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STATUTORY INSTRUMENTS

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**2021 No. 540**

**HIGHWAYS, ENGLAND**

**The Street Works (Charges for Occupation of the Highway)  
(Transport for London) Order 2021**

*Made* - - - - *29th April 2021*

*Coming into force* - - *1st May 2021*

The Secretary of State, in exercise of the powers conferred by section 74A(2) of the New Roads and Street Works Act 1991(a), makes the following Order.

**Citation, commencement and extent**

**1.**—(1) This Order may be cited as the Street Works (Charges for Occupation of the Highway) (Transport for London) Order 2021.

(2) This Order extends to England and Wales.

(3) This Order shall come into force on 1st May 2021.

**Approval of local highway authority**

**2.** The Secretary of State approves Transport for London for the purpose of requiring charges to be paid under the Street Works (Charges for Occupation of the Highway) (England) Regulations 2012(b) in accordance with the Transport for London Lane Rental Scheme which was submitted to the Secretary of State on 13th January 2021 and approved by him.

**Revocation and transitional provisions**

**3.**—(1) The Street Works (Charges for Occupation of the Highway) (Transport for London) Order 2012(c) (“the 2012 Order”) is revoked.

(2) The revocation of the 2012 Order shall not affect any proceedings for the recovery of any charges that—

(a) were due in accordance with the previous Lane Rental Scheme before the date on which this Order comes into force; or

(b) are due in accordance with the previous Lane Rental Scheme by virtue of the transitional arrangements in the new Lane Rental Scheme.

(3) In this article—

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(a) 1991 c.22. Section 74A was inserted by section 255 of the Transport Act 2000 (c.38) and amended by section 40 of the Traffic Management Act 2004 (c.18) and paragraph 120 of Schedule 1 to the Infrastructure Act 2015 (c.7).

(b) S.I. 2012/425. The Street Works (Charges for Occupation of the Highway) (England) Regulations 2012 were amended by regulation 2(2) of the Street Works (Charges for Occupation of the Highway) (England) (Amendment) Regulations 2018/215 and paragraph 55 of Schedule 1 to the Infrastructure Act 2015 (c.7).

(c) S.I. 2012/1322.

“the new Lane Rental Scheme” means the Transport for London Lane Rental Scheme referred to in article 2;

“the previous Lane Rental Scheme” means the Transport for London Lane Rental Scheme referred to in the 2012 Order.

Signed by authority of the Secretary of State for Transport

29th April 2021

*Vere*  
Parliamentary Under Secretary of State  
Department for Transport

#### **EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order provides approval for Transport for London to enable it to require the payment of charges in accordance with the new Transport for London Lane Rental Scheme which was submitted to the Secretary of State on the 13th January 2021 (“the Scheme”).

The requirement to pay charges to an Approved Authority is set out in the Street Works (Charges for Occupation of the Highway) (England) Regulations 2012 (S.I 2012/425) (“the 2012 Regulations”).

The Scheme is designed to control the carrying out of works in specified traffic sensitive locations at traffic sensitive times. This will be achieved by requiring the payment of a charge, in accordance with the 2012 Regulations, for each day that the street is occupied by the works.

The Scheme replaces the previous Transport for London Lane Rental Scheme that was approved in 2012 and this Order revokes the Street Works (Charges for Occupation of the Highway) (Transport for London) Order 2012 (S.I 2012/1322) that provided approval for Transport for London to require the payment of charges in accordance with that Scheme.

The Scheme provides for transitional arrangements for activities which started, or had been notified to Transport for London, prior to the commencement date of the Scheme.

A copy of the Scheme can be inspected at the offices of Transport for London, Palestra House, Network Management, 197 Blackfriars Road, London, SE1 8NJ. It is also available on the Transport for London website at [www.tfl.gov.uk/info-for/urban-planning-and-construction/our-land-and-infrastructure/lane-rental-scheme](http://www.tfl.gov.uk/info-for/urban-planning-and-construction/our-land-and-infrastructure/lane-rental-scheme).