

HICKLING PARISH COUNCIL

AGENDA ITEM NO : Correspondence

AGENDA ITEM : Weight Restrictions Hickling

IMPLICATIONS

- **Crime & Disorder**¹ – No implications arising from the Report have been identified.
- **Biodiversity**² - No implications arising from the Report have been identified.

By: Clerk

Date of Meeting : 9th August 2022

Thank you for your recent email to Councillor John Cottee.

The problem of villages being disturbed by heavy goods vehicles is a difficult one to address. Environmental weight restrictions have been introduced in the past, however, the integrity of such a traffic regulation order is to a certain extent governed by the level of enforcement it receives. As you correctly state, Trading Standards are currently responsible for enforcing HGV restrictions. However, to prosecute an HGV driver the vehicle it would need to be established that they are not using the route for legitimate reasons exempt from the weight restriction.

With any Weight Restriction Order there are exemptions to the restrictions for HGV's using the road:-

1. For or in connection with the conveyance of goods to or from premises situated on or adjacent to that length of road.
2. For the purpose of agriculture on any land adjacent to that length of road or for or in connection with, the conveyance or haulage of timber felled upon such land.
3. In connection with the carrying out on, or on the premises situated on or adjacent to, that length of road of any following operations, namely:-
 - Building, industrial or demolition operations;
 - The removal of obstructions to traffic;
 - The maintenance, improvement or reconstruction of the road;

¹ Section 17 Crime and Disorder Act 1998 requires parish councils to consider the impact of all their functions and decisions on crime and disorder in their local area.

² Section 40 Natural Environment & Rural Communities Act 2006 requires local authorities to have regard to the conservation of biodiversity in exercising their functions. Biodiversity includes species of plants and animals and the ecosystems of which they are part.

- The laying, erection or alteration or repair in, or land adjacent to the road, of any sewer or any main, pipe or apparatus for the supply of water, gas, electricity or any telegraphic line.
- For Fire Brigade, Police and Ambulance purposes;
- To proceed from any premises which are situated on or adjacent to that length of road and at which the vehicle is to be, or has been garaged, serviced or repaired;
- In the service of a local authority or water authority in pursuance of statutory powers or duties;
- On that road for or in connection with the conveyance of goods for sale from the vehicle.

I will speak with a colleague in the County Council's Trading Standards Team and ask for some feedback on your recent reports. I do suspect though that it is likely that the vehicle shown in your photographs will have been using the route for the delivery of farming equipment, which would mean the vehicle is exempt from the restrictions.

I hope this information is of use to you.

Kind regards,

Laura

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