

SCHEDULES

SCHEDULE 13

AMENDMENTS OF SCHEDULES 23 AND 24 TO GREATER LONDON AUTHORITY ACT

Workplace parking levy

- 19 Schedule 24 to the Greater London Authority Act 1999 (workplace parking levy in Greater London) has effect subject to the following amendments.
- 20 (1) Paragraph 1 (interpretation) is amended as follows.
- (2) In sub-paragraph (1), in the definition of “licence”, omit “by the occupier of those premises”.
- (3) In that sub-paragraph, in the definition of “net proceeds”, for the words from “, means” to the end substitute “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;”.
- (4) In that sub-paragraph, omit the definition of “occupier”.
- (5) In that sub-paragraph, in the definition of “regulations”, after “means” insert “(except where otherwise provided)”.
- (6) For sub-paragraph (2) substitute—
- “(2) For the purposes of this Schedule—
- (a) the amounts received under or in connection with a licensing scheme, and
- (b) the expenses incurred for or in connection with such a scheme, and the extent to which they are attributable to any financial year, shall be determined in accordance with regulations under this sub-paragraph.”
- 21 In paragraph 3(1) (provision of workplace parking places)—
- (a) for the words from “the cases” to “time being” substitute “a workplace parking place is provided at any premises at any time if a parking place provided at the premises is at that time”, and
- (b) for paragraph (d) substitute—
- “(d) where a body whose affairs are controlled by its members is a relevant person, by a member of the body engaged in the carrying on of any business of the body,”.
- 22 (1) Paragraph 7 (making of licensing scheme) is amended as follows.
- (2) After paragraph (a) of sub-paragraph (3) insert—

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- “(aa) require such an authority to publish its proposals for the scheme and to consider objections to the proposals;”.
- (3) After paragraph (d) of that sub-paragraph insert—
- “(da) require the authority by whom any such order is made to publish notice of the order and of its effect.”
- (4) Omit paragraph (e) of that sub-paragraph.
- (5) After that sub-paragraph insert—
- “(4) Subsections (2) and (3) of section 250 of the Local Government Act 1972 (witnesses at local inquiries) apply in relation to any inquiry held by virtue of sub-paragraph (3)(b) above.
- (5) Where an inquiry is held by virtue of sub-paragraph (3)(b) above for the purposes of any order containing a licensing scheme—
- (a) the costs of the inquiry shall be paid by the licensing authority; and
- (b) the parties at the inquiry shall bear their own costs.”
- 23 For paragraph 15 substitute—
- “15 A licence may not be granted for a period of more than one year.”
- 24 Renumber paragraph 16 (licensing: procedure) as sub-paragraph (1) of that paragraph and after that sub-paragraph insert—
- “(2) A person who intentionally provides false or misleading information in or in connection with an application for a licence is guilty of an offence and liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum; or
- (b) on conviction on indictment, to a fine.”
- 25 In paragraph 17(3) and (4) (exemptions, reduced rates etc.), after “(2) above” insert “and to paragraphs 7 and 9 above”.
- 26 (1) Paragraph 18 (penalty charges) is amended as follows.
- (2) In sub-paragraph (1), for “, notification, payment, adjudication or enforcement” substitute “and payment”.
- (3) After sub-paragraph (2) insert—
- “(3) The Lord Chancellor may make regulations about the notification, adjudication and enforcement of penalty charges.”
- 27 For paragraph 19 substitute—
- “19 Charges imposed in respect of any premises by a licensing scheme (including penalty charges imposed in respect of any premises) shall be paid—
- (a) by the occupier of the premises; or
- (b) in prescribed circumstances, by such person as is prescribed.”
- 28 In paragraph 20 (determination of disputes and appeals), for “Regulations may” substitute “The Lord Chancellor may by regulations”.

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- 29 (1) Paragraph 21 (accounts and funds) is amended as follows.
- (2) In sub-paragraphs (1) and (2), for “of their income and expenditure in respect of” substitute “relating to”.
- (3) In sub-paragraph (3)—
- (a) for the words from the beginning to “year, each” substitute “Each”, and
- (b) for “that year” substitute “each financial year”.
- (4) After sub-paragraph (4) insert—
- “(4A) Regulations may make further provision relating to—
- (a) accounts required to be kept under sub-paragraph (1) or (2) above (including provision requiring or allowing the keeping of consolidated accounts relating to more than one licensing scheme); and
- (b) the preparation and publication of statements of such accounts.”
- (5) In sub-paragraph (5)(b), after “account” insert “(after the application of any of the net proceeds in accordance with the following provisions)”.
- 30 In paragraph 31 (rights of entry)—
- (a) in sub-paragraph (4), for “wilfully” substitute “intentionally” and for “level 5 on the standard scale” substitute “the statutory maximum”, and
- (b) in sub-paragraph (6), for “(7)” substitute “(5)”.
- 31 In paragraph 32 (evidence), for “Regulations may” substitute “The Lord Chancellor may by regulations”.
- 32 In paragraph 35 (guidance), insert at the end—
- “(3) Guidance issued under this paragraph shall be published in such manner as the Authority consider appropriate; and the Authority may at any time vary or revoke such guidance.”
- 33 After that paragraph insert—

“Information

- 35A (1) Information obtained by—
- (a) any Minister of the Crown or government department, or
- (b) any local authority or other statutory body,
- may be disclosed to a licensing authority for or in connection with the exercise of any of their functions with respect to a licensing scheme.
- (2) Information obtained by a licensing authority for or in connection with any of their functions other than their functions with respect to a licensing scheme may be used by the authority for or in connection with the exercise of any of their functions with respect to a licensing scheme.
- (3) Any information—
- (a) which has been or could be disclosed to a licensing authority under sub-paragraph (1) above for or in connection with the exercise of any of their functions with respect to a licensing scheme, or

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- (b) which has been or could be used by an authority by virtue of sub-paragraph (2) above for or in connection with the exercise of any of those functions,

may be disclosed to any person with whom the authority has entered into arrangements under paragraph 33(b) above.

- (4) Information disclosed to a person under sub-paragraph (3) above—

- (a) may be disclosed to any other person for or in connection with the licensing scheme; but
- (b) may not be used (by him or any other person to whom it is disclosed under paragraph (a) above) otherwise than for or in connection with the licensing scheme.”

- 34 In paragraph 39 (variation and revocation of licensing schemes)—

- (a) omit “, exercisable in the same manner, and subject to the same conditions and limitations,”, and
- (b) insert at the end “; and paragraph 7 above applies in relation to the variation or revocation of a licensing scheme as to the making of a licensing scheme.”