



Transport Act 2000

2000 CHAPTER 38

PART III

ROAD USER CHARGING AND WORKPLACE PARKING LEVY

CHAPTER I

ROAD USER CHARGING

Making of charging schemes

168 Charging schemes to be made by order.

- (1) A charging scheme under this Part is made by order of the charging authority or of the charging authorities (acting jointly).
- (2) The charging authority or the charging authorities (acting jointly) may by order vary a charging scheme under this Part and the charging authority or any of the charging authorities may by order revoke such a scheme; but where a trunk road charging scheme is made at the request of a local traffic authority [^{F1}, an Integrated Transport Authority] or Transport for London, it shall not be varied or revoked unless the local traffic authority [^{F2} or the Integrated Transport Authority], or Transport for London, have been consulted about its variation or revocation.
- (3) The appropriate national authority may make regulations about orders making, varying or revoking charging schemes under this Part, including (in particular)—
 - (a) provision specifying the form of orders,
 - (b) provision about the publication of proposals for orders making or varying such charging schemes and the making and consideration of objections to such proposals, and
 - (c) provision about the publication of notice of orders and of their effect.

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- (4) Before making regulations under subsection (3) which relate to joint local-London charging schemes [^{F3}or joint ITA-London charging schemes] the Secretary of State shall consult the Greater London Authority about the regulations so far as they so relate.

Textual Amendments

- F1** Words in s. 168(2) inserted (9.2.2009 for E., 1.4.2009 for W.) by [Local Transport Act 2008 \(c. 26\)](#), s. 134(4), [Sch. 5 para. 4\(2\)\(a\)](#); S.I. 2009/107, art. 2(2), Sch. 2 Pt. 1; S.I. 2009/579, art. 2(k)
- F2** Words in s. 168(2) inserted (9.2.2009 for E., 1.4.2009 for W.) by [Local Transport Act 2008 \(c. 26\)](#), s. 134(4), [Sch. 5 para. 4\(2\)\(b\)](#); S.I. 2009/107, art. 2(2), Sch. 2 Pt. 1; S.I. 2009/579, art. 2(k)
- F3** Words in s. 168(4) inserted (9.2.2009 for E., 1.4.2009 for W.) by [Local Transport Act 2008 \(c. 26\)](#), s. 134(4), [Sch. 5 para. 4\(3\)](#); S.I. 2009/107, art. 2(2), Sch. 2 Pt. 1; S.I. 2009/579, art. 2(k)

Commencement Information

- I1** S. 168 partly in force; s. 168 not in force at Royal Assent see s. 275(1)(2); s. 168 in force (E.) at 1.2.2001 by [S.I. 2001/57](#), art. 3(2), [Sch. 3 Pt. I](#) (subject to the savings in [Sch. 3 Pt. II](#)); s. 168(3) in force and s. 168(1)(2)(4) in force for specified purposes (W.) at 1.8.2001 by [S.I. 2001/2788](#), art. 2, [Sch. 1 paras. 13, 14](#)

169 Confirmation of charging schemes.

- (1) A charging scheme under this Part [^{F4}which relates wholly or partly to Wales], other than a trunk road charging scheme, shall not come into force unless the order making it has been submitted to and confirmed by [^{F5}the Welsh Ministers]; and a variation of such a charging scheme shall not take effect until the order making the variation has been so submitted and confirmed.
- (2) Subsection (1) does not apply in such circumstances as may be specified in or determined in accordance with regulations made by [^{F6}the Welsh Ministers].
- (3) A joint local-London charging scheme [^{F7}or joint ITA-London charging scheme] shall not come into force unless the order making it has been submitted to and confirmed by the Greater London Authority; and a variation or revocation of such a charging scheme shall not take effect until the order making the variation or revocation has been so submitted and confirmed.
- (4) Where confirmation of an order is required by this section, the order may be confirmed with or without modifications.

^{F8}(5)

Textual Amendments

- F4** Words in s. 169(1) inserted (9.2.2009 for E., 1.4.2009 for W.) by [Local Transport Act 2008 \(c. 26\)](#), [ss. 110\(2\)\(a\)](#), 134(4); S.I. 2009/107, art. 2(2), Sch. 2 Pt. 1 (with [Sch. 2 para. 6](#)); S.I. 2009/579, art. 2(l)
- F5** Words in s. 169(1) substituted (9.2.2009 for E., 1.4.2009 for W.) by [Local Transport Act 2008 \(c. 26\)](#), [ss. 110\(2\)\(b\)](#), 134(4); S.I. 2009/107, art. 2(2), Sch. 2 Pt. 1 (with [Sch. 2 para. 6](#)); S.I. 2009/579, art. 2(l)
- F6** Words in s. 169(2) substituted (9.2.2009 for E., 1.4.2009 for W.) by [Local Transport Act 2008 \(c. 26\)](#), [ss. 110\(3\)](#), 134(4); S.I. 2009/107, art. 2(2), Sch. 2 Pt. 1 (with [Sch. 2 para. 6](#)); S.I. 2009/579, art. 2(l)
- F7** Words in s. 169(3) inserted (9.2.2009 for E., 1.4.2009 for W.) by [Local Transport Act 2008 \(c. 26\)](#), s. 134(4), [Sch. 5 para. 5](#); S.I. 2009/107, art. 2(2), Sch. 2 Pt. 1; S.I. 2009/579, art. 2(k)

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F8 S. 169(5) repealed (9.2.2009 for E., 1.4.2009 for W.) by **Local Transport Act 2008 (c. 26)**, ss. 110(4), 134(4), **Sch. 7 Pt. 5**; S.I. 2009/107, art. 2(2), Sch. 2 Pt. 1 (with Sch. 2 para. 6); S.I. 2009/579, art. 2(l)

Commencement Information

I2 S. 169 partly in force; s. 169 not in force at Royal Assent see s. 275(1)(2); s. 169 in force (E.) at 1.2.2001 by S.I. 2001/57, art. 3(2), **Sch. 3 Pt. I** (subject to the savings in Sch. 3 Pt. II); s. 169 in force for specified purposes (W.) at 1.8.2001 by S.I. 2001/2788, art. 2, **Sch. 1 para. 14**

170 Charging schemes: consultation and inquiries.

[^{F9}(1A) Where the charging authority or any of the charging authorities are—

- (a) a local traffic authority for an area in England, or
- (b) an Integrated Transport Authority,

that authority or those authorities (acting alone or jointly) must consult such local persons, and such representatives of local persons, as they consider appropriate about the charging scheme.

(1B) In subsection (1A)—

“local persons” means any persons who are likely to be affected by, or interested in, the making of the scheme;

“representatives” means any persons who appear to the charging authority or charging authorities to be representative of local persons.

(1C) In any other case, the charging authority or the charging authorities (acting jointly) may, at any time before an order making, varying or revoking a charging scheme under this Part is made, consult such persons as they consider appropriate about the charging scheme, variation or revocation.]

(2) The charging authority or the charging authorities (acting jointly)—

- (a) may cause an inquiry to be held in relation to a charging scheme under this Part, or the variation or revocation of such a scheme, and
- (b) may appoint the person or persons by whom such an inquiry is to be held.

(3) [^{F10}The Welsh Ministers] may at any time—

- (a) before an order making or varying a charging scheme under this Part [^{F11}which relates wholly or partly to Wales] (other than a trunk road charging scheme) is made, or
- (b) (where such an order has to be confirmed) before it is confirmed,

consult other persons, or require the charging authority or authorities to consult other persons, about the charging scheme or variation.

(4) [^{F12}The Welsh Ministers] —

- (a) may cause an inquiry to be held in relation to a charging scheme under this Part [^{F13}which relates wholly or partly to Wales] (other than a trunk road charging scheme) or the variation of such a scheme, and
- (b) may appoint the person or persons by whom such an inquiry is to be held.

(5) In the case of a joint local-London charging scheme [^{F14}or joint ITA-London charging scheme] —

- (a) the Greater London Authority may, at any time before an order making, varying or revoking the charging scheme is confirmed by that Authority,

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consult other persons, or require the charging authorities to consult other persons, about the charging scheme, variation or revocation,^{F15}...

^{F15}(b)

- (6) Subsections (2) and (3) of section 250 of the^{M1}Local Government Act 1972 (witnesses at local inquiries) apply in relation to any inquiry held by virtue of this section.
- (7) Where an inquiry is held by virtue of this section in relation to a charging scheme, or the variation or revocation of such a scheme, the costs of the inquiry shall be paid—
- (a) in the case of a trunk road charging scheme made by virtue of section 167(2)(b), by the local traffic authority [^{F16}or Integrated Transport Authority] which requested the making of the scheme (or Transport for London, if it did), and
 - (b) in any other case, by the charging authority or authorities;
- and the parties at the inquiry shall bear their own costs.

Textual Amendments

- F9** S. 170(1A)-(1C) substituted for s. 170(1) (9.2.2009 for E., 1.4.2009 for W.) by [Local Transport Act 2008 \(c. 26\)](#), [ss. 111\(2\)](#), [134\(4\)](#); [S.I. 2009/107](#), [art. 2\(2\)](#), [Sch. 2 Pt. 1](#) (with [Sch. 2 para. 6](#)); [S.I. 2009/579](#), [art. 2\(l\)](#)
- F10** Words in s. 170(3) substituted (9.2.2009 for E., 1.4.2009 for W.) by [Local Transport Act 2008 \(c. 26\)](#), [ss. 111\(3\)\(a\)](#), [134\(4\)](#); [S.I. 2009/107](#), [art. 2\(2\)](#), [Sch. 2 Pt. 1](#) (with [Sch. 2 para. 6](#)); [S.I. 2009/579](#), [art. 2\(l\)](#)
- F11** Words in s. 170(3)(a) inserted (9.2.2009 for E., 1.4.2009 for W.) by [Local Transport Act 2008 \(c. 26\)](#), [ss. 111\(3\)\(b\)](#), [134\(4\)](#); [S.I. 2009/107](#), [art. 2\(2\)](#), [Sch. 2 Pt. 1](#) (with [Sch. 2 para. 6](#)); [S.I. 2009/579](#), [art. 2\(l\)](#)
- F12** Words in s. 170(4) substituted (9.2.2009 for E., 1.4.2009 for W.) by [Local Transport Act 2008 \(c. 26\)](#), [ss. 111\(4\)\(a\)](#), [134\(4\)](#); [S.I. 2009/107](#), [art. 2\(2\)](#), [Sch. 2 Pt. 1](#) (with [Sch. 2 para. 6](#)); [S.I. 2009/579](#), [art. 2\(l\)](#)
- F13** Words in s. 170(4)(a) inserted (9.2.2009 for E., 1.4.2009 for W.) by [Local Transport Act 2008 \(c. 26\)](#), [ss. 111\(4\)\(b\)](#), [134\(4\)](#); [S.I. 2009/107](#), [art. 2\(2\)](#), [Sch. 2 Pt. 1](#) (with [Sch. 2 para. 6](#)); [S.I. 2009/579](#), [art. 2\(l\)](#)
- F14** Words in s. 170(5) inserted (9.2.2009 for E., 1.4.2009 for W.) by [Local Transport Act 2008 \(c. 26\)](#), [s. 134\(4\)](#), [Sch. 5 para. 6\(2\)](#); [S.I. 2009/107](#), [art. 2\(2\)](#), [Sch. 2 Pt. 1](#); [S.I. 2009/579](#), [art. 2\(k\)](#)
- F15** S. 170(5)(b) repealed (9.2.2009 for E., 1.4.2009 for W.) by [Local Transport Act 2008 \(c. 26\)](#), [ss. 111\(5\)\(b\)](#), [134\(4\)](#), [Sch. 7 Pt. 5](#); [S.I. 2009/107](#), [art. 2\(2\)](#), [Sch. 2 Pt. 1](#) (with [Sch. 2 para. 6](#)); [S.I. 2009/579](#), [art. 2\(l\)](#)
- F16** Words in s. 170(7)(a) inserted (9.2.2009 for E., 1.4.2009 for W.) by [Local Transport Act 2008 \(c. 26\)](#), [s. 134\(4\)](#), [Sch. 5 para. 6\(3\)](#); [S.I. 2009/107](#), [art. 2\(2\)](#), [Sch. 2 Pt. 1](#); [S.I. 2009/579](#), [art. 2\(k\)](#)

Commencement Information

- I3** S. 170 partly in force; s. 170 not in force at Royal Assent see s. 275(1)(2); s. 170 in force (E.) at 1.2.2001 by [S.I. 2001/57](#), [art. 3\(2\)](#), [Sch. 3 Pt. I](#) (subject to the savings in [Sch. 3 Pt. II](#)); s. 170 in force for specified purposes (W.) at 1.8.2001 by [S.I. 2001/2788](#), [art. 2](#), [Sch. 1 para. 14](#)

Marginal Citations

- M1** 1972 c. 70.

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