

# 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 January 2010 by 9 Amendment Orders

---

The Greater London Council (hereinafter called 'the Council'), after consulting 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 hereby make 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;
    - "Highway Maintainable at the Public Expense" has the same meaning as in section 329(1) of the Highways Act 1980;
    - "Permission" means a permission granted by or on behalf of the Council under the provisions of Articles 5 or 6 hereof which exempts a vehicle from the prohibition imposed by this Order;
    - "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 not being a street of length of street specified in the Schedule to this Order;
    - "Goods Vehicles" and "Maximum Gross Weight" have the same meaning as in the Traffic Signs Regulations and General Directions 1981.
  - (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 the Council's policy on the granting of permission, being the policy which applies at the time when the Council is considering the grant of a permission under the provisions of this Order.
  - (3) The prohibition imposed by this Order is 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 exceeding 18 tonnes maximum gross weight in any restricted street 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 during the prescribed hours in respect of which a permission has been granted by the Council pursuant to Articles 5 and 6 below provided that:—
    - (ii) any conditions subject to which the permission 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.
5. Subject to Articles 6 and 7 below, the Council upon application being made to them in the form hereinafter provided may, having regard to:
- (i) its duty to secure the expeditious and safe movement of traffic 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 permission to enable a vehicle exceeding 18 tonnes maximum gross weight to be driven in any restricted street during the prescribed hours.
- 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 permission 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 permission should be granted to the applicant, shall record that permission 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 registration mark of the vehicle in respect of which the permission has been granted;

- (b) the duration of the permission and the expiry date;
  - (c) the conditions to which the permission is subject.
- (4) If it appears to the Council that the vehicle in respect of which a permission has been granted has not been used in accordance with any condition to which the grant of the permission was made subject, the following provisions shall apply:–
- (a) the Council may by notice in writing served on the holder of a permission inform the holder that the Council is considering the revocation of the permission but, before deciding whether or not to revoke it, the Council 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 revoke the permission.
  - (c) the Council shall thereupon serve notice on the holder informing him that the permission has been revoked.
  - (d) 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 permission 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 permission either unconditionally or subject to such lawful conditions as the Council may think fit.