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SCHEDULE

Section 4

PROPERTY WHICH MAY BE CHARGED BY A TFL SUBSIDIARY
WITHOUT THE CONSENT OF THE SECRETARY OF STATE

- 1 The property referred to in section 4(6) is—
- (a) property related to a road user charging scheme;
 - (b) property related to a tolling scheme;
 - (c) property related to the use of land for the hosting of any electronic communications apparatus;
 - (d) property related to the generation of power;
 - (e) property related to the charging of vehicle, driver and operator licensing and permit fees;
 - (f) property related to the issuing of penalty fares;
 - (g) property related to the levying of penalty charges;
 - (h) property related to the issuing of penalty notices;
 - (i) property related to sponsorship activities being carried out by third parties;
 - (j) property related to the use of land for the placing of advertisements;
 - (k) property related to the use of land for keeping installed automated teller machines within stations and other property at stations which is exploited for commercial purposes;
 - (l) property related to the use of land for the purposes of a car park;
 - (m) property related to the use of land for commercial letting;
 - (n) land which is not operational land; and
 - (o) property related to the exploitation of intellectual property for commercial purposes.
2. In this Schedule—
- “electronic communications apparatus” has the same meaning as in the electronic communications code;
- “electronic communications code” has the same meaning as in Chapter 1 of Part 2 of the Communications Act 2003;
- “enactment” has the same meaning as in section 336 of the Town and Country Planning Act 1990;
- “operational land” has the meaning given in section 163 of the 1999 Act;
- “penalty charges” mean penalty charges which may be levied in relation to a matter which is subject to civil enforcement under—
- (a) section 37(6) and Part 6 of the Traffic Management Act 2004;
 - (b) the Road Traffic Regulation Act 1984;
 - (c) the Road Traffic Act 1991;
 - (d) the London Local Authorities Act 1996;
 - (e) the London Local Authorities and Transport for London Act 2003; or
 - (f) paragraph 12 of Schedule 23 to the 1999 Act;
- “penalty fares” means penalty fares that may be levied under paragraphs 3 or 4 of Schedule 17 to the 1999 Act or by virtue of any order made under paragraph 9 of that Schedule;
- “penalty notices” means fixed penalty notices that may be issued to a person under section 17 of the Transport for London Act 2008;

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“road user charging scheme” means a scheme established by TfL under section 295 of, and Schedule 23 to, the 1999 Act to impose charges for the keeping or use of motor vehicles on roads;

“tolling scheme” means a scheme established by TfL under any enactment to impose charges for the keeping or use of motor vehicles on a road, other than a road user charging scheme; and

“vehicle, driver and operator licensing and permit fees” means fees that may be charged in connection with the licensing of, or the issue of permits for, vehicles, drivers or operators under—

- (a) the Metropolitan Public Carriage Act 1869;
- (b) the Private Hire Vehicles (London) Act 1998; or
- (c) Chapter 5 of Part 4 of the 1999 Act.