



Environment Committee

14 March 2019

Title

Barnet to join the London Lorry Control Scheme (LLCS)

Report of

Chairman of the Environment Committee

Wards

All

Status

Public

Urgent

No

Key

No

Enclosures

None

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Summary

This report seeks approval for Barnet to join the London Lorry Control Scheme (LLCS). The scheme is operated by London Councils and is self-funding. It will protect Barnet residents by regulating night time and weekend freight movements. It is therefore recommended that the Environment Committee agrees that Barnet joins the scheme.

The 1985 Traffic Management Order for the LLCS will also be amended by London Councils to become the means by which a London-wide HGV Safety Permit (HSP) Scheme will be implemented.

Officers Recommendations

That the Environment Committee:

1. **Agree that, subject to making of the necessary Traffic Orders, Barnet joins the London Lorry Control Scheme and that officers continue to work with London Councils on the details of the scheme.**
2. **Authorise the Strategic Director for Environment to consult on a Traffic Management Order to revoke The Barnet (Greater London) (Restriction of Goods Vehicles) Traffic Order 1985) (Amendment No. 3) Traffic Order 1996.**
3. **Authorise the Strategic Director for Environment to consider any objections received as a result of the consultation referred to in recommendation 2, and determine whether the Traffic Management Order should be made, with or without modification.**
4. **Note the intention to use the LLCS Traffic Order as the means by which a London-wide HGV Safety Permit Scheme will be implemented**

1. WHY THIS REPORT IS NEEDED

- 1.1 The London Lorry Control Scheme (LLCS) restricts use of larger HGVs (over 18 tonnes) at night-times and weekends in London. Restrictions currently apply between the hours of 9pm and 7am, and from 1pm Saturday to 7am Monday morning.
- 1.2 The LLCS was originally introduced 30 years ago to limit night-time and week-end noise levels to the benefit of residents. There have since been a number of reviews and de-criminalised enforcement of the scheme was introduced in 2004.
- 1.3 Barnet is not currently covered by the LLCS. It withdrew in 1996 at least in part due to cost of membership at the time. At about the same time the Council introduced two 7.5 tonne restrictions that cover most roads in the borough (with exemption for access for loading) that apply at all times. However, enforcement of this type of restriction requires the assistance of the Police as they are the only authority with Powers to stop vehicles and enquire origin and destination from the driver. Demand on Police resources is at a high and this type of enforcement is not seen as a priority. The adoption of de-criminalised enforcement of moving traffic contraventions has enabled CCTV enforcement of 7.5 tonnes restrictions at some sites in the borough but a borough wide roll out of this technology would be unachievable, due to costs, the widespread area covered and the large number of vehicles covered by the loading exemption.
- 1.4 Not all roads in London are restricted by the LLCS – there is a core network of routes, usually trunk roads and similar, along which HGVs can travel at any time without needing permission to do so. These roads are known as "excluded roads", and are collectively called the Excluded Route Network, or ERN. The roads on which the Scheme applies are known as "restricted roads". Permission must be obtained before using restricted roads (during the controlled periods).
- 1.5 Permission will also be given to use restricted roads during the controlled period, but this has to be via an agreed route. This usually means travelling to the closest point on the

ERN then using the “shortest” direct route to the destination (applying a common-sense approach that favours more major roads over the absolute shortest route).

- 1.6 The LLCS is operated by London Councils’ Transport and Environment Committee (TEC). London Councils officers would welcome LB Barnet returning to the LLCS as this would have positive implications for the wider interests of the scheme in terms of increasing coverage and improving consistency across London. A return would also have a positive impact on the residents of LB Barnet in terms of regulating night time and weekend freight movements and having the mechanism in place to deal with unsociable and unnecessary freight journeys.
- 1.7 The LLCS is now self-financing so there would be no annual charge related to London Councils administering and enforcing the scheme on Barnet’s behalf. Following a review of the scheme in 2017 London Councils are working on a series of improvements which are likely to include ANPR enforcement. The scheme also provides a potential framework for enforcement of other lorry restrictions, notably the proposed HGV Safety Permit (HSP) Scheme which is described below.
- 1.8 Between 2015 and 2017, HGVs were disproportionately involved in fatal collisions with cyclists (63 per cent) and pedestrians (25 per cent) on London’s streets, despite only making up four per cent of the overall miles driven in the Capital.
- 1.9 In September 2016, the London Mayor announced his intention to use a Direct Vision Standard (DVS) for Heavy Goods Vehicles (HGVs) to improve the safety of all road users, particularly vulnerable road users like pedestrians, cyclists and motorcyclists.
- 1.10 TfL have developed a Direct Vision Standard for Lorries that uses a star system, rating HGVs from zero (lowest) to five (highest) stars, based on how much a driver can see directly through their HGV cab windows, and completed two rounds of consultation on the principles of a DVS and then a proposal for an HGV safety permit. From 8 January to 18 February 2019 TfL have been consulting on final HSP scheme proposals for a scheme that would require all HGVs over 12 tonnes to hold a Safety permit to enter or operate in Greater London. From October 2020, zero star HGVs would be banned unless they can demonstrate they operate in compliance with other measures in a defined safe system to minimise their risk to vulnerable road users.
- 1.11 By 2024, zero, one and two star HGVs would be banned unless they can demonstrate compliance with an updated progressive safe system. Operators will be able to apply for Safety Permits from October 2019.
- 1.12 TfL and London Councils propose to use their traffic regulation powers to implement the scheme, making use of the current 1985 LLCS Traffic Regulation Order under which the LLCS is legally established and operates, to achieve this, as there are synergies in terms of having a single instrument for HGV operating standards in London, covering both environmental and highway safety issues.
- 1.13 Barnet effectively left the LLCS in 1996 by making its own traffic regulation order, The Barnet (Greater London) (Restriction of Goods Vehicles) Traffic Order 1985) (Amendment No. 3) Traffic Order 1996, to be excluded from the Powers of the 1985 Order that originally established the LLCS.

- 1.14 Subsequently in 2004 Barnet gave formal notification to TEC that they would be leaving the LLCS giving one year's notice in accordance with Clause 13.4.2 of the TEC Agreement.
- 1.15 To join both the LLCS and HSP scheme will require Barnet to make a new order to revoke the 1996 Order by which it withdrew from the scheme. (This would not affect the 7.5 tonne restrictions as these were introduced via separate traffic orders.). London Councils officers have advised that Barnet would also need to formally delegate functions associated with the LLCS to TEC and TEC would need to accept these. This would be the subject of a further decision if necessary.
- 1.16 There would potentially be additional costs in introducing any on street signs that would be required to advise motorists of the scheme and the on-going maintenance of these signs. Further discussions would be required regarding the extent of the ERN in LB Barnet and the possible signage requirements. Some signage in relation to the scheme is still in place, which may assist in this regard. Much of this is associated with the TLRN. Requirements to sign other locations is likely to be limited mainly to the northern boundary of the borough. Depending on the extent of the requirements, London Councils have indicated that may be in a position to offer financial assistance, and making changes in conjunction with the HSP scheme may also be a possibility.

2. REASONS FOR RECOMMENDATIONS

- 2.1 The extension of the LLCS to Barnet would prevent the largest lorries from taking inappropriate routes through Barnet at nights and weekends. While this is likely to address only a small proportion of concerns related to lorries in the borough (since lorries below 18 tonnes gross vehicle weight would be unaffected, and larger lorries would still be able to use the most appropriate available route if making deliveries), it would allow enforcement (which the borough cannot undertake) on those occasions when the LLCS conditions were breached, provide a more consistent approach in London and provide a potential framework for future London-wide lorry controls.
- 2.2 The HSP scheme is intended to reduce road danger from HGVs operating in London. By re-joining the LLCS Order LB Barnet will be able to participate in the developing HSP scheme without the enforcement burden which will rest with London Councils, thereby improving road safety in the borough.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 Barnet could retain the present arrangements but would not be able to benefit from existing enforcement arrangements undertaken by London Councils, not be able to effectively enforce the movement of goods vehicles over 18 tonnes in unsuitable roads in the borough and not be able to benefit from the HSP scheme unless or until alternative arrangements were made to introduce the scheme.

4. POST DECISION IMPLEMENTATION

- 4.1 Following the decision, a traffic order would be drafted and advertised to revoke the 1996 traffic order.
- 4.2 Work would continue with London Councils to put arrangements in place for Barnet to rejoin the LLCS.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

- 5.1.1 The decision supports the 2018/19 Corporate Plan Priorities by delivering transport improvements that provide a means of addressing road safety in the borough as well as addressing environmental issues of noise and disruption in residential areas.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.2.1 Costs associated with revoking the 1996 Order are estimated to be approximately £2000. Discussions are ongoing with TfL and London Councils regarding the support they can provide to meet partial costs associated with this. Remaining costs can be met from LIP funding allocations for 2019/20.
- 5.2.2 There are currently no on-going administration and enforcement costs to boroughs as part of the LLCS.
- 5.2.3 There are also future costs with respect to signage in the borough and a detailed assessment of what is required and where will need to be undertaken. London Councils have agreed to give support in both this work and signage provision where possible. The costs associated with this will be clarified through ongoing discussions with London Councils and TfL.
- 5.2.4 Anticipated introduction of the HSP would be undertaken by, or at the cost of, TfL including signage changes as necessary.

5.3 Social Value

- 5.3.1 The Public Services (Social Value) Act 2012 requires people who commission public services to think about how they can also secure wider social, economic and environmental benefits. The Act is not applicable in the context of this report as it does

not concern a procurement process

5.4 Legal and Constitutional References

5.4.1 The Council Constitution, Article 7 provides at 7.5 Responsibility for Functions that:

- the Environment Committee is responsible for all borough-wide or cross-constituency matters relating to the street scene including, parking, road safety, lighting, street cleaning, transport, waste, waterways, refuse, recycling, allotments, parks, trees, crematoria and mortuary, trading standards and environmental health;

5.4.2 The Council has the necessary legal powers to make Traffic Management Orders to control or regulate traffic (including different classes of vehicles) under the Road Traffic Regulation Act 1994.

5.4.3 London Councils will require Barnet to obtain Council resolution to formally delegate functions associated with the LLCS to TEC and TEC would need to accept these. The exact functions to be delegated will need to be confirmed by London Councils and would be the subject of a further decision if necessary.

5.4.4 London Councils Transport and Environment Committee (TEC) is a joint committee established under the Association of London Government Transport and Environment Committee Governing Agreement dated 13 December 2001 (“the TEC agreement”). It is responsible for the exercise of those functions delegated to it by the 33 London local authorities and Transport for London.

5.5 Risk Management

5.5.1 Not revoking the 1996 Order would prevent a London-wide HSP scheme from being introduced by amending the 1985 order. This is the route that has been identified by TfL and endorsed by London Councils TEC as the most efficient legal mechanism to implement and enforce the HSP Scheme. This could lead to delays to introduction of safety improvements as well as reputational issues.

5.6 Equalities and Diversity

5.6.1 A public authority must, in the exercise of its functions, have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

5.6.2 The decision is not expected to have a disproportionate impact (either positive or negative) on persons sharing any protected characteristic.

5.6.3 TfL have had an integrated impact assessment undertaken on the proposal for the HSP scheme and this identifies a moderate positive impact on the objective of reducing the number of casualties from protected groups as a result of HGV related accidents.

5.7 **Corporate Parenting**

5.7.1 The decision has no direct impact on looked after children or care leavers. Any indirect or general effects are not expected to have a greater impact on looked after children or care leavers than on other children or young people.

5.8 **Consultation and Engagement**

5.8.1 The proposal to revoke The Barnet (Greater London) (Restriction of Goods Vehicles) Traffic Order 1985) (Amendment No. 3) Traffic Order 1996 would be subject to statutory consultation.

5.8.2 TfL have completed two rounds of consultation with regard to Direct Vision Standards and an HGV safety permit and from 8 January to 18 February 2019 have been consulting on final scheme proposals for a scheme that would require all HGVs over 12 tonnes to hold a Safety permit to enter or operate in Greater London.

5.8.3 Further statutory consultation (by London Councils /TfL) regarding the changes to the LLCS order to incorporate the HSP scheme will be necessary before those changes are made.

5.8 **Insight**

5.8.1 No specific insight work has been carried out in relation to this decision.

6. **BACKGROUND PAPERS**

6.1 Additional information regarding the LLCS may be found at <https://www.londoncouncils.gov.uk/services/london-lorry-control/about-llcs>

6.2 TfL January / February 2019 Consultation on the HSP scheme <https://consultations.tfl.gov.uk/roads/direct-vision-standard-phase2b/?cid=direct-vision-standard>