

Annex G: Schedule of Modifications to the made Variation Order

The following table lists the modifications that TfL recommend that the Mayor make if the Mayor decides to confirm the Variation Order made by TfL.

Made Order	Proposed Modified	Description of Modification recommended by TfL	Reason for Modification
Article No.	Article No.		
Article 1 (2) & (3)	Article 1(2) & (3)	Changes to numbering of articles.	<i>As a result of modifications to the scheme recommended by TfL resulting in the removal and insertion of articles in the Variation Order (as described below).</i>
Article 2(2) & (3)	Article 2(2) & (3)	Replacement of 4 February 2008 by 27 October 2008 throughout Variation Order when referring to implementation of low CO ₂ discount.	<p><i>TfL recommends a modification be made that both the low CO₂ discount and the higher charge would be implemented on the same day (27 October 2008).</i></p> <p><i>The low CO₂ discount and the higher charge are part of a package which seeks to balance the "carrot" and "stick" approach. This modification means that any possible increase in cars using the congestion charging zone as a result of the proposed introduction of the low CO₂ discount would be offset at the same time by the deterrent effect of the higher charge, rather than the eight month time lag currently contained in the Variation Order. TfL also considers that the introduction of the low CO₂ discount and the higher charge at the same time could be simpler for drivers to understand.</i></p> <p><i>Consequently, the alternative fuel discount would close to new registrations on 27 October 2008.</i></p> <p><i>It was originally intended that the higher charge would be introduced on 6 October 2008. However, for operational reasons, TfL recommends that the commencement date for the higher charge now be 27 October 2008.</i></p>
		Replacement of 7 July 2008 by 27 October 2008 throughout Variation Order when referring to implementation of the higher charge.	
		Replacement of 5 February 2008 by 28 October 2008 in relation to the closure of the Alternative Fuel Discount.	

Made Order	Proposed Modified	Description of Modification recommended by TfL	Reason for Modification
Article No.	Article No.		
			<i>The low CO₂ discount and the Euro V incentive for heavy vehicles are also proposed to commence on 27 October 2008.</i>
Schedule – Article 3 (item 5B of the Principal Scheme) Annex – article 2	Schedule – Article 3 (item 5B of the Principal Scheme) Annex – article 2	Replacement of 4 February 2008 by 1 March 2008 when referring to the cut off date for registration of N1 utility vehicles.	<i>In order not to unfairly disadvantage operators who could have purchased N1 utility vehicles (that is extended cab dual purpose pickups) prior to possible confirmation of the Variation Order by the Mayor, TfL recommends a modification be made to the date before which N1 utility vehicles have to be registered in order to avoid being liable for the higher charge until 11 January 2010. TfL recommends that this date be changed from 4 February 2008 to 1 March 2008.</i>
Schedule – article 4 (item 5C of the Principal Scheme)	Schedule – article 4 (item 5C of the Principal Scheme)	Replacement of 6 October 2008 by 27 October 2008 for implementation of the Euro V incentive for heavy vehicles.	<i>TfL recommends a modification be made to implement the Euro V incentive for heavy vehicles on the same day as the low CO₂ discount and the higher charge for simplicity.</i>
Schedule – article 4 (item 5C of the Principal Scheme)	Schedule – article 4 (item 5C of the Principal Scheme)	Extension of the end date for the Euro V incentive for heavy vehicles from 1 October 2009 to 1 October 2010	<i>In response to stakeholder concerns that the Euro V incentive for heavy vehicles would offer little incentive to HGV operators to clean up their fleets, as lead times for the purchase of new Euro V HGVs are long, TfL recommends a modification be made that the Euro V incentive for heavy vehicles is closed to new entrants on 1 October 2009 but that the discount remains available to those qualifying heavy goods vehicles who had registered with TfL by 1 October 2009 for a further year, until 1 October 2010.</i>
		Consequential changes of paragraph reference in article 5C(1), (2) and (5).	
		Insertion of requirement that a that a qualifying heavy goods vehicle must be entered onto the register by 1 October 2009 to continue to receive the Euro V incentive for heavy	

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Article No.	Article No.		
		vehicles until 1 October 2010	
Schedule – article 4 (item 5C of the Principal Scheme)	Schedule – article 4 (item 5C of the Principal Scheme)	<p>Insertion of provision providing that on or after 27 October 2008 a cleaner goods vehicle will qualify for the Euro V incentive for heavy vehicles if the conditions specified in item 5C(4) of the Principal Scheme are satisfied.</p> <p>Additionally the insertion of a definition of ‘cleaner goods vehicle’ as meaning a vehicle that appears on the TransportEnergy PowerShift Register maintained by the Energy Saving Trust and falls within class N1, N2 or N3, other than a higher rate vehicle or low CO₂ vehicle.</p>	<i>In response to stakeholder concerns, TfL recommends a modification be made to extend the Euro V incentive for heavy vehicles to some N1, N2 and N3 vehicles which are on the PowerShift Register and which are cleaner in terms of air quality than Euro V diesel equivalents.</i>
Schedule – article 9 (Annex 2 of the Principal Scheme)	Schedule – article 9 (Annex 2 of the Principal Scheme)	Insertion of a new paragraph to ensure that cars and N1 utility vehicles on the PowerShift Register would also be eligible for the low CO ₂ discount and consequential amendments.	<i>To clarify that cars and N1 utility vehicles with CO₂ emissions of 120g/km or less which are listed on the PowerShift Register and consequently have emissions at least equivalent to Euro 4 but that were not type approved as Euro 4, would also qualify for the low CO₂ discount.</i>
Schedule – article 12(2)(a), (4), (8) & (11)	Schedule – article 12(2)(a), (4), (8) & (11)	<p>Amendments to:</p> <ul style="list-style-type: none"> • Insert ‘or (3)(g)’ in article 12(2)(a) • Replace 3(g) with 3(f) in article 12(4) • Delete sub-paragraph 12(8) • Make consequential amendments to sub-paragraph 12(11) 	<i>In response to stakeholder representations, TfL recommends a modification be made extending the 100 per cent discount for emergency services band G and equivalent vehicles for which TfL is satisfied there is an operational requirement related to the performance of the vehicle to the following vehicles –</i>

Made Order Article No.	Proposed Modified Article No.	Description of Modification recommended by TfL	Reason for Modification
			<ul style="list-style-type: none"> • <i>Band G and equivalent emergency response vehicles used by the London boroughs and TfL for responding to an emergency; and</i> • <i>Ministry of Defence vehicles used for naval, military or air force purposes.</i>
Annex – article 1 (paragraph 1 of Annex 2 of the Principal Scheme)	Annex – article 1 (paragraph 1 of Annex 2 of the Principal Scheme)	Replacement of 6 July 2009 by 11 January 2010 when referring to the end of the alternative fuel transitional period.	<i>In response to stakeholder representations, TfL recommends a modification be made extending the period that vehicles already listed on the alternative fuel discount register on the day of its closure would continue to receive the discount to 11 January 2010.</i>
Annex – article 2 (paragraph 2 of the Principal Scheme)	Annex – article 2 (paragraph 2 of the Principal Scheme)	Replacement of 6 July 2009 by 11 January 2010 when referring to the period after which N1 utility vehicles registered with TfL before 1 March 2008 would be liable for the higher charge.	<i>In response to stakeholder representations, TfL recommends a modification be made extending the period that N1 utility vehicles (that is, extended cab dual purpose pickups) liable for the higher charge which were registered before 1 March 2008 would only pay the standard £8 charge. This modification is recommended to ensure that operators who may have purchased such vehicles for commercial purposes are not disadvantaged.</i>
Annex – article 2, 3 & 4	Annex – article 2, 3 & 4	Deletion of paragraphs relating to higher rate transitional period.	<i>TfL recommends a modification to remove the transitional pro-rata period for vehicles subject to the higher charge (which was proposed from 7 July 2008) from the Variation Order and to clarify that payment of</i>

Made Order Article No.	Proposed Modified Article No.	Description of Modification recommended by TfL	Reason for Modification
		<p>Insertion of additional paragraph clarifying that licences bought for higher rate vehicles before 27 October 2008 would be honoured for full period at standard or residents' discount rate.</p>	<p><i>the higher charge in respect of higher rate vehicles would commence from the introduction of the higher charge on 27 October 2008. TfL considers that the new provisions would be simpler for drivers to understand. Any licence for a higher rate vehicle bought before 27 October 2008 would be honoured for its full period at the appropriate standard or residents' discount rate.</i></p>