

**GUIDANCE FROM THE MAYOR OF LONDON TO
TRANSPORT FOR LONDON ON CHARGING SCHEMES PURSUANT TO
SCHEDULE 23 OF THE GREATER LONDON AUTHORITY ACT 1999**

[16] FEBRUARY 2007

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1 Introduction

- 1.1 Schedule 23 to the Greater London Authority Act 1999 (“the 1999 Act”) provides for the introduction of charging schemes in London by Transport for London (TfL) and the London local authorities.
- 1.2 Paragraph 4(1) of Schedule 23 provides that any charging scheme must be contained in an order –
- (a) made under Schedule 23 by the authority making the scheme; and
 - (b) submitted to, and confirmed (with or without modification) by, the Greater London Authority.

Paragraph 4(2) of Schedule 23 provides that an order containing a charging scheme shall be in such form as the Greater London Authority may determine.

Paragraph 4(3) of Schedule 23 provides that the Greater London Authority may –

- consult, or require an authority making a charging scheme to consult, other persons;
 - require such an authority to publish its proposals for the scheme and to consider objections to the proposals;
 - hold an inquiry, or cause an inquiry to be held, for the purposes of any order containing a charging scheme;
 - appoint the person or persons by whom any such inquiry is to be held;
 - make modifications to any such order, whether in consequence of any objections or otherwise, before such order takes effect;
 - require the authority by whom any such order is made to publish notice of the order and of its effect;
 - require the authority by whom any such order is made to place and maintain, or cause to be placed and maintained, such traffic signs in connection with that order as the Greater London Authority may require.
- 1.3 Paragraph 38 of Schedule 23 provides that the power to make a charging scheme includes the power to vary or revoke such a scheme.
- 1.4 Paragraph 34 of Schedule 23 provides for the Greater London Authority to issue guidance to TfL or any London local authority in relation to the discharge of their functions under Schedule 23. Paragraph 34(2) requires TfL to have regard to any guidance issued by the Greater London Authority when exercising its functions under Schedule 23.
- 1.5 Paragraph 2 of Schedule 23 provides that any functions conferred or imposed on the Greater London Authority by Schedule 23 are exercisable by the Mayor acting on behalf of the Greater London Authority.
- 1.6 On 24 May 2001 the Mayor issued procedural guidance and a direction on the form and content of orders in a document entitled *‘Interim guidance from the Mayor of London to Transport for London on the procedures for introducing congestion charging schemes within Greater London’*.
- 1.7 On 3 February 2003 the Mayor issued new guidance to TfL in a document entitled *‘Guidance from the Mayor of London to Transport for London on the procedures for introducing, varying, suspending and revoking congestion charging schemes within Greater London’*.
- 1.8 This guidance replaces the guidance issued by the Mayor in February 2003.
- 1.9 This guidance applies only to TfL and does not apply to London local authorities considering introducing charging schemes. Separate guidance may be issued to London local authorities in due course.

- 1.10 This guidance sets out procedures in relation to introducing new charging schemes and the variation, urgent temporary suspension, revocation and consolidation of existing charging schemes.
- 1.11 This guidance also sets out the form any new charging scheme order should take in accordance with paragraph 4(2) of Schedule 23. This is done in paragraphs 2.1 and 2.2 below and Appendix A to this guidance. These are the only parts of this document which are directions or requirements, all other content is guidance.

Interpretation

- 1.12 Unless the context requires otherwise, references in this guidance have the same meaning as paragraph 1 of Schedule 23. For convenience those definitions are repeated in Appendix B to this guidance.
- 1.13 Unless otherwise specified, references in this guidance to 'Schedule 23' are references to Schedule 23 to the 1999 Act.
- 1.14 In this guidance –
- (a) a 'revocation order' means a variation order to revoke a charging scheme order; and
 - (b) a 'consolidation order' means a variation order to consolidate a charging scheme order and subsequent made and confirmed variation orders to that scheme order together with any consequential amendments.

Mayor's Transport Strategy

- 1.15 Paragraph 5 of Schedule 23 provides that a charging scheme must be in conformity with the Mayor's Transport Strategy.

2 Form of a charging scheme order

- 2.1 In accordance with paragraph 4(2) of Schedule 23, the Mayor has determined that any order made by TfL containing a new charging scheme should be in the form set out in Appendix A to this guidance or in a form to the like effect.
- 2.2 Any order to vary, revoke or consolidate an existing scheme order should be in the form set out in Appendix A to this guidance, with appropriate amendments to the form of the order.

3 A new charging scheme order

Making and publicising a new charging scheme order

- 3.1 Where TfL decides to make and submit a charging scheme order for a new charging scheme, the Mayor expects TfL to publish a notice of the making of the order. This notice may be published on the TfL website and in such newspapers, periodicals and journals as TfL considers appropriate, but the Mayor expects those publications to include:
- The London Gazette; and
 - a newspaper or newspapers circulating in the area in which the new charging scheme applies.
- 3.2 In addition the Mayor expects TfL to take such steps as it considers appropriate to publicise the making of the order, including displaying notices on roads.

Contents of the notice

- 3.3 The notice published under paragraph 3.1 may include such information and be in such form as TfL considers appropriate but the Mayor expects it to include:
- Details of TfL as the charging authority;
 - The title of the order;
 - A brief statement of the general nature and effect of the order;
 - A statement that documents giving more particulars of the order are available for inspection and a statement of the places at which those documents are available for inspection, including the TfL website, and the times at which they may be inspected at each place; the documents should include a copy of the order, a statement of reasons for making the order and a map showing roads in the charging area in respect of which charges are imposed;
 - A statement that all objections and other representations relating to the order must be made in writing and that all objections must specify the grounds on which they are made; and
 - The date by which objections and other representations must be made and the address to which they should be sent.

Duration of publicity

- 3.4 The publicity should invite the making of representations on, or objections to, the charging scheme order by the date specified in the notice referred to in paragraph 3.1, which should usually be at least 10 weeks after the date on which the notice of making is first published, unless in a particular instance the Mayor agrees in writing to a shorter period which should usually be not less than 2 weeks.

Consultation

- 3.5 The Mayor expects that those consulted directly would include those organisations or bodies listed in Appendix C that are appropriate given the nature of the charging scheme order.

Display of documents

- 3.6 The Mayor expects the documents referred to in paragraph 3.3 to be made available at the times and the places specified in the notice beginning as soon as practicable after the date on which the notice is first published, extending through the consultation period and the period prior to the Mayor's decision on confirmation, and ending on the last day of a period of at least 6 weeks beginning with the date on which the Mayor confirms the charging scheme order (with or without modifications) or decides not to confirm the order as the case may be.

Submission of the made charging scheme order to the Mayor

- 3.7 Not later than the day on which the notice of the making of the charging scheme order is first published, the Mayor expects TfL to submit details of the charging scheme to him. The documentation submitted to the Mayor may include such information and be in such form as TfL considers appropriate but the Mayor expects it to include the made order and all the documents and information made available to the public.

Consideration of representations and objections

- 3.8 The Mayor will consider all representations received within the time limit specified under paragraph 3.4 and the documentation submitted by TfL and decide whether or not to hold a public inquiry. That decision cannot be made until the Mayor has received and considered these representations and that material.

Confirmation of the scheme order and publicising the confirmation

- 3.9 Where the Mayor decides to confirm (with or without modifications) a charging scheme order, the Mayor expects TfL to publish a notice of the confirmation of the order. This notice may be published on the TfL website and in such newspapers, periodicals and journals as TfL considers appropriate but the Mayor expects those publications to include:
- The London Gazette; and
 - a newspaper or newspapers circulating in the area in which the charging scheme applies.
- 3.10 In addition, the Mayor expects TfL to take any other action it considers appropriate to publicise the confirmation of the charging scheme order.
- 3.11 The notice published under paragraph 3.9 may include such information and be in such form as TfL considers appropriate but the Mayor expects it to include:
- A statement that TfL is the charging authority;
 - The title of the order;
 - A statement on when the scheme would be implemented;
 - A brief statement of the general nature and effect of the order;
 - A description of the area to which the charging scheme applies; and
 - A statement of how copies of the order may be obtained.

Traffic signs

- 3.12 Where a new charging scheme order has been made and confirmed, the Mayor expects TfL to take such steps as it considers appropriate to install traffic signs to give advance warning to drivers approaching the roads where charges apply and signs to indicate where those roads begin.

4 A major variation to a charging scheme order

Circumstances when a variation will be regarded as a major variation

4.1 A variation will be regarded as a major variation where the variation:

- is likely to have a substantial detrimental impact, for example, in terms of traffic management or the environment;
- will make substantial changes to the charging zone boundary, charges, exemptions or discounts; or
- is likely to have a substantial detrimental effect on groups or individuals.

Making and publicising a major variation order

4.2 Where TfL decides to make and submit a major variation order, the Mayor expects TfL to publish a notice of the making of the order. This notice may be published on the TfL website and in such newspapers, periodicals and journals as TfL considers appropriate, but the Mayor expects those publications to include:

- The London Gazette; and
- a newspaper or newspapers circulating in the area in which the charging scheme which is the subject of the major variation order applies.

4.3 In addition the Mayor expects TfL to take such steps as it considers appropriate to publicise the making of the order, including displaying notices on roads.

Contents of the notice

4.4 The notice published under paragraph 4.2 may include such information and be in such form as TfL considers appropriate but the Mayor expects it to include:

- Details of TfL as the charging authority;
- The title of the order;
- A brief statement of the general nature and effect of the order;
- A statement that documents giving more particulars of the order are available for inspection and a statement of the places at which it is available for inspection, including the TfL website, and the times at which it may be inspected at each place; the documents should include a copy of the relevant scheme order, a statement of reasons for making the variation order and a map showing roads in the charging area in respect of which charges are imposed;
- A statement that all objections and other representations relating to the order must be made in writing and that all objections must specify the grounds on which they are made; and
- The date by which objections and other representations must be made and the address to which they should be sent.

Duration of publicity

4.5 The publicity should invite the making of representations on, or objections to, the major variation order by the date specified in the notice referred to in paragraph 4.2, which should usually be at least 10 weeks after the date on which the notice of making is first published, unless in a particular instance the Mayor agrees in writing to a shorter period which should usually be not less than 2 weeks.

Consultation

- 4.6 The Mayor expects that those consulted directly would include those organisations or bodies listed in Appendix C that are appropriate given the nature of the major variation.

Display of documents

- 4.7 The Mayor expects the documents set out in paragraph 4.4 to be made available at the times and at the places specified in the notice beginning as soon as practicable after the date on which the notice is first published, extending through the consultation period and the period prior to the Mayor's decision on confirmation and ending on the last day of a period of at least 6 weeks beginning with the date on which the Mayor confirms the major variation order (with or without modifications) or decides not to confirm the order as the case may be.

Submission of the made major variation order to the Mayor

- 4.8 Not later than the day on which the notice of the making of the major variation order is first published, the Mayor expects TfL to submit details of the major variation order to him. The documentation submitted to the Mayor may include such information and be in such form as TfL considers appropriate but the Mayor expects it to include the made major variation order and all the documents and information made available to the public.

Consideration of representations and objections

- 4.9 The Mayor will consider all representations received within the time limit specified under paragraph 4.5 and the documentation submitted by TfL and decide whether or not to hold a public inquiry. That decision cannot be made until the Mayor has received and considered these representations and that material.

Confirmation of the major variation order and publicising the confirmation

- 4.10 Where the Mayor decides to confirm (with or without modifications) a major variation order, the Mayor expects TfL to publish a notice of the confirmation of the order. This notice may be published on the TfL website and in such newspapers, periodicals and journals as TfL considers appropriate but the Mayor expects those publications to include:
- The London Gazette; and
 - a newspaper or newspapers circulating in the area in which the charging scheme which is the subject of the major variation order applies.
- 4.11 In addition, the Mayor expects TfL to take any other action it considers appropriate to publicise the confirmation of the major variation order.
- 4.12 The notice published under paragraph 4.10 may include such information and be in such form as TfL considers appropriate but the Mayor expects it to include:
- A statement that TfL is the charging authority;
 - The title of the order;
 - A statement on when the major variation would be implemented;
 - A brief statement of the general nature and effect of the order;
 - A description of the area to which the major variation applies, if appropriate; and
 - A statement of how copies of the order may be obtained.

Traffic signs

- 4.13 If a major variation order changes the boundary of a charging scheme, upon confirmation of the order the Mayor expects TfL to take such steps as it considers appropriate to relocate existing traffic signs in connection with the charging scheme or install new traffic signs if necessary.

5 A minor variation to a charging scheme order

Circumstances when a variation will be regarded as a minor variation

- 5.1 A variation will be regarded as a minor variation where the variation:
- is not likely to have a substantial detrimental impact, for example, in terms of traffic management or the environment;
 - will not make substantial changes to the charging zone boundary, charges, exemptions or discounts; and
 - is not likely to have a substantial detrimental effect on groups or individuals.
- 5.2 The minor variation order procedures will also be utilised in circumstances where TfL proposes to suspend or partially suspend the operation of a charging scheme, other than on an urgent temporary basis.

Making and publicising a minor variation order

- 5.3 Where TfL decides to make and submit a minor variation order, the Mayor expects TfL to publish a notice of the making of the order. This notice may be published on the TfL website and in such newspapers, periodicals and journals as TfL considers appropriate, but the Mayor expects those publications to include the London Gazette.

Contents of the notice

- 5.4 The notice published under paragraph 5.3 may include such information and be in such form as TfL considers appropriate but the Mayor expects it to include:
- Details of TfL as the charging authority;
 - The title of the order;
 - A brief statement of the general nature and effect of the order;
 - A statement that documents giving more particulars of the order are available for inspection, and a statement of the places at which those documents are available for inspection, including the TfL website, and the times at which they may be inspected at each place; the documents should include a copy of the relevant scheme order and a statement of reasons for making the minor variation order;
 - A statement that all objections and other representations relating to the order must be made in writing and that all objections must specify the grounds on which they are made; and
 - The date by which objections and other representations must be made and the address to which they should be sent.

Duration of publicity

- 5.5 The publicity should invite the making of representations on, or objections to, the minor variation order by the date specified in the notice, which should usually be at least 5 weeks after the date on which the notice of making is first published, unless in a particular instance the Mayor agrees in writing to a shorter period which should usually be not less than 2 weeks.

Consultation

- 5.6 The Mayor expects that those consulted directly would include those organisations or bodies listed in Appendix C that are appropriate given the nature of the minor variation.

Display of documents

- 5.7 The Mayor expects the documents referred to in paragraph 5.4 to be made available at the times and at the places specified in the notice of proposals beginning as soon as practicable after the date on which the notice is first published, and ending on the last day of a period of at least 6 weeks beginning with the date on which the Mayor confirms the minor variation order (with or without modifications) or decides not to confirm the order as the case may be.

Submission of the made minor variation order to the Mayor

- 5.8 Not later than the day on which the notice of the making of the minor variation order is first published, the Mayor expects TfL to submit details of the order to him. The documentation submitted to the Mayor may include such information and be in such form as TfL considers appropriate but the Mayor expects it to include the made minor variation order and all the documents and information made available to the public.

Considerations of representations and objections

- 5.9 The Mayor will consider all representations received within the time limit specified under paragraph 5.5 and the documentation submitted by TfL and decide whether or not to hold a public inquiry. That decision cannot be made until the Mayor has received and considered these representations and that material.

Confirmation of the minor variation order and publicising the confirmation

- 5.10 Where the Mayor decides to confirm (with or without modifications) a minor variation order, the Mayor expects TfL to publish a notice of the confirmation of the order. This notice may be published on the TfL website and in such newspapers, periodicals and journals as TfL considers appropriate but the Mayor expects those publications to include the London Gazette.
- 5.11 In addition, the Mayor expects TfL to take any other action it considers appropriate to publicise the confirmation of the minor variation order.
- 5.12 The notice published under paragraph 5.10 may include such information and be in such form as TfL considers appropriate but the Mayor expects it to include:
- A statement that TfL is the charging authority;
 - The title of the order;
 - A statement on when the minor variation would be implemented;
 - A brief statement of the general nature and effect of the order;
 - A description of the area to which the minor variation applies, if appropriate; and
 - A statement of how copies of the order may be obtained.

Traffic signs

- 5.13 If a minor variation order changes the boundary of a charging scheme, upon confirmation of the order the Mayor expects TfL to take such steps as it considers appropriate to relocate existing traffic signs in connection with the charging scheme or install new traffic signs if necessary.

6 Exceptional variations to a charging scheme order

Circumstances when an exceptional variation order may be required

- 6.1 In exceptional circumstances, TfL may consider it necessary to vary a charging scheme for operational reasons or in order to correct or clarify the scheme.
- 6.2 Examples of where an exceptional variation order may be made are given below but these are not intended in any way to be exhaustive:
- due to an operational delay or failure, TfL would be unable to comply with a stated commencement date in a made and confirmed scheme order or variation order;
 - where there is a need to make urgent amendments to correct or clarify a made and confirmed scheme order or variation order;
 - where any consultation would cause a delay which would have a detrimental effect on groups or individuals; or
 - where any consultation would delay a benefit to groups or individuals.

Making and submitting an exceptional variation order

- 6.3 Where it appears to TfL that the circumstances set out in 6.2 arise, TfL may make an exceptional variation order and submit the made order to the Mayor for confirmation.
- 6.4 An exceptional variation order may be made to vary a scheme order which is in force or a variation order which is made and confirmed but is not yet in force either wholly or partially.

Consultation

- 6.5 If TfL makes an exceptional variation order the Mayor does not expect TfL to carry out any formal consultation. However the Mayor expects TfL to liaise with the Mayor's Office at the earliest opportunity.

Confirmation and publicising of the exceptional variation order

- 6.6 Where the Mayor decides to confirm (with or without modifications) an exceptional variation order, the Mayor expects TfL to publish a notice of the making and confirmation of the order. This notice may be published on the TfL website and in such newspapers, periodicals and journals as TfL considers appropriate but the Mayor expects those publications to include:
- The London Gazette; and
 - A newspaper or newspapers circulating in the area in which the charging scheme which is the subject of the exceptional variation order applies.
- 6.7 In addition, the Mayor expects TfL to take any other action it considers appropriate to publicise the confirmation of the exceptional variation order.
- 6.8 The notice referred to in paragraph 6.6 may include such information and be in such form as TfL considers appropriate but the Mayor expects it to include:
- A statement that TfL is the charging authority;
 - The title of the order;
 - A statement on when the exceptional variation would be implemented;
 - A brief statement of the reasons for making a variation to the scheme;
 - A statement of the reasons why consultation was considered unnecessary or inappropriate; and
 - A statement of how copies of the order may be obtained.

7 Procedures to urgently suspend a charging scheme order on a temporary basis

Circumstances where an urgent temporary suspension of a charging scheme order may be required

- 7.1 Circumstances may arise where TfL considers it necessary to urgently suspend or partially suspend the operation of a charging scheme on a temporary basis.
- 7.2 There are a wide variety of possible incidents or events which could lead to consideration of the need for an urgent temporary suspension or partial suspension of a charging scheme. Some examples are given below but these are not intended in any way to be exhaustive:
- a failure of the charge payment systems so that people could not pay the charge;
 - a major failure of some or all of the public transport systems providing alternative means of transport in or to and from the charging zone;
 - a major closure or capacity restriction on parts of the road network providing alternative routes for traffic wishing to travel around, or wishing to avoid travelling in, the charging zone;
 - public transport or alternative routes seriously adversely affected by extreme weather, a major accident or incident, terrorist activity, a natural disaster or other incident; or
 - impacts of a scheme leading to unacceptable congestion or public transport overcrowding or public safety hazards.

Procedures for an urgent temporary suspension of a scheme order

- 7.3 In circumstances where TfL considers it necessary to urgently suspend or partially suspend the operation of a charging scheme on a temporary basis, the Mayor expects TfL to:
- liaise with the Mayor's Office at the earliest opportunity;
 - liaise with relevant Police services and, if appropriate, with other emergency services; and
 - take such steps as TfL considers appropriate to publicise the temporary suspension or partial suspension of the charging scheme through appropriate broadcasting media.

8 Revocation of a charging scheme order

Making and publicising a revocation order

- 8.1 TfL may make an order to revoke a scheme order which is in force, or a scheme order which is made and confirmed but not yet in force, either partially or wholly.
- 8.2 Where TfL decides to make and submit a revocation order, the Mayor expects TfL to publish a notice of the making of the order. This notice may be published on the TfL website and in such newspapers, periodicals and journals as TfL considers appropriate, but the Mayor expects those publications to include:
- The London Gazette; and
 - a newspaper or newspapers circulating in the area in which the charging scheme which is the subject of the revocation order applies.
- 8.3 In addition the Mayor expects TfL to take any other action it considers appropriate to publicise the making of the revocation order.

Contents of the notice

- 8.4 The notice published under paragraph 8.2 may include such information and be in such form as TfL considers appropriate but the Mayor expects it to include:
- Details of TfL as the charging authority;
 - The title of the order;
 - A brief statement of the reasons for the revocation order;
 - A statement that documents giving more particulars of the order are available for inspection and a statement of the places at which it is available for inspection, including the TfL website, and the times at which it may be inspected at each place; the documents should include a copy of the relevant scheme order, a statement of reasons for making the revocation order, and a map showing roads in the charging area in respect of which charges are imposed;
 - A statement that all objections and other representations relating to the order must be made in writing and that all objections must specify the grounds on which they are made; and
 - The date by which objections and other representations must be made and the address to which they should be sent.

Duration of publicity

- 8.5 The publicity should invite the making of representations on, or objections to, the revocation order by the date specified in the notice referred to in paragraph 8.2, which should usually be at least 10 weeks after the date on which the notice of making is first published, unless in a particular instance, the Mayor agrees in writing to a shorter period which should usually be not less than 2 weeks.

Consultation

- 8.6 The Mayor expects that those consulted directly would include those organisations or bodies listed in Appendix C that are appropriate given the nature of the charging scheme order to be revoked and taking into account the organisations and bodies consulted when the charging scheme order was made.

Display of documents

- 8.7 The Mayor expects the documents referred to in paragraph 8.4 to be made available at the times and at the places specified in the notice of proposals beginning with the date on which the notice is first published, extending through the consultation period and the period prior to the Mayor's decision on confirmation and ending on the last day of a period of at least 6 weeks beginning with the date on which the Mayor confirms the revocation order (with or without modifications) or decides not to confirm the order as the case may be.

Submission of the made revocation order to the Mayor

- 8.8 As soon as practicable after making the revocation order, the Mayor expects TfL to submit details of the revocation of the charging scheme to him. The documentation submitted to the Mayor may include such information and be in such form as TfL considers appropriate but the Mayor expects it to include the made revocation order and a statement of the reasons for revoking the scheme order.

Considerations of representations and objections

- 8.9 The Mayor will consider all representations received within the time limit specified under paragraph 8.5 and the documentation submitted by TfL and decide whether or not to hold a public inquiry. That decision cannot be made until the Mayor has received and considered these representations and that material.

Confirmation of the revocation order and publicising the confirmation

- 8.10 Where the Mayor decides to confirm (with or without modifications) a revocation order, the Mayor expects TfL to publish a notice of the confirmation of the order. This notice may be published on the TfL website and in such newspapers, periodicals and journals as TfL considers appropriate but the Mayor expects those publications to include:
- The London Gazette; and
 - a newspaper or newspapers circulating in the area in which the charging scheme which is the subject of the revocation order applies.
- 8.11 The notice referred to in paragraph 8.10 may include such information and be in such form as TfL considers appropriate but the Mayor expects it to include:
- A statement that TfL is the charging authority;
 - The title of the order;
 - A statement on when the charging scheme would be revoked;
 - A brief statement of the reasons for revoking the charging scheme; and
 - A statement of how copies of the order may be obtained.

Traffic signs

- 8.12 Where a revocation order has been made and confirmed, the Mayor expects TfL to take such steps as it considers appropriate to remove traffic signs.

9 Consolidation of a charging scheme order

Circumstances when a consolidation order may be required

- 9.1 From time to time, TfL may consolidate a charging scheme order to incorporate any amendments to the scheme order by variation orders made by TfL and confirmed by the Mayor together with any consequential amendments. The purpose of a consolidation is to make the scheme order, as it is currently in force, more accessible to all users.

Making and publicising a consolidation order

- 9.2 Where TfL decides to make and submit a consolidation order, the Mayor expects TfL to publish a notice of the making of the order. This notice may be published on the TfL website and in such newspapers, periodicals and journals as TfL considers appropriate, but the Mayor expects those publications to include the London Gazette.

Contents of the notice

- 9.3 The notice published under paragraph 9.2 may include such information and be in such form as TfL considers appropriate but the Mayor expects it to include:
- Details of TfL as the charging authority;
 - The title of the order;
 - A brief statement of the general nature and effect of the order;
 - A statement that documents giving more particulars of the order are available for inspection, and a statement of the places at which those documents are available for inspection, including the TfL website, and the times at which they may be inspected at each place; the documents should include a copy of the relevant scheme order and a statement of reasons for making the consolidation order;
 - A statement that all objections and other representations relating to the order must be made in writing and that all objections must specify the grounds on which they are made; and
 - The date by which objections and other representations must be made and the address to which they should be sent.

Duration of publicity

- 9.4 The publicity should invite the making of representations on, or objections to, the consolidation order by the date specified in the notice, which should be at least 2 weeks after the date on which the notice of making is first published, unless in a particular instance the Mayor agrees in writing to a shorter period.

Consultation

- 9.5 The Mayor expects that those consulted directly would include those organisations or bodies listed in Appendix C that are appropriate given the nature of the consolidation.

Display of documents

- 9.6 The Mayor expects the documents referred to in paragraph 9.3 to be made available at the times and at the places specified in the notice of proposals beginning as soon as practicable after the date on which the notice is first published, and ending on the last day of a period of at least 6 weeks beginning with the date on which the Mayor confirms the consolidation order (with or without modifications) or decides not to confirm the order as the case may be.

Submission of the made consolidation order to the Mayor

- 9.7 Not later than the day on which the notice of the making of the consolidation order is first published, the Mayor expects TfL to submit details of the order to him. The documentation submitted to the Mayor may include such information and be in such form as TfL considers appropriate but the Mayor expects it to include the made consolidation order and all the documents and information made available to the public.

Considerations of representations and objections

- 9.8 The Mayor will consider all representations received within the time limit specified under paragraph 9.4 and the documentation submitted by TfL and decide whether or not to hold a public inquiry. That decision cannot be made until the Mayor has received and considered these representations and that material.

Confirmation of the consolidation order and publicising the confirmation

- 9.9 Where the Mayor decides to confirm (with or without modifications) a consolidation order, the Mayor expects TfL to publish a notice of the confirmation of the order. This notice may be published on the TfL website and in such newspapers, periodicals and journals as TfL considers appropriate but the Mayor expects those publications to include the London Gazette.
- 9.10 In addition, the Mayor expects TfL to take any other action it considers appropriate to publicise the confirmation of the consolidation order.
- 9.11 The notice published under paragraph 9.9 may include such information and be in such form as TfL considers appropriate but the Mayor expects it to include:
- A statement that TfL is the charging authority;
 - The title of the order;
 - A statement on when the order would be implemented;
 - A brief statement of the general nature and effect of the order; and
 - A statement of how copies of the order may be obtained.

APPENDIX A

FORM OF SCHEME ORDER

GREATER LONDON AUTHORITY ACT 1999

TRANSPORT ACT 2000

The [*Insert title*] Order [*Insert year*]

Made

Coming into force

Whereas the Transport Strategy published pursuant to section 142 of the Greater London Authority Act 1999^(a) by the Mayor of London on [*insert date*] includes a policy or proposal [*insert reference to policy or proposal in Strategy*] that Transport for London should introduce a congestion charging scheme and it appears to Transport for London expedient that it should make an order under Schedule 23 to the Greater London Authority Act 1999 for the purposes of facilitating the achievement of that proposal:

Now, therefore, Transport for London, in exercise of the powers conferred on it by section 295 of, and Schedule 23 to, the Greater London Authority Act 1999 as amended by section 199 of, and Schedule 13 to, the Transport Act 2000 and by the Road User Charging (Charges and Penalty Charges) Regulations 2001^(b) hereby makes the following Order:—

Citation and commencement

1. This Order may be cited as The [*insert title*] Order [*insert year*] and shall come into force on [*insert date or dates*] .

Scheme

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

**Signed by authority of
Transport for London**

[INSERT DATE]

[DESCRIPTION OF SIGNATORY]

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

(b) Insert SI number

SCHEDULE

TITLE OF SCHEME

Interpretation

1. — *[Insert appropriate definitions]*

The charging area

2. — *[Describe area]* is hereby designated as to area to which this Scheme applies. *[Provided that it does not extend beyond Greater London, the charging area may be larger than the area used to describe the roads in respect to which charges are imposed. Not all roads within the charging area need to have charges imposed.]*

Roads in the charging area in respect of which charges are imposed

3. —(1) *[Define the designated roads in respect of which charges are imposed. This may be in words or by reference to a plan. Insert schedule or plan as Annex A]*

(2) The following roads are not designated roads—

[List any exclusions.]

Classes of vehicles in respect of which charges are imposed

4. —(1) Charges are imposed by this Scheme in respect of all motor vehicles except non-chargeable vehicles.

(2) Vehicles falling within any of the following classes are non-chargeable vehicles—

[Define the classes of vehicle which are not to be subject to charging].

Exemptions and reduced rates

5. *[Insert provisions (if necessary by reference to schedules) for exemptions, reduced rates or limits on charges in accordance with paragraph 11(2) of Schedule 23 to the Greater London Authority Act 1999]*

Imposition of charges

6. *[State the events by reference to which charges are incurred including days and times of day]*

Amount of charge

7. (1) Subject to paragraph (2) and article 5 the amount of the charges imposed by article 6 shall be as follows.

(2) *[Insert provision for determining rates of charge. These may vary according to the day, the time of day, the part of the roads used, the distance travelled, time of payment or the class of motor vehicle]*

(3) Where the charges payable in respect of a relevant vehicle are paid in advance for any of the following periods the rates shall be—

[Insert table showing rates for unlimited use of designated roads during a specified period; different rates may apply to different classes of vehicle.]

[or as required by regulations (if any are made) under paragraph 11(1).]

Penalty charge for non-payment of charge

8. *[State where penalty charges are imposed for non-payment of charges imposed by Article 6 and amount of charges including reduction for prompt payment]*

Immobilisation of vehicles

9. *[State the circumstances in which a vehicle may be immobilised on account of non-payment of penalty charges and amount of penalty charge for release from immobilisation devices.]*

Removal of vehicles

10. *[State the circumstances in which a vehicle may be removed on account of non-payment of penalty charges and amount of penalty charges for removal, storage and disposal of a vehicle.]*

Payment of charges and penalty charges

11. *[Set out the ways in which and the times at which charges may be paid, including payment for season tickets, payment by credit card and refunds.]*

10 year plan for net proceeds

12. Annex B of this scheme order constitutes Transport for London's statement under paragraph 19 of Schedule 23 to the Greater London Authority Act 1999 of its general plan for applying its share of the net proceeds of this Scheme during the opening ten year period.

Display of documents and fitting of equipment

13. *[Specify any documents which may be required to be displayed or displayed on demand or any equipment which may be required to be fitted while a vehicle is on a road in respect of which charges are imposed, including the circumstances]*

Duration of scheme

14. This scheme shall remain in force until *[specify date or state that it is to be indefinite.]*

ANNEX A OF SCHEME ORDER

[Plan showing or Schedule listing designated roads in respect of which charges are imposed]

ANNEX B OF SCHEME ORDER

[Transport for London's Statement under Paragraph 19 of Schedule 23 to the Greater London Authority Act 1999 of its General Plan for applying its share of the net proceeds of the Scheme during the opening ten year period]

APPENDIX B

GREATER LONDON AUTHORITY ACT 1999

SCHEDULE 23

ROAD USER CHARGING

As amended by the Transport Act 2000 (section 199 and Schedule 13)

Interpretation

1.—(1) In this Schedule—

"borough scheme" means any charging scheme other than a TfL scheme;

"charging area" means an area to which a charging scheme applies;

"charging authority" means an authority which is the maker of a charging scheme;

"charging scheme" means a scheme for imposing charges in respect of the keeping or use of motor vehicles on roads in an area designated in the scheme;

"GLA road" includes a reference to a GLA side road;

"highway authority" has the same meaning as in the Highways Act 1980 (see in particular sections 1 to 9 of that Act);

"immobilisation device" has the same meaning as in section 104(9) of the Road Traffic Regulation Act 1984;

"motor vehicle" shall be construed in accordance with subsection (3) of section 295 of this Act;

"net proceeds", in relation to a charging scheme and a financial year, means the amount (if any) by which—

(a) the amounts received under or in connection with the scheme which are attributable to the financial year, exceed

(b) the expenses incurred for or in connection with the scheme which are so attributable;

"penalty charge" has the same meaning as in paragraph 12 of Schedule 23 of the GLA Act;

"penalty charge notice" means notice of a penalty charge;

"prescribed" means specified in, or determined in accordance with, regulations;

"registered keeper", in relation to a charge imposed in respect of a motor vehicle, means the person in whose name the vehicle was registered under the Vehicle Excise and Registration Act 1994 at the time of the act, omission, event or circumstances in respect of which the charge is imposed;

"regulations" means (except where otherwise provided) regulations made by the Secretary of State;

"relevant transport purpose" means any purpose which directly or indirectly facilitates the implementation of any policies or proposals set out in the Mayor's transport strategy;

"redistributed portion", in relation to the net proceeds of a charging scheme, shall be construed in accordance with paragraph 21(1) of Schedule 23 of the GLA Act;

"road" has the same meaning as in the Road Traffic Regulation Act 1984 (see section 142(1) of that Act);

"share of the net proceeds", in relation to a charging authority and a charging scheme, shall be construed in accordance with paragraph 18(2) of Schedule 23 of the GLA Act;

"TfL scheme" means a charging scheme made by Transport for London;

"traffic authority" has the same meaning as in the Road Traffic Regulation Act 1984 (see sections 121A and 142(1) of that Act);

"traffic sign" has the meaning given by section 64 of the Road Traffic Regulation Act 1984 but also includes signposts and other signs and notices included in that term by section 71(2) of that Act;

"trunk road" has the same meaning as in the Road Traffic Regulation Act 1984 (see section 142(1) of that Act).

APPENDIX C

List of organisations for consultation

- The Metropolitan Police Authority
- The Metropolitan Police Service
- The City of London Police
- British Transport Police
- The Royal Parks Constabulary
- The Royal Parks Authority
- The London Fire and Emergency Planning Authority
- The London Ambulance Service NHS Trust
- London and Greater London NHS Trusts
- National Performance Advisory Group (NHS)
- The Highways Agency
- The London Development Agency
- The London Councils
- Members of the London Assembly
- All London borough councils
- London Members of Parliament
- Government Office for London
- County and District Councils and Unitary Authorities immediately outside Greater London likely to be affected
- Organisations representing disabled people
- The Disabled Persons Transport Advisory Committee (DPTAC)
- London TravelWatch
- South East Region TUC
- The Freight Transport Association
- The Road Haulage Association
- The London branch of the Confederation of British Industry
- The London Chamber of Commerce and Industry
- London First
- Federation of Small Businesses
- The RAC
- The AA
- Royal Mail
- Commission for Equalities and Human Rights
- Low Pay Commission
- Cabinet Office Social Exclusion Task Force
- Olympic Delivery Authority

In addition to this list, the Mayor expects TfL to –

- (a) identify appropriate organisations representing the interests of voluntary bodies; different racial, ethnic or national groups; and different religious groups; and
- (b) consider in relation to any given order whether any individual or group should also be consulted.

TfL should also encourage relevant local authorities to disseminate consultation material to appropriate local representative groups.