

## SCHEDULES

### SCHEDULE 23

#### ROAD USER CHARGING

##### *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, means the amount (if any) by which the gross amount received under the scheme for any financial year by the charging authority exceeds the expenses incurred by that authority in operating the scheme for that year;

“penalty charge” has the same meaning as in paragraph 12 below;

“penalty charge notice” means notice of a penalty charge;

“prescribed” means specified in, or determined in accordance with, regulations;

“regulations” means 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) below;

“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) below;

“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);

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*Status: This is the original version (as it was originally enacted).*

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“traffic sign” has the same meaning as in the Road Traffic Regulation Act 1984 (see in particular section 64 of that Act);

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

- (2) For the purpose of ascertaining the net proceeds of a charging scheme for any financial year, the expenses of operating the scheme in that year shall be taken to include—
- (a) any costs of, or associated with, enforcement in that year;
  - (b) amounts attributed to that year in respect of depreciation of assets used in connection with the scheme;
  - (c) other amounts attributed to that year in respect of capital costs which were incurred for the purpose of establishing or operating the scheme and which fall to be apportioned between different financial years; and
  - (d) interest.
- (3) Any reference in this Schedule to a class of motor vehicles is a reference to a class defined or described by reference to any characteristics of the motor vehicles or to any other circumstances whatsoever.
- (4) For the purposes of this Schedule—
- (a) the City of London shall be treated as if it were a London borough;
  - (b) the Common Council shall be treated as if it were the council for a London borough; and
  - (c) the Inner Temple and the Middle Temple shall be treated as forming part of the City.