TRAFFIC MANAGEMENT ORDER
London HGV Safety Permit Scheme

GREATER LONDON (RESTRICTION OF GOODS VEHICLES) TRAFFIC ORDER 1985 (AMENDMENT) ORDER 2019

Made: [INSERT] 2019

Coming in to operation: [The day after this Order is made]

The London Councils Transport and Environment Committee (hereinafter called “the LC TEC”) after consulting the Commissioner of Police of the City of London, the Commissioner of Police of the Metropolis, Transport for London, the Common Council of the City of London, and the Councils of the London boroughs and the City of Westminster, in exercise of the powers conferred by Sections 6 and 124 of and Part IV of Schedule 9 to the Road Traffic Regulation Act 1984 (as amended), and by Section 101(5) of the Local Government Act 1972 in respect of Transport for London, the Cities of London and Westminster and the London boroughs referred to in Schedule A to this Order (‘the Authorities’), and in exercise of the functions delegated by those Authorities to the LC TEC and of all other powers thereunto enabling, hereby makes the following Order:-

1. This Order shall come into operation the day after it is made and may be cited as the Greater London (Restriction of Goods Vehicles) Traffic Order 1985 (Amendment) Order 2019.

2. In this Order-


(2) Save as set out in sub-paragraphs (3) and (4) below all words in this Order have the same meaning as in the Principal Order.

(3) Insofar as the Principal Order relates to the areas of the Authorities, the word ‘Council’ (meaning the former Greater London Council) means those Authorities in respect of their individual administrative areas including GLA Roads and GLA Side Roads in those areas.
(4) “GLA Roads” or “GLA Side Roads” have the meaning given by section 142(1) of the Road Traffic Regulation Act 1984.

3. Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this Order, the Principal Order shall have effect as though it were amended as follows:-

Preamble

(1) Immediately after the words “The Greater London Council (hereinafter called ‘the Council’)” insert the following:

“with the authority and consent of Transport for London (as the traffic authority for GLA Roads and GLA Side Roads in Greater London), and”;

(2) Add a superscript “¹” after the words “‘the Council’)” and insert the following as Footnote 1 at the bottom of the page:

“¹ See the Explanatory Note at the end of the Order as to how the London Councils Transport and Environment Committee operates the 1985 Order since the abolition of the Greater London Council which originally made it.”;

(3) Insert immediately after the words “after consulting” the words “Transport for London”.

Article 2

(4) Insert the following new definitions into Article 2(1):

“Excluded Route Network” means any restricted street or length of such a street specified in the Schedule to this Order;

“HGV Safety Permit” means a permit granted by or on behalf of the Council under the provisions of Articles 5 or 6 hereof which exempts a vehicle or a class of vehicles from the prohibition imposed by Article 3 (a) (i) of this Order;

“London Lorry Control Scheme (LLCS) Permit” means a permit granted by or on behalf of the Council under the provisions of Articles 5 or 6 hereof which exempts a vehicle or a class of vehicles from the prohibition imposed by Article 3 (a) (ii) of this Order;

(5) Delete the definition of “Permission” in its entirety and substitute with the following:
" "Permit " (unless otherwise stated) refers to a HGV Safety Permit and/ or a LLCS Permit;” “

(6) Delete the definition of “restricted street” in its entirety and substitute with the following:

“ “restricted street” means any highway maintainable at the public expense or length of such highway in Greater London not being a street or length of a street specified in the Schedule to this Order (whether or not the highway is a GLA Road or a GLA Side Road as defined by section 142(1) of the Road Traffic Regulation Act 1984);”

(7) In the definition of “Goods Vehicles” and “Maximum Gross Weight” substitute “1981” with “2016”;

(8) Substitute the text of Article 2(2) with the following:

“Any reference in this Order to a policy statement shall be construed as a reference to a statement published by or on behalf of the Council of their policy on the granting of HGV Safety Permits and/ or LLCS Permits, being the policy which applies at the time when they are considering the grant of such a permit under the provisions of this Order (and different policy statements may be approved as regards each type of permit).”; and

(9) Insert after article 2(2) new articles (2A) to (2C) inclusive as follows:

“(2A) Any reference in this Order to a class of goods vehicles is a reference to a class defined or described by reference to any characteristics of the vehicles or to any other circumstances whatsoever.

(2B) Any permit, permit-conditions, policy statement, application form or other record or document referred to in Articles 5 to 7 of this Order may be in hardcopy or electronic form and may be published on the internet on a website authorised for that purpose.

(2C) Any reference to an address (including business address) of any applicant for or holder of a permit includes any email address supplied by that person.”.
**Article 3**

(10) Delete article 3(a) in its entirety and substitute with the following:

“(a) Subject to Article 4 hereof, no person shall use, drive or cause or permit to be driven any goods vehicle -
(i) exceeding 12 tonnes maximum gross weight in any restricted street at any time from 26 October 2020; or
(ii) exceeding 18 tonnes maximum gross weight in any restricted street not part of the Excluded Route Network during the prescribed hours. “

**Article 4**

(11) In article 4(a) after “in a restricted street” delete the words “during the prescribed hours” and substitute the word “permit” for “permission”; 

(12) In article 4(a)(ii) substitute the word “permit” for “permission”; and

(13) Insert a new article 4 sub-paragraph (g) as follows:

“(g) where the Council otherwise grant a general or specific exemption.”.

**Article 5**

(14) In the introductory words of article 5 add the words “or otherwise,” immediately after “hereinafter provided”; 

(15) Substitute article 5(i) in its entirety with the following:

“(i) the duty to secure the expeditious convenient and safe movement of vehicular and other traffic (including pedestrians) so far as is practicable having regard to:”; and

(16) Substitute the final paragraph of article 5 (immediately after sub-paragraph (ii) ) with the following:

“grant a HGV Safety Permit and/ or a LLCS Permit (as appropriate) to enable a vehicle or a class of vehicles to be driven in any restricted street without contravention (as applicable) of the prohibitions imposed under Articles 3(a)(i) and 3(a)(ii) above.”.

**Article 6**

(17) In article 6(1) insert the words “HGV Safety Permit and/or a LLCS Permit (as appropriate)” immediately after the words “for the grant of a” and delete the word “permission”.

(18) In article 6(2) substitute the word “permit” for “permission” on both occasions it appears.

(19) In article 6(3):

(a) In sub-paragraph (a) insert the words: “the type of permit,” at the start of that sub-paragraph and substitute “permit” for “permission”;

(b) In sub-paragraph (b) substitute the word “permit” for “permission”; and

(c) In sub-paragraph (c) substitute the word “permit” for “permission” and add the words “(if any)” to the end of that sentence.

(20) In the introductory words of article 6(4):

(a) substitute the words “a permit” for “permission”, where it first appears;

(b) add immediately thereafter the words “(being a HGV Safety Permit and/or a LLCS Permit)”;

(c) substitute the words “the permit” for “permission” where it next appears.

(21) Delete article 6(4)(a) in its entirety and substitute with the following:

“(a) the Council may by notice in writing served on the holder of a permit inform the holder that they are considering the suspension (including the length of the proposed suspension) or revocation of the permit(s) but, before deciding whether or not to suspend or revoke it, they will take into consideration any representations received by them from the holder within twenty-one days of the notice;”;

(22) In article 6(4)(b) insert the words “suspend or” immediately after “decide to” and substitute the words “the permit” for “permission”;

(23) In article 6(4)(c) substitute the words “the permit” for “permission” and add at the end of the sub-paragraph:

“suspended for such period set out in the notice or has been revoked”;
Insert a new sub-paragraph (d) as follows:

“(d) notwithstanding sub-paragraphs (a) to (c) above, if the Council are of the opinion that the interests of public safety require that the suspension of a HGV Safety Permit and/or LLCS Permit is to have immediate effect, and they include a statement of that opinion and the reasons for it in the notice of suspension, then the suspension of the permit shall take effect when the notice is served on the holder of the permit.”; and

Re-number the final sub-paragraph (d) as “(e)” and substitute the word “permit” for “permission”.

Article 7
In Article 7 substitute the word “permit” for “permission”.

Explanatory Note
Delete the Explanatory Note to the Principal Order in its entirety and substitute with the following:


The GLC was abolished on 31 March 1986 and its functions under section 6 of the 1984 Act were exercisable from 1 April 1986 by each of the thirty-two London Borough Councils (“the 32 Boroughs”) and the Common Council of the City of London (“the City of London”) as individual traffic authorities under that Act in respect of roads within their areas.

From 3 July 2000 Transport for London (“TfL”) became the traffic authority for GLA Roads and GLA Side Roads in Greater London and the 32 Boroughs and the City of London remained the traffic authorities for all other roads within their areas (other than trunk roads for which the Secretary of State for Transport is the traffic authority) in accordance with section 121A of the 1984 Act.

The Transport and Environment Council of London Councils (“the Committee”) is a joint Council of the 32 Boroughs, the
City of London and TfL (collectively called “the Traffic Authorities”), which have agreed and authorised the Committee to discharge their functions under section 6 of the 1984 Act in respect of the 1985 Order (as amended). In exercise of the powers delegated to it by the Traffic Authorities the Committee may from time to time amend the 1985 Order under section 6 of the 1984 Act.”
SCHEDULE A

(This Schedule forms part of the Order)

The Authorities participating in the HGV Safety Permit Scheme and, as relevant, within whose area this Order has effect are:

(1) Barking and Dagenham
   Bexley
   Brent
   Bromley
   Camden
   City of London
   City of Westminster
   Croydon
   Ealing
   Enfield
   Greenwich
   Hackney
   Hammersmith and Fulham
   Haringey
   Harrow
   Havering
   Hounslow
   Islington
   Kensington and Chelsea
   Kingston upon Thames
   Lambeth
   Lewisham
   Merton
   Newham
   Richmond upon Thames
   Southwark
   Sutton
   Tower Hamlets
   Transport for London
   Waltham Forest
   Wandsworth

(2) Barnet: from such time as the Barnet (Greater London (Restriction of Goods Vehicles) Traffic Order 1985 (Amendment No. 3) Traffic Order 1996\(^1\) is amended or revoked to provide for the Principal Order (including as amended by this Order) to apply to the area of that borough.

\(^1\) 1996 No. 20
Dated the [INSERT] day of [INSERT] 2019

...............................................................(signed)

Spencer Palmer
Director, Transport and Mobility

(The officer appointed for this purpose)
EXPLANATORY NOTE

(This note is not part of the Order but is intended to indicate its general purpose.)

This Order further amends the Greater London (Restriction of Goods Vehicles) Traffic Order 1985 (“the Principal Order” as amended) to introduce the requirements of the London HGV Safety Permit Scheme into the Principal Order. The HGV Safety Permit Scheme applies to goods vehicles over 12 tonnes (gvw) and require all such vehicle to have a permit (a HGV Safety Permit) issued under article 4(1) to operate in London from 26 October 2020.

The Principal Order continues to make provision for the London Lorry Control Scheme (“LLCS”), which applies to goods vehicles over 18 tonnes (gvw) and imposes restrictions on their movement under article 4(1) during prescribed hours on roads off the excluded route network.

This Order amends the Principal Order to facilitate the operation of both Schemes under its provisions by providing greater flexibility in terms of the approval and issue of different types of permit (LLCS Permits and HGV Safety Permits), permit-conditions, policy statements and other matters to reflect the requirements of each Scheme. It also provides for the immediate suspension of permits where there are public safety concerns. The term “permit” replaces the previous term “permission”.

This Order also inserts a new Explanatory Note to explain the role of London Councils Transport and Environment Committee in relation to the Principal Order as originally made by the now abolished Greater London Council.

This Order applies to Transport for London, the Cities of London and Westminster and the London boroughs referred to in Schedule A to this Order and all roads for which they are traffic authority under the Road Traffic Regulation Act 1984.

Barnet London borough council ceased to participate in the LLCS in 1996. It made the making of the Barnet (Greater London (Restriction of Goods Vehicles) Traffic Order 1985 (Amendment No. 3) Traffic Order 1996 (“1996 Order”) under which it left the coverage of the Principal Order. Barnet London borough council intends to fully participate in the LLC and HGV Safety Permit Schemes and so for roads in its area to be subject to the Principal Order. The Principal Order (as amended to date including by this Order) shall apply to roads in Barnet London borough council’s area from such time as the 1996 Order is amended or revoked to provide for it to apply to roads in its area.
THE GREATER LONDON (RESTRICTION OF GOODS VEHICLES) TRAFFIC ORDER 1985 (AMENDMENT) ORDER 2019

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