

GREATER LONDON COUNCIL

TRAFFIC MANAGEMENT ORDER

1985 No. 343

The Greater London (Restriction of Goods Vehicles) Traffic Order 1985

Made 15 July 1985

Coming into operation 16 December 1985

As amended to 23 August 2019 by 10 Amendment Orders including by the Greater London (Restriction of Goods Vehicles) Traffic Order 1985 (Amendment) Order 2019 which was made on that date and came into force the following day. The consolidated text is set out below.

The Greater London Council (hereinafter called ‘the Council’)¹, with the authority and consent of Transport for London (as the traffic authority for GLA Roads and GLA Side Roads in Greater London), and after consulting Transport for London, the Commissioner of City of London Police, the Commissioner of Police of the Metropolis, the Common Council of the City of London, and the Councils of all the London Boroughs, in exercise of the powers conferred by section 6 of the Road Traffic Regulation Act 1984, and of all other powers thereunto enabling, makes the following Order:-

1. This Order shall come into operation on 16 December 1985 and may be cited as the Greater London (Restriction of Goods Vehicles) Traffic Order 1985.

2.– (1) In this Order:–

“Blackwall Tunnel Northern Approach” has the same meaning as in the Tower Hamlets (Prescribed Routes) (No. 5) Traffic Order 1979;

“East Cross Route” has the same meaning as in the Hackney and Tower Hamlets (Various Prohibitions and Restrictions) (No. 1) Traffic Order 1979;

“Enactment” means any enactment, whether public, general or local, and includes any order, byelaw, rule, regulation, scheme or other instrument having effect by virtue of an enactment and any reference in this Order to any enactment shall be construed as a reference to that enactment as amended, applied, consolidated, re-enacted by or as having effect by virtue of any subsequent enactment;

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

¹ See the Explanatory Note at the end of the Order as to how the London Councils Transport and Environment Committee operates Greater London (Restriction of Goods Vehicles) Traffic Order 1985 since the abolition of the Greater London Council which originally made it.

“Highway maintainable at the public expense” has the same meaning as in section 329(1) of the Highways Act 1980;

“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;

"permit" (unless otherwise stated) refers to a HGV Safety Permit and/ or a LLCS Permit;

"prescribed hours" means the times

- (i) between midnight and 7.00am and between 9.00pm and midnight on Mondays to Fridays inclusive;
- (ii) between midnight and 7.00am and between 1.00pm and midnight on Saturdays; and
- (iii) at any time on Sundays;

“restricted street” means any highway maintainable at the public expense or length of such highway in Greater London (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);

“Goods Vehicles” and “Maximum Gross Weight” have the same meaning as in the Traffic Signs Regulations and General Directions 2016;

- (2) 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).
- (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.
- 2(C) 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.
- (3) The prohibitions imposed by this Order are in addition to and not in derogation of any restriction, prohibition or requirement imposed by any other enactment and any exception or exemption is without prejudice to the provisions of any other enactment.

- 3.– (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.
- (b) In any proceedings relating to paragraph (a) above where it is shown that either:
- (i) A person was the registered keeper of a vehicle at any date; or
 - (ii) A person was a hirer or hire purchaser or lessee or conditional purchaser or owner of a vehicle at any date

it shall be presumed that that person was the user of the vehicle at that date unless that person shows on the balance of probabilities that he was not the user of the said vehicle at the said date and for the avoidance of doubt the existence or otherwise of any such agreement as mentioned in (ii) above shall not of itself mean that the registered keeper is not also a user of that vehicle.

4. Nothing in Article 3 of this Order shall apply:–

- (a) in relation to any goods vehicle being driven by any person in a restricted street in respect of which a permit has been granted by the Council pursuant to Articles 5 and 6 below provided that:–
 - (ii) any conditions subject to which the permit is granted are complied with; or
- (b) to any vehicle whose use on roads is authorised by the Motor Vehicles (Authorisation of Special Types) General Order 1979 provided that all conditions subject to which its use is authorised are complied with; or
- (c) to any vehicle being used for fire brigade, ambulance or police purposes; or
- (d) to any vehicle to which paragraph (c) above does not apply and which or whose load is required for the purposes of dealing with any actual or apprehended emergency affecting the safety of persons or property, or
- (e) to anything done with the permission or at the direction of a police constable in uniform or to any vehicle whose use on roads is authorised by the Commissioner of Police of the Metropolis within the Metropolitan Police District or by or on behalf of the Commissioner of Police for the City of London within the City of London; or
- (f) to any person who causes any vehicle to proceed in any restricted street or length thereof in accordance with any prohibition, restriction or requirement indicated by traffic signs placed pursuant to Section 66 or Section 67 of the Road Traffic Regulation Act 1984
- (g) where the Council otherwise grant a general or specific exemption.

5. Subject to Articles 6 and 7 below, the Council upon application being made to them in the form hereinafter provided or otherwise, may, having regard to:

- (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:
 - (a) the desirability of securing and maintaining reasonable access to premises;
 - (b) the effect on the amenities of any locality affected and (without prejudice to the generality of this paragraph) the importance of regulating and restriction the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run;
 - (c) the importance of facilitating the passage of public service vehicles and or securing the safety and convenience of persons using or desiring to use such vehicles;
 - (d) any other matters appearing to the Council to be relevant; and
- (ii) such lawful considerations of policy as may be set out in a policy statement;

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.

- 6.– (1) Such persons as may be within a class provided for in a policy statement may apply to the Council for the grant of a HGV Safety Permit and/ or a LLCS Permit (as appropriate) referred to in Article 5 above and any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.
- (2) On receipt of an application duly made under this provision the Council, upon being satisfied that a permit should be granted to the applicant, shall record that permit and notify the applicant accordingly.
- (3) The notification referred to in Article 6(2) above shall be a written schedule in such form as may from time to time be prescribed by the Council and shall include the following:
- (a) the type of permit, the registration mark of the vehicle in respect of which the permit has been granted;
 - (b) the duration of the permit and the expiry date;
 - (c) the conditions to which the permit is subject (if any).
- (4) If it appears to the Council that the vehicle in respect of which a permit (being a HGV Safety Permit and/ or a LLCS Permit) has been granted has not been used in accordance with any condition to which the grant of the permit was made subject, the following provisions shall apply:–

- (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;
 - (b) at the expiration of the said twenty-one days the Council may, after considering any representations received from the holder, decide to suspend or revoke the permit;
 - (c) the Council shall thereupon serve notice on the holder informing him that the permit has been suspended for such period set out in the notice or has been revoked;
 - (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;
 - (e) any notice required to be served under the provisions of this paragraph may be served by recorded delivery service on the holder at the address shown by the holder on the application form for a permit or at the address most recently notified by the holder to the Council or at the holder's last place of business.
7. The Council may grant a permit either unconditionally or subject to such lawful conditions as the Council may think fit.

SCHEDULE

Excluded Route Network

[INSERT EXISTING MAP]

EXPLANATORY NOTE

The Greater London Council (“the GLC”) made the Greater London (Restriction of Goods Vehicles) Traffic Order 1985 (“the 1985 Order”) under section 6 of the Road Traffic Regulation Act 1984 (“the 1984 Act”) for the purposes of establishing the London Lorry Control Scheme in Greater London.

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.