roads) is hereby designated as the area to which this Scheme applies.

Designation of roads in the charging area in respect of which charges are imposed

3.—(1) The roads in respect of which charges are imposed by this Scheme are the designated roads specified in paragraph (2).

(2) The designated roads are—

- (a) all highways maintainable at the public expense; and
- (b) all Crown roads,

within the central zone.

(3) In this paragraph "highway maintainable at the public expense" has the same meaning as in the Highways Act 1980(a).

Imposition of charges

4.—(1) Subject to the following provisions of this Scheme, a charge of the amount specified in article 7 or article 8 is imposed by this Scheme in respect of each charging day on which a relevant vehicle is used or, except as provided by paragraph (2), kept on one or more designated roads at any time during charging hours.

(2) No charge is imposed by this Scheme in respect of the keeping of a relevant vehicle on a designated road in a parking place designated by an order made, or having effect as if made, under section 45(1) of the Road Traffic Regulation Act 1984(b), by virtue of a permit issued by a local authority under section 45(2)(a) of that Act to a resident of its area.

(3) A charging day is any day of the year except a free day.

(4) Each of the following is a free day—

- (a) a Saturday or a Sunday;

(a) 1980 c. 66; as to the meaning of "highway maintainable at the public expense" see sections 328(3) and 329(1).

(b) 1984 c. 27.

- (b) New Year's Day;
- (c) Good Friday;
- (d) Christmas Day;
- (e) any other day which is a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971(a).

Non-chargeable and reduced rate vehicles etc.

5. Annex 1 to this Scheme, which sets out classes of non-chargeable and reduced rate vehicles and provides for vehicles to be treated as having been non-chargeable vehicles in certain circumstances, shall have effect.

Payment of charges

6.—(1) Subject of the following provisions of this article, a charge imposed by this Scheme shall be paid by the purchase from Transport for London of a licence for a specified period falling on or beginning with a specified date.

(2) Paragraph (1) does not apply to a charge payable—

- (a) in accordance with paragraphs (8) and (9);
- (b) under article 8(2)(c) or Annex 1—
 - (i) for particulars of a vehicle to be entered in the register; or
 - (ii) for the issue of an eligibility certificate; or
- (c) under article 11 for the amendment of a licence.

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

- (a) a charging day;
- (b) a period of 5 consecutive charging days;
- (c) a period of 20 consecutive charging days;
- (d) a period of 252 consecutive charging days.

(4) For the purposes of this Scheme the charging days in a period are consecutive if the only days falling between them are free days.

(5) Except in a case where paragraph (10) applies—

- (a) a licence may be purchased only for a single vehicle having a specified registration mark;
- (b) a licence for one charging day (other than a licence purchased in accordance with paragraph (8)) may be purchased only on that day or on a day falling within the period of 65 consecutive charging days ending with that day; and

(a) 1971 c. 80.

(c) a licence for a period specified in paragraph (3)(b), (c) or (d) may be purchased only before 10.00 pm on the first charging day of the period in respect of which it is granted or on a day falling within the period of 65 consecutive charging days ending with that day.

(6) A charge imposed by this Scheme shall be paid in such manner and by such means as Transport for London may in relation to the type of charge and the circumstances of payment accept.

(7) Where a licence is purchased otherwise than in cash and payment is not received by Transport for London (whether because a cheque is dishonoured or otherwise), the charge to which the licence relates shall be treated as not paid and the licence shall be void.

(8) Notwithstanding paragraph (1) a licence may, at the discretion of Transport for London, be purchased for a charging day which is to be specified after the grant of the licence in accordance with the conditions subject to which the licence is granted.

(9) Those conditions may in particular include conditions as to the time within which, and the manner in which, a charging day is to be specified for the licence.

(10) Notwithstanding paragraph (5)(a), a fleet operator which has entered into an agreement with Transport for London may purchase licences which, to the extent provided for in that agreement, cover the use or keeping on a designated road of any relevant vehicle specified in the agreement on any charging day within a period so specified.

(11) An agreement under paragraph (10) shall be on such terms as Transport for London may in each case determine but—

(a) the amount of the charge per charging day for each licence—

(i) shall be the amount specified in item 1 of the Table in article 7, in a case where the fleet operator undertakes to notify to Transport for London particulars of each occasion on which a charge is incurred in respect of a vehicle specified in the agreement;

(ii) shall be 110 per cent of that amount in any other case;

(b) a vehicle shall not be specified as mentioned in paragraph (10) unless it is a vehicle of which the fleet operator is the registered keeper or which is leased or hired by the fleet operator for the purposes of its business and the total number of vehicles so specified shall be at least 25; and

(c) the agreement shall provide for an additional charge of £10 to be paid to Transport for London in respect of each relevant vehicle specified as mentioned in paragraph (10).

(12) In paragraphs (10) and (11) "fleet operator" means a person who is the registered keeper of, or who hires or leases, at least 25 relevant vehicles used for the purposes of a business carried on by that person and, for the purposes of this paragraph and paragraph (11), "registered keeper" includes a person in whose name a vehicle is registered under legislation relating to the registration of vehicles in an EEA State.

Amount of charge payable by the purchase of a licence

7. The charge for a licence for a period and in the circumstances, if any, specified in column (2) of an item in the table below shall be the amount specified in column (3) of that item.

Table

<i>(1)</i> <i>Item No.</i>	<i>(2)</i> <i>Period and circumstances</i>	<i>(3)</i> <i>Amount of charge £</i>
1.	One day, if the charge is paid before 10.00 pm on that day	5
2.	One day, if the charge is paid at 10.00 pm or later on that day	10
3.	Period of 5 consecutive charging days	25
4.	Period of 20 consecutive charging days	100
5.	Period of 252 consecutive charging days	1260

Resident's vehicles

8.—(1) In this Scheme "resident's vehicle" means a relevant vehicle—

- (a) of which the registered keeper is a qualified resident or the employer of such a resident or which is hired by, or leased to, a qualified resident or the employer of such a resident; and
- (b) which meets the requirements specified in paragraph (2).

(2) The requirements are that—

- (a) in the case of a vehicle registered under the 1994 Act in the name of, or hired by or leased to, the employer of a qualified resident, Transport for London is satisfied by the production of such evidence as it may reasonably require that the vehicle is kept for the exclusive use of the resident and members of the resident's household residing at the same address as the resident;
- (b) particulars of the vehicle are for the time being entered in the register;
- (c) there has been paid to Transport for London a charge of £10 before particulars of the vehicle were entered in the register; and
- (d) the vehicle is either—
 - (i) a vehicle constructed or adapted for the carriage of persons and their luggage and effects and having a seating capacity not exceeding 13 persons; or
 - (ii) a vehicle constructed or adapted for the carriage of goods or burden of any description and having a height not exceeding 2.44 metres.

(3) An individual who is a qualified resident in relation to a resident's vehicle shall subject to paragraph (4) be entitled to purchase a licence for that vehicle for a period

specified in column (2) of an item in the table below for a charge of the amount specified in column (3) of that item.

Table

<i>(1)</i> <i>Item No.</i>	<i>(2)</i> <i>Period</i>	<i>(3)</i> <i>Amount of charge £</i>
1.	Period of 5 consecutive charging days	2.50
2.	Period of 20 consecutive charging days	10
3.	Period of 252 consecutive charging days	126

(4) At no time may—

- (a) particulars of more than one vehicle be entered in the register; or
- (b) licences purchased under paragraph (3) above be in force for more than one resident's vehicle for the same charging day,

in relation to any one individual who is a qualified resident.

(5) Where an individual purchases a licence in circumstances where the provisions of this article do not entitle that individual to do so, the licence shall be void.

(6) If the holder of a licence purchased under this article ceases to be a qualified resident, the licence shall thereupon cease to have effect, but without prejudice to the holder's right to a refund in accordance with article 10.

The register of non-chargeable, reduced rate and resident's vehicles

9.—(1) Transport for London shall maintain a register of non-chargeable, reduced rate and resident's vehicles ("the register") for the purposes of the provisions of Annex 1 (non-chargeable and reduced rate vehicles etc.) and article 8 (resident's vehicles) which require particulars of a vehicle to be entered in the register.

(2) Particulars of a vehicle shall be removed from the register—

- (a) in the case of a vehicle registered under paragraph 5 of Annex 1 in relation to the holder of a disabled person's badge, when that person ceases to be an eligible person for the purposes of that paragraph;
- (b) in the case of any other vehicle, immediately following the last day of the registration period, unless Transport for London renews the registration for a further period on application to it;
- (c) in the case of any vehicle other than a resident's vehicle or a vehicle registered under paragraph 5 of Annex 1 in relation to the holder of a disabled person's badge, at the end of the period of 7 consecutive charging days beginning with the day on

which a change in the keeper of the vehicle occurred, unless Transport for London renews the registration for a further period on application to it.

(3) Subject to paragraph (4), an application to enter particulars of a vehicle on the register or to renew the registration of a vehicle (not being in either case a vehicle specified in relation to the holder of a disabled person's badge)—

- (a) shall include all such information as Transport for London may reasonably require;
- (b) shall be made by such means as Transport for London may accept;
- (c) if received later than the fifty-fifth charging day of the application period shall be treated as an application to register the vehicle for a registration period of which the first day will be the last day of the period of 10 consecutive charging days beginning with the day on which the application is received; and
- (d) if received earlier than the first day of the application period shall not be valid unless Transport for London decides to treat the application as made on that day.

(4) Sub-paragraphs (c) and (d) of paragraph (3) shall not apply to an application to enter particulars of a vehicle on the register if it is received during the initial application period and, if such an application is received later than the forty-fifth charging day of the application period, it shall be treated as an application to register the vehicle for a registration period of which the first day will be the last day of the period of 20 consecutive charging days beginning with the day on which the application is received.

(5) Nothing in this article shall prevent the making of a fresh application under Annex 1 or article 8 after particulars of a vehicle have been removed from the register under paragraph (6).

(6) Where the registered keeper of a vehicle or a qualified resident in relation to whom particulars of a vehicle are entered in the register is aware that the vehicle has ceased or will cease to be a non-chargeable vehicle, a reduced rate vehicle or a resident's vehicle, the keeper or, as the case may be, the qualified resident, shall notify Transport for London of the fact and Transport for London shall 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.

(7) If Transport for London is no longer satisfied that a vehicle is a non-chargeable vehicle, a reduced rate vehicle or a resident's vehicle, it shall—

- (a) remove the particulars of a vehicle from the register; and
- (b) notify—
 - (i) in the case of a resident's vehicle, the qualified resident in relation to whom the vehicle was registered;
 - (ii) in the case of a vehicle which has been specified under paragraph 5(11) of Annex 1 in relation to an eligible person, that eligible person; or
 - (iii) in any other case, the registered keeper.

(8) In this article—

- (a) "application period" means the period of 65 consecutive charging days ending—

- (i) in the case of an application to renew a registration, with the charging day following the last day of the registration period; or
 - (ii) in the case of any other application with the first day of the registration period applied for;
 - (iii) "initial application period" means the period of which—
 - (iv) the first day is the day on which this article of this Scheme comes into force; and
 - (v) the last day is the last day of the period of one month beginning with the day on which article 4(1) and (2) comes into force; and
- (b) "registration period" means the period of 12 months (or such longer period not exceeding 15 months as Transport for London may in any class of case determine for the purpose of staggering the renewal of registrations) beginning with the day on which particulars of a vehicle are entered in the register or, as the case may be, the registration is renewed.
- (9) The first day of a registration period shall be a charging day.

Refunds of charges

10.—(1) The purchaser of a licence for a period of 20 or 252 charging days may surrender the licence and 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 the licence.

(3) The application shall be accompanied by—

- (a) either the receipt (or a photocopy of it) or a statement of the number of the receipt for the licence or the registration document issued by the Secretary of State under the 1994 Act for the vehicle to which the licence relates; and
- (b) a statement of the date from which the applicant wishes the licence to be surrendered.

(4) The amount of the refund shall be the product of—

- (a) 50 pence in the case of a licence purchased in accordance with article 8(3); or
- (b) £5 in any other case,

multiplied by the number of unexpired charging days, less £10.

(5) For the purposes of paragraph (4) the number of unexpired charging days shall be the number of whole charging days in the period of the licence still to run from and including the refund date.

(6) In paragraph (5) "the refund date" means whichever is the later of the following—

- (a) the date specified by the applicant under paragraph (3)(b);
- (b) the last day of the period of 7 consecutive charging days beginning with the day on which the application is received.

Amendment of licences

11.—(1) Subject to the following provisions of this article, on an application by the holder of a licence (other than a licence for one day) and on payment of a charge of £5, Transport for London may amend the licence so as to substitute—

- (a) a different day as the first day of the period for which the licence is to run; or
- (b) a registration mark different from that specified under article 6(5)(a).

(2) A day may not be substituted under paragraph (1)(a) unless it is—

- (a) not earlier than—
 - (i) the eighth day, in the case of an application made by post; or
 - (ii) the fourth day, in the case of an application made by telephone, of the period of 65 consecutive charging days beginning with the day on which the application is received; and
- (b) not later than the last day of that period.

(3) An application under paragraph (1)(a) shall not have effect unless it is received on or before the first day of the period of—

- (a) 7 charging days, in the case of an application made by post; or
- (b) 3 charging days, in the case of an application made by telephone,

ending with the first day of the period for which the licence was originally purchased.

(4) An application under paragraph (1)(b) shall take effect—

- (a) on the last day of the application period; or
- (b) on such later date as the applicant may specify.

(5) For the purposes of paragraph (4) "the application period" is the period of —

- (a) 7 charging days, in the case of an application made by post; or
- (b) 3 charging days, in the case of an application made by telephone,

beginning with the day on which the application is received.

(6) An application under paragraph (1) shall be made either by post or by telephone and, in either case, the applicant must state the receipt number of the licence and provide such evidence as Transport for London may reasonably require to show that the applicant is the holder of the licence.

(7) Where purported payment of a charge under paragraph (1) is made otherwise than in cash and payment is not received by Transport for London (whether because a cheque is dishonoured or otherwise), the charge shall be treated as not paid and the licence to which it relates shall not be treated as having been amended in accordance with the application.

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 or kept on a designated road in circumstances in which a charge is imposed by article 4; and
- (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 6.

(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 of a penalty charge notice given 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 £80 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 £40.

(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 £120.

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.

(a) S.I. 2001/2313.

(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
 - (ii) if a penalty charge of £45 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 £125 for its removal;
- (c) a penalty charge of £15 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.

10 year plan for net proceeds

15. Annex 2 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 of this Scheme during the opening ten year period which Transport for London has prepared and submitted to the Secretary of State for Transport, Local Government and the Regions for his approval under paragraph 21 of Schedule 23 to the Greater London Authority Act 1999.

Duration of scheme

16. This Scheme shall remain in force indefinitely.

NON-CHARGEABLE AND REDUCED RATE VEHICLES ETC.

Motorbicycles, licensed hackney carriages and licensed private hire vehicles

1.—(1) A vehicle which falls within any of the following descriptions is a non-chargeable vehicle—

- (a) a motorbicycle;
- (b) a vehicle licensed as a hackney carriage under section 6 of the Metropolitan Public Carriage Act 1869(a);
- (c) a vehicle being used as a private hire vehicle, so long as the conditions specified in sub-paragraph (2) are met.

(2) The conditions are that—

- (a) all the provisions of the Private Hire Vehicles (London) Act 1998(b) have been brought into force;
- (b) a London PHV licence is in force for the vehicle;
- (c) the vehicle is being driven by the holder of a London PHV driver's licence;
- (d) the vehicle has been hired to carry one or more passengers; and
- (e) the operator of the vehicle is the holder of a London PHV operator's licence.

(3) In this paragraph the expressions "London PHV licence", "London PHV driver's licence" and "London PHV operator's licence" have the meanings given by section 36 of the Private Hire Vehicles (London) Act 1998 and the references to "a vehicle being used as a private hire vehicle" and to the "operator" of the vehicle shall be construed in accordance with section 1 of that Act.

Vehicles exempt from vehicle excise duty

2.—(1) A vehicle which is an exempt vehicle for the purposes of the 1994 Act by virtue of its falling within any of the following paragraphs of Schedule 2 to that Act is a non-chargeable vehicle if, in the case of a vehicle registered in the GB records condition A is met or, in the case of a vehicle registered in the NI records, conditions A and B are both met—

- (a) paragraph 3A (police vehicles);
- (b) paragraphs 4 and 5 (fire engines etc.);
- (c) paragraphs 6, 7 and 8 (ambulances and health service vehicles);

(a) 32 & 33 Vict c. 115; section 6 was substituted by the Greater London Authority Act 1999, Schedule 20, paragraph 5(3).

(b) 1998 c. 34.

- (d) paragraph 11 (lifeboat vehicles);
- (e) paragraphs 18, 19 and 20 (certain vehicles used by or for the carriage of disabled persons).

(2) If Transport for London is satisfied that, if a vehicle registered under legislation relating to the registration of vehicles in a member State had been registered under the 1994 Act, it would have been an exempt vehicle under paragraph 6 (ambulances), 18 (invalid vehicles) or 20 (vehicles used for the carriage of disabled people by a recognised body), that vehicle is a non-chargeable vehicle if condition B is met.

(3) In this paragraph—

- (a) condition A is that a nil licence is in force for the vehicle and is displayed on the vehicle in accordance with section 33 of the 1994 Act; and
- (b) condition B is that particulars of the vehicle are for the time being entered in the register.

Large passenger vehicles

3.—(1) In this paragraph "large passenger vehicle" means a vehicle constructed or adapted for the carriage of passengers and their effects and having a seating capacity of 9 or more persons.

(2) A large passenger vehicle is a non-chargeable vehicle if it is—

- (a) registered in the GB records and licensed as a bus under paragraph 3 of Schedule 1 to the 1994 Act^(a);
- (b) registered under the 1994 Act and the condition specified in sub-paragraph (3) is met; or
- (c) registered under legislation relating to the registration of vehicles in an EEA State and the condition specified in sub-paragraph (3) is met.

(3) The condition is that particulars of the vehicle are for the time being entered in the register.

Vehicles used in the provision of particular public services

4.—(1) A vehicle which falls within one of the descriptions specified in sub-paragraph (2) and is in use for the purposes specified in that description is a non-chargeable vehicle if both the conditions specified in sub-paragraph (3) are met.

(2) The descriptions are—

- (a) a vehicle used for fire, police or ambulance purposes and not falling within paragraph 2(1)(a), (b) or (c) of this Annex;

(a) Paragraph 3 of Schedule 1 to the Vehicle Excise and Registration Act 1994 was substituted by the Finance Act 1995 Schedule 4 paragraph 8.

- (b) a vehicle used for the purposes of an operational function of any of the following councils where it is necessary for the purpose of discharging the function, that the vehicle should be used or kept on a designated road—
 - (i) the Common Council of the City of London;
 - (ii) the Council of the City of Westminster;
 - (iii) the Council of the London borough of Camden;
 - (iv) the Council of the London borough of Hackney;
 - (v) the Council of the London borough of Islington;
 - (vi) the Council of the London borough of Lambeth;
 - (vii) the Council of the London borough of Southwark; or
 - (viii) the Council of the London borough of Tower Hamlets;
- (c) a vehicle used for the purposes of an operational function of the Royal Parks Agency in relation to any Royal Park (as defined by section 132AA of the Road Traffic Regulation Act 1984^(a));
- (d) a vehicle used for the purposes of lifeboat haulage or HM Coastguard and not falling within paragraph 2(1)(d) of this Annex;
- (e) operational vehicles of the Port of London Authority used to attend an emergency on the River Thames.

(3) The conditions referred to in sub-paragraph (1) are that—

- (a) Transport for London is satisfied on an application by the body for the purposes of which the vehicle is used that the vehicle falls within a description specified in sub-paragraph (2); and
- (b) particulars of the vehicle are for the time being entered in the register.

(4) For the purposes of sub-paragraph (2)(b) or (c) a vehicle is in use for an operational function if and only if it is in use for one or more of the following purposes—

- (a) street cleaning;
- (b) road maintenance;
- (c) waste collection;
- (d) waste disposal;
- (e) the management or maintenance of parks and open spaces;
- (f) mobile libraries;
- (g) dog wardens;
- (h) pest control;
- (i) meals on wheels;
- (j) parking enforcement;
- (k) schools transport.

(a) 1984 c. 27; section 132AA was inserted by the Greater London Authority Act 1999 section 293.

(5) A vehicle is a non-chargeable vehicle while it is being used or kept 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—

- (a) 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;
- (b) it is not registered under the 1994 Act; and
- (c) the condition in sub-paragraph (3)(b) is met.

Disabled persons' vehicles

5.—(1) In this paragraph—

- (a) "eligibility certificate" means a certificate issued under sub-paragraph (6) below;
- (b) "eligible individual" means an individual who is the holder of an eligibility certificate;
- (c) "eligible institution" means an institution which is the holder of an eligibility certificate;
- (d) "eligible person" means an eligible individual or an eligible institution;
- (e) "specified vehicle" means a vehicle which is specified under this paragraph by an eligible person in relation to a charging day.

(2) A vehicle being used or kept on a designated road is a reduced rate vehicle if it falls within Case A, Case B or Case C.

(3) A vehicle falls within Case A if—

- (a) it is being driven by, or carrying, an eligible individual and that individual's eligibility certificate is being displayed on it; and
- (b) it is a specified vehicle in relation to that certificate for the charging day on which it is being used on a designated road.

(4) A vehicle falls within Case B if—

- (a) it is being kept on a designated road in order that it may be available to be driven by, or to carry, an eligible individual;
- (b) it is being driven on a designated road to a place within the central zone for the purpose of collecting such an individual from that place; or
- (c) having been used to take such an individual to such a place, it is being driven out of the central zone,

and in each case it is a specified vehicle in relation to that individual's eligibility certificate for the charging day on which it is being used or kept on a designated road.

(5) A vehicle falls within Case C if—

- (a) a disabled person's badge is being displayed on it in compliance with regulation 15 or 16 (display of an institutional badge when a vehicle is being driven or parked) of the Disabled Persons (Badges for Motor Vehicles) (England) Regulations 2000**(a)**;
 - (b) the holder of the badge is an eligible institution; and
 - (c) it is a specified vehicle in relation to that institution's eligibility certificate for the day on which it is being used or kept on a designated road.
- (6) Transport for London may issue an eligibility certificate to an individual or an institution—
- (a) on payment of a charge of £10; and
 - (b) on its being satisfied that the individual or institution is the holder of a disabled person's badge or in the case of an individual, of a parking card issued, on the ground of the individual's reduced mobility, by a member State in accordance with Council Recommendation 98/376/EC**(b)**.
- (7) Not more than one eligibility certificate may be held by any individual at any time and not more than one eligibility certificate may be held by an institution for each disabled badge held by it at any time.
- (8) An eligibility certificate shall cease to have effect on whichever is the earlier of—
- (a) the expiration of the period of 12 months (or such longer period not exceeding 15 months as Transport for London may in any class of case determine for the purpose of staggering the renewal of registrations) beginning with its date of issue; or
 - (b) the day on which the disabled person's badge held by the eligible person at the time the certificate was issued ceases to have effect.
- (9) An eligibility certificate which ceases to have effect in accordance with sub-paragraph (8)(b) ("the expiring certificate") may, subject to the issue of a further disabled person's badge to the holder of that certificate, be renewed—
- (a) until the expiration of the period of 12 months (or such longer period not exceeding 15 months as Transport for London may in any class of case determine for the purpose of staggering the renewal of registrations) beginning with its date of issue; or
 - (b) on payment of a charge of £10, until the expiration of the period of 24 months (or such longer period not exceeding 27 months as Transport for London may in any class of case determine for the purpose of staggering the renewal of registrations) beginning with its date of issue.

(a) S.I. 2000/682.

(b) Council Recommendation of 4th June 1998 on a parking card for people with disabilities, O.J. EN 12. 6. 98 L 167 page 25.

(10) Where purported payment of a charge under sub-paragraph (6) or (9) is made otherwise than in cash and payment is not received by Transport for London (whether because a cheque is dishonoured or otherwise), the charge shall be treated as not paid and any eligibility certificate issued in relation to the charge shall be void and of no effect.

(11) An eligible person may—

- (a) specify up to 2 vehicles for any charging day in relation to the eligibility certificate held by that person; and
- (b) subject to sub-paragraph (13) specify a different vehicle in place of a specified vehicle.

(12) Unless a vehicle has been specified for a particular charging day or days it remains specified for all charging days until a different vehicle has been specified in place of it.

(13) Not more than 2 vehicles may be treated as reduced rate vehicles for the purposes of this paragraph in relation to any eligible person in respect of any charging day.

(14) A vehicle shall not be treated as specified in relation to an eligibility certificate on any particular day unless particulars of it—

- (a) appeared in the register at the time at which it was used; or
- (b) were entered in the register by the end of that day.

Other reduced rate vehicles

6.—(1) A vehicle which falls within any of the following descriptions is a reduced rate vehicle if the conditions specified in sub-paragraph (2) are met—

- (a) a recovery vehicle or breakdown vehicle;
- (b) a vehicle for which a nil licence is in force by virtue of its 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;
- (c) an alternative fuel vehicle.

(2) The conditions referred to in sub-paragraph (1) are that—

- (a) particulars of the vehicle are for the time being entered in the register; and
- (b) there has been paid to Transport for London a charge of £10 before particulars of the vehicle were entered in the register.

(3) Where purported payment of a charge under sub-paragraph (2)(b) is made otherwise than in cash and payment is not received by Transport for London (whether because a cheque is dishonoured or otherwise), the condition referred to in sub-paragraph (2)(b) shall not be treated as having been satisfied and particulars of the vehicle shall be removed from the register.

(4) In this paragraph—

- (a) "breakdown vehicle" means a vehicle which is—

- (i) constructed, adapted or equipped to provide roadside assistance or recovery services and in use to provide such services; and
- (ii) operated by an accredited recovery organisation;
- (b) "accredited recovery organisation" means an organisation accredited—
 - (i) by a certified accreditation body as operating to BS EN ISO 9002: 1994 in accordance with the Specification for the application of BS EN ISO 9002 to quality management systems in the Roadside Assistance and Recovery Industry published by the British Standards Institution or any British Standard or Specification for the time being replacing or amending the same; or
 - (ii) by a certified accreditation body in an EEA State to an equivalent specification published by a national standards body in an EEA State;
- (c) "certified accreditation body" means a body that is certified by the UK Accreditation Service to undertake audits in accordance with BS EN ISO 9002 or an equivalent body in an EEA State;
- (d) "goods vehicle" has the same meaning as in the 1994 Act;
- (e) "recovery vehicle" means—
 - (i) a vehicle licensed as a recovery vehicle under paragraph 5 of Schedule 1 to the 1994 Act; or
 - (ii) a vehicle registered under legislation relating to the registration of vehicles in an EEA State as respects which Transport for London is satisfied that, had it been registered under the 1994 Act, it would have fallen to be licensed as a recovery vehicle under paragraph 5 of Schedule 1 to the 1994 Act; and
- (f) "revenue weight" has the same meaning as in the 1994 Act.

(5) An "alternative fuel vehicle" is a vehicle (not being a vehicle that can only be propelled by petrol or diesel fuel) as respects which particulars are registered in the TransportAction Powershift database maintained by the Energy Savings Trust—

- (c) in the case of a goods vehicle having a revenue weight exceeding 3500 kilograms, in funding group 2, 3 or 4 of that register; or
- (d) in the case of any other vehicle, in funding group 4 of that register.

Vehicles used for specified national health service purposes

7.—(1) A relevant vehicle not falling within any of the preceding paragraphs of this Annex which was on any occasion used on designated roads during charging hours shall, subject to the provisions of this paragraph, be treated as having been a non-chargeable vehicle on that occasion if—

- (a) the charge imposed by article 4 of this Scheme in respect of the use of the vehicle on that occasion was duly paid;
- (b) the vehicle was used on that occasion on designated roads by an NHS employee for the purpose of transporting in the course of employment—
 - (i) bulky, heavy or fragile equipment or supplies;
 - (ii) patients' notes or other clinically confidential material;
 - (iii) controlled drugs;

- (iv) clinical waste, radioactive materials, contaminated sharps or non-medicinal poisons;
- (v) prescription only medicines or waste medicinal products; or
- (vi) clinical specimens, body fluids, tissues or organs; and
- (c) the relevant NHS employer subsequently issued a certificate to Transport for London that conditions (a) and (b) are met.

(2) Where Transport for London, on receiving such a certificate, is satisfied that a vehicle falls to be treated as having been a non-chargeable vehicle in accordance with this paragraph, it shall refund the charge incurred to the relevant NHS employer.

(3) In this paragraph—

- (a) "controlled drugs" has the same meaning as in the Misuse of Drugs Act 1971(a);
- (b) "medicinal product" has the same meaning as in the Medicines Act 1968(b);
- (c) "NHS employee" means—
 - (i) an employee or an individual providing services on behalf of or seconded to a health authority, primary care trust, National Health Service trust or other National Health Service organisation;
 - (ii) a medical practitioner with whom a health authority or primary care trust has made arrangements for the provision of personal medical services under section 29 of the National Health Service Act 1977(c); or
 - (iii) a medical practitioner registered with a health authority or primary care trust to provide general medical services or personal medical services on either the principal list or the supplementary list under the National Health Service Act 1977;
- (d) "non-medicinal poison" has the same meaning as in the Poisons Act 1972(d); and
- (e) the "relevant NHS employer" in relation to an NHS employee means the health authority, primary care trust, National Health Service trust or other National Health Service organisation by, to or with whom that employee is employed, has been seconded, has made arrangements or, as the case may be, is registered.

(a) 1971 c. 38; as to controlled drugs see section 2 and Schedule 2.

(b) 1968 c. 67; as to medicinal product see section 130 (amended by the Animal Health and Welfare Act 1984 sections 13(2) and 16, Schedule 1, paragraph 3 and Schedule 2 and by S.I. 1994/3119).

(c) 1977 c. 49; section 29 was amended by the Health Services Act 1980 section 7; the Health and Social Services and Social Security Adjudications Act 1983 section 14, Schedule 6 paragraph 2; by the Medical Act 1983 section 56(1), Schedule 5 paragraph 16; by the Medical (Professional Performance) Act 1995 Section 4, Schedule paragraph 28; by the Health Authorities Act 1995 section 2(1), Schedule 1, Part I paragraphs 1, 18; by the National Health Service (Primary Care) Act 1997 section 41(10), (12), Schedule 2 Part I, paragraphs 3, 8, Schedule 3; and by S.I. 1985/39.

(d) 1972 c. 66; as to non-medicinal poison see section 11(1) and the Poisons List Order 1982, S.I. 1982/217.

Vehicles used by firefighters for operational reasons

8.—(1) A relevant vehicle not falling within any of the preceding paragraphs of this Annex which was on any occasion used on designated roads during charging hours shall, subject to the provisions of this paragraph, be treated as having been a non-chargeable vehicle on that occasion if—

- (a) a charge imposed by article 4 of this Scheme in respect of the use of the vehicle on that occasion was duly paid;
- (b) the vehicle was used on that occasion on designated roads by a firefighter employed by the London Fire and Emergency Planning Authority ("the LFEPA") who, whilst on duty was required for operational reasons to proceed to another fire station; and
- (c) the LFEPA subsequently issues a certificate to Transport for London that conditions (a) and (b) are met.

(2) Where Transport for London, on receiving such a certificate, is satisfied that a vehicle falls to be treated as having been a non-chargeable vehicle in accordance with this paragraph it shall refund the charge incurred to the LFEPA.

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

Subject to the Scheme Order being confirmed early in 2002, the earliest date that the proposed congestion charging scheme could commence is early 2003 i.e. 12 months from the confirmation. This plan therefore covers the ten year period 2003/04 to 2013/14 with particular reference to the early part of this period. It is estimated that the net revenues from the scheme will be of the order of £130m per year.

Over the early part of the ten year horizon of the Transport Strategy, it is envisaged that the net revenues from the proposed central London congestion charging scheme would help fund or bring forward improvements across Greater London with particular emphasis on the following areas:

(1) Bus network improvements to overcome unreliability and slow journey times, improve passenger information, and offer a real alternative to the car. Initiatives could include:

- Further bus priority and protection against congestion on bus routes across Greater London;
- Enhanced enforcement of bus regulations and further introduction of 24-hour bus stop clearways across Greater London;
- New orbital bus services in inner and outer London;
- New services to areas more than five minutes walk from a bus stop;
- Further expansion of Countdown; and
- Expansion of stop-specific bus timetables across Greater London.

These initiatives would help contribute to the Government's targets for reducing road congestion, increasing bus use, and reducing greenhouse gas emissions.

(Additional information is provided in the Transport Strategy - Chapter 4F – *A Better Bus Network*).

(2) Accelerating or extending accessibility improvements so that all Londoners, regardless of their mobility, can enjoy the benefits of living in, working in or visiting the Capital. Initiatives could include:

- Accelerating the introduction of accessible buses;
- More wide-spread implementation of 'bus boarder' kerb designs; and
- Enhancements to the Taxicard scheme.

These initiatives would help contribute to the Government's targets for increased bus use and social inclusion.

(Additional information is provided in the Transport Strategy - Chapter 4F – *A Better Bus Network* and Chapter 4O – *Accessible Transport*).

(3) Interchange improvements and other initiatives to improve the integration of the transport network; making it easier for people to access the public transport system via walking, cycling, taxi and private hire vehicle. Initiatives could include:

- Measures to make it easier to get to and from bus stops and on and off buses;
- Improved linkages between Tramlink and the wider south London transport network; and
- Improved integration of mainstream and community transport services and integration of taxis with other modes.

These initiatives would help contribute to the Government’s targets for increased rail, light rail and bus use.

(Additional information is provided in the Transport Strategy - Chapter 4P – *Integration: The Seamless Journey*).

(4) Contributing to the costs of developing possible tram or high quality segregated bus schemes, which could provide a high quality alternative to the use of the private car, particularly for orbital journeys, and can offer widespread access improvements to town centres and regeneration areas. Initiatives could include:

- Advancing the completion of the East London Transit, Greenwich Waterfront Transit, Uxbridge Road Transit and Cross River Transit schemes;
- Making a start on possible extensions to the Croydon Tramlink network to assist the regeneration of the Wandle Valley; and
- Making a start on possible further extensions to the Docklands Light Railway, especially to facilitate regeneration.

This would help contribute to the Government’s targets for reducing road congestion and rail overcrowding as well as to double light rail use.

(Additional information is provided in the Transport Strategy - Chapter 4Q- *Expanding London’s Transport System: Major Projects* and Chapter 4D - *Docklands Light Railway and Croydon Tramlink*).

(5) Safety and security improvement schemes to improve personal safety during the course of a journey and to reduce transport-related crime and the fear of crime. Initiatives could include:

- Providing better lighting on streets, at bus stops, cycle parking areas, and in passenger waiting areas;

- Expansion of CCTV, help points and alarms on the bus, rail and Underground network;
- Improved staff training to help operating staff to safeguard the security of passengers and themselves;
- Expansion of 20mph zones, home zones and Safer Routes to School initiatives; and
- Expansion of the use of speed enforcement cameras to secure greater compliance with speed limits.

This would help contribute to the Government's targets to reduce crime and the number of people killed or seriously injured in road accidents and to increase bus and rail use.

(Additional information is provided in the Transport Strategy - Chapter 4P - *Integration – The Seamless Journey*).

(6) Accelerating road and bridge maintenance programmes to improve the quality of street conditions. The focus will be on the priorities identified via a three-year priority street maintenance plan.

This would help contribute to the Government's targets to maintain the strategic road network in optimum condition.

(Additional information is provided in the Transport Strategy - Chapter 4G – *Streets for All: Improving London's Roads and Streets*).

(7) Increasing late night public transport to meet the growing demands for night-time travel. Initiatives could include:

- Expansion in the frequency and coverage of the 24-hour bus network;
- Enhancing safety and security on buses via increased provision of on-bus CCTV;
- Extensions of the operating hours of the Underground, particularly at the weekend; and
- Raising more stations in London to the 'Secure Stations' standard (a Government-sponsored scheme to accredit safe stations).

This would help contribute to the Government's targets to reduce road congestion and overcrowding on the Underground and also to increase bus and rail use, and reduce crime.

(Additional information is provided in the Transport Strategy - Chapter 4C - *London Underground* and Chapter 4F - *A Better Bus Network*).

(8) Additional funding for borough transport initiatives to develop bus priority, walking, cycling, road safety and parking schemes through the Local Implementation Plan (LIP) process. Initiatives could include:

- Expansion of bus priority measures on local bus routes;
- Extension of improved pedestrian and cycling facilities;
- Development of Green Travel Plans with local schools and businesses; and

- New parking and traffic enforcement measures on local roads.

This would help contribute to the Government's targets to reduce road congestion, increase bus use, reduce the number of people killed and seriously injured, and to reduce greenhouse gases.

(Additional information is provided in the Transport Strategy - Chapter 4G – *Streets for All: Improving London's Roads and Streets*).

(9) Restructuring fares on public transport to make it more attractive and thus encourage a shift from the car, promote the more effective use of capacity, promote social inclusion, improve transport integration, and make public transport more efficient. Initiatives could include:

- Development of targeted fares options using Smartcards;
- Simplification initiatives; and
- Targeted initiatives to make fares more affordable.

These initiatives would help contribute to the Government's targets for reducing road congestion, increasing bus and rail use, and reducing greenhouse gas emissions.

(Additional information is provided in the Transport Strategy - Chapter 4B – *Fares and Tickets to Make Public Transport More Attractive*).

(10) Improvements to the walking and cycling environment to reduce dependency on the car - particularly for short trips, to reduce congestion and pollution, and improve health. Initiatives could include:

- Expansion of the implementation of pedestrian phases at traffic signal junctions where appropriate;
- Development of north to south and east to west pedestrian routes across central London;
- Expansion of high quality cycle routes; and
- Expansion of the provision of secure cycle parking facilities, particularly at shopping centres and transport interchanges.

These initiatives would help contribute to the Government's targets for improving health, reducing crime, reducing road congestion, and reducing greenhouse gas emissions.

(Additional information is provided in the Transport Strategy - Chapter 4I – *Promoting Walking* and Chapter 4J – *Promoting Cycling*).

(11) Improvements to the street environment to reduce the adverse effects of vehicular traffic, such as: noise, intrusion, poor air quality, community severance, intimidation, fear of crime and accidents, and difficulties of parking and loading. Initiatives could include:

- Expansion of Streets-for-People areas; and
- Town centre environmental improvement schemes.

These initiatives would help contribute to the Government's targets for reducing road congestion, reducing the number of people killed or seriously injured, improving air quality, and reducing greenhouse gas emissions.

(Additional information is provided in the Transport Strategy - Chapter 4G – *Streets for All: Improving London's Roads and Streets*).

During the later part of the Transport Strategy's ten year horizon, an increased emphasis is proposed on using the net revenues from the proposed central London congestion charging scheme to contribute to funding or financing transport infrastructure improvements including:

Helping develop and fund expanded Underground and rail capacity with new services across central London, together with improved orbital rail services (see Transport Strategy Chapter 4Q– *Expanding London's Transport System – Major Projects*);

New Thames Gateway river crossings (see Transport Strategy Chapter 4Q– *Expanding London's Transport System – Major Projects*);

Schemes to provide improved access to London's town centres (see proposals across Chapter 4 – *Improving London's Transport System*);

Further possible tram or high quality segregated bus schemes (see Transport Strategy Chapter 4Q– *Expanding London's Transport System – Major Projects* and Chapter 4D – *Docklands Light Railway and Croydon Tramlink*); and

Selected improvements to London's road system (see Transport Strategy Chapter 4G – *Streets for All: Improving London's Roads and Streets*).