

## LONDON LORRY CONTROL SCHEME POLICY STATEMENT ON PERMISSIONS (PERMITS)\*

### 1. INTRODUCTION

- 1.1 The following explanatory statement of policy has been approved by London Councils Transport and Environment Committee to provide guidance for operators of vehicles affected by the Greater London (Restriction of Goods Vehicles) Traffic Order 1985 ("the Traffic Order") in the area for which the Committee through the Lorry Control Administration Section is responsible ("the Permission Area").
- 1.2 The intention of the London Lorry Control Scheme is to improve the environment for Londoners by reducing disturbance from heavy goods vehicles at night-time and weekends. This improvement will be achieved in two ways:
  - by preventing lorries over 18 tonnes from travelling on restricted roads during the controlled hours unless they have a legitimate business which requires them to be there;
  - by ensuring that lorries which are on those roads cause as little disturbance as possible.
- 1.3 A "restricted road" is a road to which the Traffic Order applies and an "excluded road" is a road in the Permission Area to which the Traffic Order restrictions do not apply.
- 1.4 "Excluded Route Network" is the network of excluded roads, as set out in the Schedule to the Traffic Order.

### 2. APPLICANTS FOR A PERMISSION

- 2.1 An applicant may apply for a Permission for a vehicle which he or she proposes to use in circumstances affected by the Traffic Order and which is or will be under his or her control. If the applicant is not the owner of the vehicle, he or she must show that he or she has the consent of the owner to make the application and is able to ensure that conditions attached to any permission that may be issued are complied with.

### 3. CONSIDERATIONS FOR THE ISSUE OF PERMISSIONS

- 3.1 In considering an application for a Permission and any Conditions attached thereto there will be taken into account the statutory duties on London Boroughs under the Road Traffic Regulation Act 1984, Section 122 (1) and (2) to secure the expeditious, safe and convenient movement of vehicular and other traffic including pedestrians, so far as is practicable, having regard to:
  - the need for securing and maintaining reasonable access to premises;
  - the effect of the use of roads by heavy commercial vehicles on the amenities of any locality concerned;
  - the need to assist public transport and its passengers;
  - any other matters appearing to the Committee to be relevant.
- 3.2 In particular (but without prejudice to the generality of the foregoing) the following considerations will be taken into account:
  - the circumstances of the applicant's needs for a Permission;
  - the environmental circumstances of the roads on which the vehicle is to be used and the extent to which the Excluded Road Network, i.e. roads with no Night-time and Weekend controls, can satisfy the applicant's requirements;
  - the financial, commercial, professional, industrial, employment and other consequences likely to result from the issue or refusal of a Permission;
  - the characteristics of the vehicles;
  - any special efforts made to reduce the environmental impact of the applicant's vehicle;
  - the practicability of and time required for adapting the applicant's operations;
  - the possibility of using other less environmentally damaging modes of transport.
- 3.3 The following explanation (including some examples to illustrate some of the considerations) is intended to provide further guidance for operators of vehicles which are affected by the London Lorry Control Scheme.

\* In December 2009 a new Traffic Order was made which amongst other things replaced the term "Permit" with Permission. All references in the original conditions to "Permit" should therefore be read as "Permission". Similarly references to "Permit" on traffic signs should be read as "Permission".  
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- 3.4 The most important criterion in deciding whether or not to grant Permission is the applicant's need for it. First and foremost it is the Committee's policy to ensure that only vehicles undertaking necessary business in London should be permitted to use restricted roads.
- 3.5 The environmental circumstances of a road are relevant, for example where premises are linked to the Excluded Route Network by a road which has no residential development, and which has not been identified by the Committee as an excluded road. A Permission may be issued until the road concerned can conveniently be included in a supplementary order.
- 3.6 Another relevant consideration is when the continued viability of a firm may be affected by the Traffic Order. A Permission may be granted while further consideration is given to finding an appropriate solution on a more permanent basis.
- 3.7 Certain companies already display a high degree of environmental awareness, involving such matters as driver training, or the use of vehicles which make less environmental impact. Matters such as these will be given due consideration. In other cases it would be reasonable to expect applicants to modify existing vehicles or choose more environmentally suitable vehicles when new purchases are made. Guidance will be available to applicants when they apply for exemption Permissions.
- 3.8 It is the Committee's policy to seek the highest legally specifiable standards for vehicles in respect of which Permissions are issued to ensure that they have the minimum adverse effect on the environment.
- 3.9 Where Condition 5 applies to a Permission, vehicles must minimise their use of roads away from the Excluded Route Network unless a special routeing agreement is made with London Councils Lorry Control Administration Section. Such a routeing agreement will only be made if:
  - the applicant, in proposing a route, can demonstrate that the alternative route results in reduced overall environmental impact, particularly in terms of noise effect on residential properties adjacent to the route; and
  - the holder is granted a Permission lasting at least three months.
- 3.10 Each case will be considered on its merits. Permissions will be specific to an applicant and a vehicle and will not be transferable to any other person or vehicle.

#### **4. DURATION OF PERMISSIONS**

- 4.1 The duration of Permission may be for such a period as seems reasonable in all the relevant circumstances. All Permissions will automatically cease to be valid once the particular vehicle is no longer in the ownership of or under the control of the applicants and the applicant must inform the London Councils Lorry Control Administration Section of this immediately in writing.

#### **5. APPEALS**

- 5.1 If an applicant is refused Permission or a Permission is granted with Conditions unacceptable to the applicant, he or she is entitled to appeal. Similarly, Users whose Permissions are revoked or suspended may appeal. Appeals must be made through the official London Councils complaints procedure. A temporary short-term exemption Permission may be issued, if considered appropriate, pending the outcome of an appeal against a refusal to issue or the revocation of a Permission.

#### **6. IMPLEMENTATION**

- 6.1 It is expected that all applicants will use their best endeavours to implement not only the letter but also the spirit of the Traffic Order and the Conditions attached to Permits. To assist in ensuring that the Order and Conditions are implemented the Committee will employ officers whose duty it will be to advise, assist and check on the operation of vehicles. All applicants for Permissions and the vehicle drivers are expected to co-operate with these officers in the reasonable exercise of their duties and, if necessary, to comply with Conditions attached to a Permission.
- 6.2 Failure to comply with Permission Conditions may result in the revocation or suspension of that Permission. The applicant's past record of compliance generally will be a relevant consideration when future applications are considered.