

**Report for:** Head of Service for Highways and Parking

**Title:** Proposed exemption to 16.5t weight restriction on All Hallows Road, N17

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**Ward(s) affected:** Bruce Castle

**Report for Key/  
Non-Key Decision:** Non-key decision

**1 Describe the issue under consideration**

- 1.1 To determine whether the proposed 'except for access' exemption to the existing 16.5t weight restriction on All Hallows Road, N17 should be implemented.
- 1.2 To request approval to proceed to make the necessary traffic management orders, and to proceed with implementation. This would allow the Antwerp Arms Public House, to be serviced by large delivery vehicles such as those used by a member of the Brewery Logistics Group.

**2 Cabinet Member Introduction**

- 2.1 N/A

**3 Recommendations**

The Head of Highways and Parking is asked to:

- 3.1 Approve the implementation of the proposed 'except for access' exemption to the existing 16.5t weight restriction on All Hallows Road, N17, as set out in the legal notice shown at Appendix A and the making of all necessary traffic management orders to enable the proposed exemption to be implemented.
- 3.2 Agree that the Council shall exercise its discretion to not cause a public inquiry to be held for the reasons set out in paragraph 8.2 of this report.

**4 Reasons for decision**

- 4.1 The Council is required to consider the feedback received during the statutory notification period, in particular any objections to the proposals, prior to introducing the 'except for access' exemption to the existing 16.5t weight restriction on All Hallows Road, N17.

4.2 The exemption to the 16.5t weight restriction on All Hallows Road N17, will allow the Antwerp Arms Public House, to be serviced by a member of the Brewery Logistics Group.

4.3 The reason why this is a non-key decision is because it will not result in the award of a contract or expenditure of £500,000 or more nor any virements and because it only relates to one ward.

## **5 Alternative options considered**

5.1 Do nothing: This option was rejected as consolidated deliveries to the Antwerp Arms Public House would not be possible as other routes are not feasible.

## **6 Background Information**

6.1 Haringey Council was contacted by the Brewery Logistics Group in March 2024, highlighting access issues on behalf of one of its members servicing The Antwerp Arms Public House.

6.2 In order to minimise deliveries and movements around London, consolidated loads are encouraged to reduce the number of vehicles. The weight of the vehicles used is therefore approximately 26 tonnes, which is in excess of the 16.5 tonne restriction in place in All Hallows Road.

6.3 Officers initially suggested an alternate route which was trialled by the Brewery Logistics Group; however this was deemed unfeasible and unsafe due to road widths and on-street parking.

6.4 Due to the nature of the issue and as no exemptions were permitted for the existing 16.5t weight restriction on All Hallows Road, officers agreed that the existing Traffic Management Order would need to be amended to allow access.

6.5 As Risley Avenue Primary School is located adjacent to All Hallows Road, an agreement will be made with the Brewery Logistic Group to only allow access one weekday a week for deliveries to The Antwerp Arms Public House. It will also state that these are to take place between the hours of 09:00 and 14:00 to avoid school arrival and dispersal times.

6.6 The total cost of the amendments is £6k, which will be funded via Haringey Council's revenue budget.

6.7 The Council must exercise its powers under the Road Traffic Regulation Act 1984 (as amended) (RTRA) so as to secure the expeditious, convenient and safe movement of vehicular and other traffic including pedestrians, and the provision of suitable and adequate parking facilities on and off the highway pursuant to section 122 of the RTRA. These powers must be exercised so far as practicable having regard to the following matters: -

- the desirability of securing and maintaining reasonable access to premises.
- the effect on the amenities of any locality affected including the regulation and restriction of heavy commercial traffic so as to preserve or improve amenity.
- the national air quality strategy.
- facilitating the passage of public service vehicles and securing the safety and convenience of their passengers.
- any other matters appearing to the Council to be relevant.

6.8 Officers consider that the following are of particular relevance to securing the expeditious, convenient and safe movement of traffic and the provision of suitable and adequate parking facilities, given the objectives of this proposal:

- the desirability of securing and maintaining reasonable access to premises.
- the effect on the amenities of any locality affected including the regulation and restriction of heavy commercial traffic so as to preserve or improve amenity.
- the national air quality strategy.

## **7 Consultation**

7.1 Legal notices were placed on-street and in the local newspaper and London Gazette. A copy of the legal notice is attached as Appendix A which gave parties 21 days to make representations regarding the proposals as required by the Local Authorities' Traffic Orders (Procedure)(England and Wales Regulations 1996 ("LATOR"). A copy of the legal notice and draft order together with the statement of reasons explaining why the Council has proposed to make the order was made available at its offices as required under LATOR. The proposals include the provision of 'except for access' exemption to the existing 16.5t weight restriction on All Hallows Road, N17.

7.2 As part of the statutory process, the following statutory bodies were also notified, some as required by LATOR:

- AA
- London Transport
- Police (local)
- Fire Brigade
- London Ambulance Service
- Freight Transport Association
- Road Haulage Association
- RAC
- Metropolitan Police (traffic)
- London Travel Watch
- Haringey Cycling Campaign

## **8 Responses to Consultation**

8.1 No responses or representations were received during the statutory notification period.

8.2 The LATOR provides that the traffic order making authority shall hold a public inquiry prior to the making of a traffic order (TMO) if the conditions in regulation 9(3) apply otherwise the authority has a discretion whether or not to hold a public inquiry prior to the making of a TMO. There have been no objections received and so the Council is under no obligation to hold an inquiry. This report does not include the recommendation for the Council to exercise its discretion to hold a public inquiry on account of holding such an inquiry would lead to expense and delay while being unlikely to alter the ultimate decision.

## **9 Contribution to the Corporate Delivery Plan 2022-2024 high-level strategic outcomes**

- 9.1 The provision of permitting access to vehicles greater than 16.5 tonnes and facilitating consolidated delivery loads supports the following high-level strategic priority outcomes contained within the Corporate Delivery Plan:

Theme 2: Responding to the Climate Emergency

- A Greener and Climate Resilient Haringey
  - A Just Transition
  - A Low Carbon Place
- 9.2 The changes proposed align with the Council's Transport Strategy 'aims' of:
- An improved air quality and a reduction in carbon emissions from transport and
  - A well-maintained road network that is less congested and safer

**Statutory Officers' comments**

**10 Comments of the Chief Financial Officer**

- 10.1 This report seeks the approval for the implementation of the access exemption to the existing 16.5t weight restriction on All Hallows Road, N17 for a total cost of £6k. The full cost of this proposal will be fully met from the Council's revenue budget.

**11 Comments of the Assistant Director of Legal and Governance**

- 11.1 Before reaching a decision to make the necessary TMO to implement the measures in paragraph 6.4 of the report, the Council must follow the statutory consultation procedures in the RTRA and LATOR including consulting with the parties set out in paragraph 7.2 above and placing/publishing notice of the proposal(s) and making the draft TMO/notice of proposals available for inspection at its offices as described in paragraph 7.1.
- 11.2 No representations have been received in response to the consultation on the proposals in paragraph 7.1 of this report and so no judgment needs to be exercised as to how much weight each representation should carry and whether or not to approve any of the measures in the proposals in light of the representations.
- 11.3 The Council's powers in relation to the making of TMOs for the proposal in paragraph 7.1 above are contained in section 6 and schedule 1 paragraphs 1-22 of the RTRA.
- 11.4 Section 122 of the RTRA requires the Council to have regard to factors pointing in favour of imposing a restriction on the movement of traffic and those pointing in favour of securing the convenient and safe movement of such traffic, balancing the various considerations and concluding that the restrictions represent an appropriate outcome. The factors which have pointed in favour of introducing the exemption identified in paragraph 7.1 and Appendix A are set out in paragraph 8.2 of this report.
- 11.5 Regulation 9(1) of LATOR sets out when an authority must hold a public inquiry before making an order and when it has a discretion to hold one. No objections were received to the proposals so there is no obligation for a public inquiry to be held. It would be lawful for the Council to decide not to hold a public inquiry for the reasons explained in paragraph 8.2 of this report.
- 11.6 The decision to approve the proposals in paragraph 7.1 is an executive decision that can be exercised by the Head of Highways and Parking in accordance with the

Council's Constitution and delegation given by the Director of Environment and Neighbourhood in his scheme of delegation dated 13 March 2023.

## 12 Equality Comments

12.1 The council has a Public Sector Equality Duty (PSED) under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
- Advance equality of opportunity between people who share protected characteristics and people who do not
- Foster good relations between people who share those characteristics and people who do not

The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty. Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

12.2 The decision outlined in this report is to approve the implementation of the proposed 'except for access' exemption to the existing 16.5t weight restriction on All Hallows Road, N17 and the making of all necessary traffic management orders to enable the proposed exemption to be implemented.

12.3 As required by LATOR, a statutory notification period of 21 days commenced to allow for interested parties to make representations regarding the proposal. Legal notices were placed on-street and in the local newspaper and London Gazette (see Appendix A). No responses were received during the statutory notification period, enabling the Council to proceed with the proposal without holding an inquiry.

12.4 Due consideration has been given to the impacts the decision will have on groups with protected characteristics. It is not anticipated that there will be any groups impacted negatively as a result of the proposal.

12.5 The proximity of All Hallows Road to Risley Avenue Primary School meant that there was the potential for delivery vehicles to disrupt school arrival and dispersal times. The proposal has accounted for this by limiting weekday access to one day per week and only between the hours of 09:00 and 14:00 to avoid school traffic. This prevents any negative effects of the proposal on school-age children or their caregivers (a disproportionate number of whom are female (ONS Census, 2021)). For other groups with protected characteristics, this decision will have a neutral impact.

## 13 Use of Appendices

- Appendix A – Legal Notice

## 14 Background Papers

- None