



# Local Transport Act 2008

## 2008 CHAPTER 26

### PART 6

#### LOCAL AND LONDON CHARGING SCHEMES

##### *Involvement of Integrated Transport Authorities*

#### **103 Power of ITAs to make charging schemes**

- (1) Section 163 of the TA 2000 (charging schemes: preliminary) is amended as follows.
- (2) In subsection (3) (authorities by which charging schemes may be made)—
  - (a) after paragraph (b) insert—
    - “(bb) jointly by an Integrated Transport Authority and one or more eligible local traffic authorities (“a joint local-ITA charging scheme”),”;
  - (b) for “or” at the end of paragraph (c) substitute—
    - “(cc) jointly by an Integrated Transport Authority, one or more eligible local traffic authorities and one or more London traffic authorities (“a joint ITA-London charging scheme”), or”.
- (3) After subsection (4) insert—
  - “(4A) In this Part “eligible local traffic authority” means, in relation to any Integrated Transport Authority for an integrated transport area, a local traffic authority which is a council falling within subsection (4B) for—
    - (a) an area which lies within the Authority's area,
    - (b) an area which adjoins the Authority's area,
    - (c) an area which adjoins an area falling within paragraph (b).
  - (4B) The councils are—
    - (a) a county council in England,

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- (b) a council for a non-metropolitan district comprised in an area for which there is no county council,
- (c) a metropolitan district council.”.

**Commencement Information**

- I1** S. 103 in force at 9.2.2009 for E. by [S.I. 2009/107](#), art. 2(2), [Sch. 2 Pt. 1](#)  
**I2** S. 103 in force at 1.4.2009 for W. by [S.I. 2009/579](#), art. 2(j)

**104 Local charging schemes to implement policies of ITAs**

- (1) Section 164 of the TA 2000 (local charging schemes) is amended as follows.
- (2) In subsection (2)—
  - (a) after “A local charging scheme” insert “ which has effect wholly outside an integrated transport area ”;
  - (b) for “policies in the charging authority's local transport plan” substitute “ local transport policies of the charging authority ”.
- (3) After subsection (2) insert—
  - “(3) A local charging scheme which has effect wholly within an integrated transport area may only be made if it appears desirable for the purpose of directly or indirectly facilitating the achievement of local transport policies of—
    - (a) the charging authority, and
    - (b) the Integrated Transport Authority for the integrated transport area.
- (4) For the purposes of this section and sections 165 and 166—
  - (a) a charging scheme has effect wholly outside an integrated transport area if none of the roads in respect of which it is made is in such an area;
  - (b) any reference to a charging scheme which has effect wholly, or partly, within an integrated transport area is to be read accordingly.”.

**Commencement Information**

- I3** S. 104 in force at 9.2.2009 for E. by [S.I. 2009/107](#), art. 2(2), [Sch. 2 Pt. 1](#)  
**I4** S. 104 in force at 1.4.2009 for W. by [S.I. 2009/579](#), art. 2(j)

**105 Joint local charging schemes to implement policies of ITAs**

- (1) Section 165 of the TA 2000 (joint local charging schemes) is amended as follows.
- (2) In subsection (2)—
  - (a) after “A joint local charging scheme” insert “ which has effect wholly outside an integrated transport area ”;
  - (b) for “policies in the charging authorities' local transport plans” substitute “ local transport policies of the charging authorities ”.
- (3) After subsection (2) insert—

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- “(3) A joint local charging scheme which has effect wholly or partly within an integrated transport area may only be made if it appears desirable for the purpose of directly or indirectly facilitating the achievement of local transport policies of—
- (a) the charging authorities, and
  - (b) the Integrated Transport Authority for the integrated transport area.
- (4) Section 164(4) has effect for the purposes of this section.”.

#### Commencement Information

- I5** S. 105 in force at 9.2.2009 for E. by [S.I. 2009/107](#), [art. 2\(2\)](#), [Sch. 2 Pt. 1](#)  
**I6** S. 105 in force at 1.4.2009 for W. by [S.I. 2009/579](#), [art. 2\(j\)](#)

### 106 Joint local-ITA charging schemes

After section 165 of the TA 2000 (joint local charging schemes) insert—

#### “165A Joint local-ITA charging schemes

- (1) A joint local-ITA charging scheme may only be made—
- (a) in respect of roads for which any of the charging authorities are the traffic authority, and
  - (b) if at least one of the roads in respect of which it is made is within the integrated transport area of the Integrated Transport Authority.
- (2) A joint local-ITA charging scheme may only be made if it appears desirable for the purpose of directly or indirectly facilitating the achievement of local transport policies of the charging authorities.”.

#### Commencement Information

- I7** S. 106 in force at 9.2.2009 for E. by [S.I. 2009/107](#), [art. 2\(2\)](#), [Sch. 2 Pt. 1](#)  
**I8** S. 106 in force at 1.4.2009 for W. by [S.I. 2009/579](#), [art. 2\(j\)](#)

### 107 Joint local-London charging schemes to implement policies of ITAs

- (1) Section 166 of the TA 2000 (joint local-London charging schemes) is amended as follows.
- (2) In subsection (2)—
- (a) after “A joint local-London charging scheme” insert “ which has effect wholly outside an integrated transport area ”;
  - (b) for “policies in the local transport plan” substitute “ local transport policies ”;
  - (c) omit “the local transport plans of”.
- (3) After subsection (2) insert—

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- “(3) A joint local-London charging scheme which has effect partly within an integrated transport area may only be made if it appears desirable for the purpose of directly or indirectly facilitating the achievement of—
- (a) local transport policies of the non-metropolitan local traffic authority, or the non-metropolitan local traffic authorities, by which the scheme is made,
  - (b) local transport policies of the Integrated Transport Authority for the integrated transport area, and
  - (c) policies and proposals set out in the transport strategy prepared and published by the Mayor of London under section 142 of the Greater London Authority Act 1999.
- (4) Section 164(4) has effect for the purposes of this section.”.

**Commencement Information**

- I9** S. 107 in force at 9.2.2009 for E. by [S.I. 2009/107](#), art. 2(2), [Sch. 2 Pt. 1](#)  
**I10** S. 107 in force at 1.4.2009 for W. by [S.I. 2009/579](#), art. 2(j)

**108 Joint ITA-London charging schemes**

After section 166 of the TA 2000 (joint local-London charging schemes) insert—

**“166A Joint ITA-London charging schemes**

- (1) A joint ITA-London charging scheme may only be made—
  - (a) in respect of roads falling within subsection (2), and
  - (b) if at least one of the roads in respect of which it is made is within the integrated transport area of the Integrated Transport Authority.
- (2) The roads are—
  - (a) roads for which the eligible local traffic authority, or any of the eligible local traffic authorities, by which the scheme is made are the traffic authority, and
  - (b) roads in respect of which the London traffic authority, or any of the London traffic authorities, by which the scheme is made may impose charges by a scheme under Schedule 23 to the Greater London Authority Act 1999 without the consent of the Secretary of State.
- (3) A joint ITA-London charging scheme may only be made if it appears desirable for the purpose of directly or indirectly facilitating the achievement of—
  - (a) local transport policies of the eligible local traffic authority, or the eligible local traffic authorities, by which the scheme is made,
  - (b) local transport policies of the Integrated Transport Authority by which the scheme is made, and
  - (c) policies and proposals set out in the transport strategy prepared and published by the Mayor of London under section 142 of the Greater London Authority Act 1999.”.

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**Commencement Information**

- I11** S. 108 in force at 9.2.2009 for E. by [S.I. 2009/107, art. 2\(2\)](#), [Sch. 2 Pt. 1](#)  
**I12** S. 108 in force at 1.4.2009 for W. by [S.I. 2009/579, art. 2\(j\)](#)

**109 Consequential amendments**

Schedule 5 (further amendments relating to the powers of Integrated Transport Authorities in respect of local charging schemes) has effect.

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**Commencement Information**

- I13** S. 109 in force at 9.2.2009 for E. by [S.I. 2009/107, art. 2\(2\)](#), [Sch. 2 Pt. 1](#)  
**I14** S. 109 in force at 1.4.2009 for W. by [S.I. 2009/579, art. 2\(k\)](#)

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