

ED2. EXECUTIVE DECISIONS BY A CABINET MEMBER OR AN OFFICER

A. Report Title: SOUTH OCKENDON HGV ROUTE	
B. Report Author(s): Steven Lines Senior Engineer, Strategic Transport	Tel: Ext 2091 (01375 652091) E-mail: slines@thurrock.gov.uk
C. Decision Maker: Basil Jackson	
D. Position held: Interim Head of Transportation and Highways	
E. Key decision: YES/NO NO	F. Delegation ref:
G. Is the decision urgent? YES/NO NO	
H. If yes, state why. N/A	

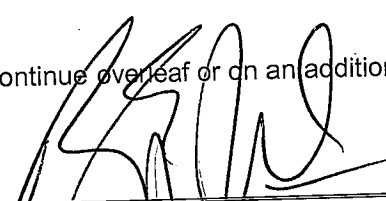
I. DECISION (strike out whichever does not apply) :

1. I agree the recommendations in the attached report for the reasons given in the report; **OR**

2. *My decision is:

*The reason for my decision is:

* Continue over leaf or on an additional sheet if necessary.

Signed:  **Date:** 21/8/13

URGENCY

Democratic Services will arrange for the completion of the following:

J. I confirm that in my opinion a decision on this matter is urgent and cannot reasonably be delayed:

Signed: **Date:**

To be completed by Democratic Services

Date decision received by Dem. Services:	Date decision published:
Implementation date:	
Relevant O & S Committee:	

A GUIDE TO THE PROCEDURE FOR MAKING AND RECORDING DECISIONS BY A CABINET MEMBER OR AN OFFICER

INTRODUCTION

The essential principle is that a decision by a Cabinet Member or an Officer takes the place of a conventional decision taken by full Cabinet. It must therefore be based upon an **Officer report** following the usual requirements for both content and consultation with other Heads of Services, including the Legal and Finance teams.

The report should contain a clear recommendation in the form of a resolution or minute.

The correct template should be used and is accessible through
J:\Thurrock\Corporate Templates - Delegated Decision Proforma.

A and B. TITLE AND AUTHORS OF THE REPORT

These should be the same as in the accompanying report and the Officer's contact details included.

C. NAME OF DECISION TAKER

Name and initial

D. POSITION AND RESPONSIBILITY HELD

This will be the area of responsibility for a Cabinet Member or the job title of an officer.

E. KEY DECISION

There are procedures for Key Decisions. If in doubt, consult the Legal Section.

F. DELEGATION REFERENCE

If the decision is being made by a Cabinet Member, the delegation will appear under the name/title of the Cabinet Member in Part 3.8 of the Constitution, eg "the Leader: Delegation (m)".

If the decision is to be made by an Officer, quote the relevant number in the Officer Delegation Scheme in Part 3.9 of the Constitution, eg 12.3.68.

G and H. URGENCY

Yes or No should be deleted as appropriate.

A "No" indicates that the normal call in rules will apply and the decision, once made, cannot be implemented for 5 working days.

If "Yes" is indicated the reason for the urgency must be stated. Democratic Services will contact the Chairman of the relevant Overview and Scrutiny Committee or the Mayor to agree that the matter is urgent and that, therefore, the usual call-in provisions will not apply.

I. DECISION

For completion only by the person making the decision. If the recommendations in the accompanying report are correctly drafted, the decision will in the great majority of cases accord with the recommendation.

J. OVERVIEW AND SCRUTINY CHAIRMAN

Democratic Services will consult the Chairman of the Overview and Scrutiny Committee or Vice-Chairman (or if they are unavailable the Mayor) to agree that a matter is urgent and cannot await call-in and scrutiny.

ACTION REQUIRED

An Officer seeking a decision from a Cabinet Member or an Officer with the Delegated powers to make a Key Decision shall send a copy of the report together with Form KD to Democratic Services.

Democratic Services will check that it complies with procedures and then send two copies to the decision-maker (one for the decision-maker's retention) together with a return envelope and circulate the report in accordance with Administration Rules 11 and 12. The decision-maker will be asked not to make the decision until five clear days have passed (to allow time for representations) unless the special urgency procedures apply.

On receiving a signed decision from the decision-maker, Democratic Services will publish it. The implementation date (subject to call-in) will then be a further 5 working days later. The Officer seeking the decision will be notified as soon as the decision is cleared for implementation.

Please note that taking a delegated decision should always be done in consultation with legal services – no delegated decision should be taken without their advice.

(Form ED2 can be found on J:\Thurrock\Corporate Templates)

Lines, Steven

From: Cllr A.J Smith
Sent: 20 August 2013 17:31
To: Lines, Steven
Subject: Re: South Ockendon Heavy Goods Vehicle Route - Delegated Decision Report

Agreed
Cllr andrew smith

From: Lines, Steven
Sent: Tuesday, August 20, 2013 04:50 PM
To: Cllr A.J Smith
Subject: South Ockendon Heavy Goods Vehicle Route - Delegated Decision Report

Dear Councillor Smith

Sorry to pester you on this.

You may recall we discussed the above report briefly over the phone a few days ago and you indicated that you would agree the proposal.

In order that I can pass this forward to the Interim Head of service for Highways and Transportation to sign the DDR, I would be grateful if you could send an email reply acknowledging that you agree.

Thank you

Steven Lines | Senior Engineer | Strategic Transport

www.thurrock.gov.uk | e slines@thurrock.gov.uk | t 01375 652091

Thurrock Council, Civic Offices, New Road, Grays Essex, RM17 6SL

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Before printing, think about the environment

From: Lines, Steven
Sent: 12 August 2013 14:38
To: Cllr A.J Smith
Subject: South Ockendon Heavy Goods Vehicle Route - Delegated Decision Report

Dear Councillor Smith

I would be grateful for if you could confirm your support for the attached Delegated Decision Report at your earliest convenience.

Thank you

Steven Lines | Senior Engineer | Strategic Transport

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21/08/2013

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From: Lines, Steven
Sent: 05 August 2013 11:50
To: Cllr A.J Smith
Subject: South Ockendon Heavy Goods Vehicle Route - Delegated Decision Report

Councillor Smith

I am writing to you as Portfolio Holder for Regeneration Highways and Transportation.
Attached is a DDR report on **South Ockendon Heavy Goods Vehicle Route** for your approval.

This report has been sent to Ward Members for their comments
Two replies were received:

Councillor L Carr

"I would like it noted that I am still concerned at the volume of lorries that will still travel down north road and west road. The effects that the lorries will have on the houses, causing structural damage. Also the danger they pose to pedestrians."

Councillor B Johnson

"My opinion echos that of Cllr Carr"

These comments have now been incorporated into the report.
Thank you.

Kind regards,

Steven Lines | Senior Engineer | Strategic Transport

www.thurrock.gov.uk | e slines@thurrock.gov.uk | t 01375 652091

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Click box once and type the Date of the Meeting (Font 16 not capitals)	ITEM
Planning	
SOUTH OCKENDON HGV ROUTE To consider the options for the routing of Heavy Goods Vehicles through South Ockendon (and the route of lorries serving the restoration of the former Belhus landfill site).	
Portfolio Holder: Councillor Andy Smith – Portfolio for Regeneration, Highways & Transportation	
Wards and communities affected: Ockendon & Belhus	Key Decision: Non-key
Accountable Head of Service: Andy Millard (Head of Planning and Transportation)	
Accountable Director: David Bull (Director of Planning & Transportation)	
This report is Public	
Purpose of Report: To agree the decision resulting from the consultation of properties fronting the effected traffic routes.	

EXECUTIVE SUMMARY

In September 2009, Thurrock Thames Gateway Development Corporation (TTGDC) granted planning permission, subject to conditions, for the 'Restoration of the land and creation of a Country Park' on the former Belhus landfill site, Arisdale Avenue, South Ockendon.

The Section 106 Agreement associated with the Planning Application (08/00125/TTGFUL - Former Belhus Landfill Site) required the Developer (Belhus Land Ltd & Rural Arisings Ltd) to make a Transport Contribution of £53,483.13 towards:

- a) Traffic management measures within the Daiglen Drive / Arisdale Avenue and West Road / South Road routes.
- b) other highway measures within the Ockendon area.

In order to landscape the ex-landfill site as parkland the Developer intended to bring in inert fill material by lorry. There was concern over the route that these Heavy

Goods Vehicles would take through the area (coming into Ockendon to deliver their loads to the site and then to exit back out again). The existing movement of Heavy Goods Vehicles through the South Ockendon area was already a concern for the residents and this addition has led to increased pressure to take appropriate action.

Originally, the applicant had devised a lorry permitting scheme which would allow only their HGV's to enter along Daiglen Drive and leave via South Road, effectively creating a clockwise loop. Thurrock Council's Highways Department had no objection in principle to the scheme, which would exempt the applicants HGV's from the HGV ban on South Road. The applicant was going to make a request to Thurrock Council seeking a variation in the TRO to allow their exiting HGV's to route southbound along South Road. However, there were objections from the Police and concerns over enforcement and abuse. Therefore an alternative solution was sought.

In order to tackle the HGV movement problem several options were considered. The outcome from each would have a different effect on the area. It was decided that the various options should be put to the residents who would be most affected by the routes in order to seek their preferred course of action (and a route which would therefore receive the greatest level support).

5 options were offered for the Resident's consideration.

All the properties fronting onto the major traffic routes affected were sent a questionnaire with the list of options.

Nearly 800 forms were delivered. The 201 forms received back represented a return of over 25%.

Of those that responded, the overwhelming preferred option was for "more enforcement of the unauthorised commercial uses in Ockendon to reduce overall HGV levels". This has now been forwarded on to Planning Enforcement for attention. It should be noted that the Planning Inspectorate decision on The Howard Tenens Site has allowed a further 5 years' use conditional on a restrictive routing agreement, and all HGVs using a designated route to the motorway. Enforcement of unauthorised uses has no financial implication for the contribution from Rural Arisings. As a result, the full sum of the 106 contribution is still available.

The consultation results were reviewed in order to determine whether there was significant support for a second option which would enable Thurrock Council to help the residents, whilst not conflicting with the first option.

The next preferred option was for the provision of a width restriction on South Road.

This registered as second favourite on the overall scoring system and (more significantly) was the top option of 52 of those who replied (greater than 25 %).

This option does not conflict with the preferred choice (which has already been acted upon).

The design and construction for this width restriction could be partially met from the Transport Contribution of £53,483.13. However, it is likely that further funding would be required from an alternative source, but some of which can be met from other S106 contributions from the developments in the Arisdale Avenue area.

1. RECOMMENDATIONS:

- 1.1 That the preferred choice from the results of the consultation (Option B) is implemented.
- 1.2 This option is for a width restriction be introduced on South Road . The design and construction for this width restriction could be partially met from the Transport Contribution of £53,483.13. However, it is likely that further funding would be required from an alternative source, but some of which can be met from other S106 contributions from the developments in the Arisdale Avenue area.
- 1.3 That subject to the statutory consultation, it is agreed that the enforcement of the width restriction is undertaken with a bus lane bypass that would be subject of a separate traffic management order.

2. INTRODUCTION AND BACKGROUND:

- 2.1 In September 2009, TTGDC Planning Committee granted approval to a planning application (ref: 08/00125/TTGFUL) proposing the restoration of the land and creation of a Country Park at the former Belhus landfill site.
- 2.2 The restoration was to include the importing and depositing of materials on site to create a new landscaped cover layer, the siting of ancillary buildings and the use of screening and crushing plant in connection with the processing of materials for the restoration work. Rural Arisings (the Developer) stated that they were intending to bring new Topsoil onto the site by lorry on a continuous basis over a number of years. The works are proposed to be undertaken in a series of phases over a 10-year period. This has now begun and the site has been operating for about two years.
- 2.3 The permitted restoration involves, on average, 65 deliveries per day (i.e. 130 movements in total). To allow for variations in average delivery volume and for peaks and troughs in the availability of material, the application permitted up to 100 deliveries per day (i.e. 200 movements).
- 2.4 The planning permission also allows the use of use Arisdale Avenue, West Road and North Road (B186) to and from the site. The B186 provides a link to the A127 at Great Warley. The application anticipated 25% of all traffic using this route. The remaining 75% (approximately 98 movements) would use either;
 - A one-way system comprising Stifford Road / Daiglen Drive / Arisdale Avenue to the site and Arisdale Avenue / West Road / South Road from the site.
 - A two way system comprising Stifford Road / Daiglen Drive / Arisdale Avenue to and from the site

- 2.5 South Road currently has a Traffic Regulation Order which prohibits vehicles in excess of 7.5 tonnes from using the road (except for loading/access). This is in force on South Road between its junctions with Buckles Lane and West Road which, unless varied, would preclude its use as a through route.
- 2.6 Originally, the applicant had devised a lorry permitting scheme which would permit their HGV's to pass along South Road. Thurrock Council's Highways Department had no objection in principle to the scheme, which would exempt the applicant's HGV's from the HGV ban on South Road. The applicant was going to make a request to Thurrock Council seeking a variation in the TRO to allow their exiting HGV's to route southbound along South Road.
- 2.7 However, there had been concerns raised by Ward Councillors and residents of South Road about existing number of HGV's using South Road, and now proposed to be exacerbated by the lorry routing from the development. The concerns primarily involve the safety and suitability of HGV's using South Road, because of the proximity of the properties to the pavements and potential risk to pedestrians due to the narrow pavements. Additionally residents have speculated that the high levels of HGV damages underground services, necessitating the maintenance works which cause traffic delays. There has recently been a series of maintenance works in the area, albeit there is no evidence that these services were damaged by HGV traffic.
- 2.8 There were also objections from the Police and concerns over enforcement and abuse.
- 2.9 In response to the above, an alternative solution was sought.

3. ISSUES AND OPTIONS:

3.1 Issues

- 3.1.1 The issue of concern was over the route that the Rural Arising's vehicles would take through the area (coming into Ockendon to deliver their loads to the site and to exit out again).
- 3.1.2 The existing movement of Heavy Goods Vehicles through the South Ockendon area is already a concern for the residents and this addition has led to increased pressure to take appropriate action. In particular concerning levels of HGV's passing the cottages on North Road and HGV traffic travelling to unauthorised sites within South Ockendon.

3.2 The Suitability of the Alternative Routes

- 3.2.1 Daiglen Drive is an urban distributor road with high density residential blocks on both sides of the road, as well as a local shopping centre and various other local amenities, along with schools which generate a significant number of pedestrian/cycle trips. Daiglen Drive is a designated lorry route however it is a

lower class of road relative to South Road, which prior to the introduction of the 7.5t weight limit was designated as a main traffic carrying road.

3.2.2 South Road is comparatively a low density residential road, with housing located mostly on the western side with a few shops and garden centres. The majority of the residential units are set back from the carriageway with reasonably lengthy forecourts, except in some relatively small sections of South Road such as in South Ockendon village, the row of houses north of Garth Road and those opposite Oaklands Drive. The character of South Road could be described as semi rural, as some section have housing on one side and the other side is mostly hedgerows which are set right to the edge of the carriageway, giving the perception of the road width being narrow.

3.2.3 Objectors to HGV's using South Road contend that the road width of Daiglen Drive is more suited to HGV's than the road width of South Road. However South Road is of a width appropriate to its role as a traffic carrying road which is also a designated bus route.

3.2.4 The proximity of the properties to the pavements along South Road and risk to pedestrians due to the narrow pavements has been raised as a safety issue, however as there is no evidence to substantiate that this is the case for the most part of South Road. Furthermore collision records show that South Road has a better safety record than Daiglen Drive and has improved year on year.

3.3 **Safety**

3.3.1 Analysis of the collision records reveal that there is little evidence of safety problems associated with HGV's, and unlike Daiglen Drive there is little evidence of safety issues on South Road; which has been improving.

3.3.2 Therefore based on the analysis of the collision records, the least harmful route in respect of road safety is South Road. Any increase in traffic flow on Daiglen Drive, including HGV's, would likely exacerbate the already increasing collision rate recorded in Daiglen Drive.

3.4 **Essex Police Comments**

3.4.1 Essex Police does not generally support environmental weight limits or any scheme that is designed to divide road space unequally between different users. Furthermore, enforcement is not high on policing priorities, neither for neighbourhood officers or roads policing officers.

3.4.2 The Police also question why there is a weight restriction on B186 South Road at all, when this is a classified road.

3.5 Options

3.5.1 In order to tackle the HGV movement problem several options were considered. However, the outcome from each would have a different effect on the area.

3.5.2 The Options considered were:

- Option A - A 7.5t weight restriction on Clay Tye Road
- Option B - The provision of a width restriction on South Road
- Option C - Seeking a southbound routing agreement with Arisdale operators
- Option D - More enforcement of the unauthorised commercial uses in Ockendon to reduce overall HGV levels
- Option E - Take no action at the present time

3.5.3 **Option A A 7.5t weight restriction on Clay Tye Road (within the remit of the London Borough of Havering).**

The restriction would be located just within the London Borough of Havering borders north of North Ockendon. This would have the effect of preventing HGVs travelling north/south through the area between the A127 and South Ockendon via North Road. However, it would also mean that all Heavy vehicles wishing to access the Arisdale commercial units and deliveries to the development sites around Arisdale Avenue (including the Topsoil lorries for the Belhus landfill site) would have no alternative but to enter and exit from the south via the residential South Ockendon area. This proposal would relocate the North Road HGV movements (estimated to be in the region of approximately 300 per day) onto other routes, i.e. Stifford Road west of Daiglen Drive and onto Daiglen Drive / Arisdale Avenue, which would have an adverse impact in this area.

3.5.4 **Option B The provision of a width restriction on South Road, (with a bus by pass) by the junction with West Road**

There is currently a weight restriction (except for loading) in affect on the section of South Road between Buckles Lane and West Road; however, this is not fully effective with approximately 16 vehicles a day using the area as a through route only. In order to retain and reinforce the weight limit is it is proposed to construct a width restriction on South Road, (with a bus by pass) in the area immediately south of junction with West Road. This would stop the traffic cutting through this route, but it would not significantly contribute to solving the North Road problem. Residents in Buckles Lane with HGV's would have to approach and leave Buckles Lane to and from the south.

3.5.6 **Option C Seeking a southbound routing agreement with Arisdale operators**

The agreement would be a requirement for the operators to ensure that all HGVs leaving their premises in the Arisdale area to leave the area via West

Road and South Road. This would significantly reduce the North Road problem, but increase HGV traffic on other residential routes.

**3.5.7 Option D
More enforcement of the unauthorised commercial uses in Ockendon to reduce overall HGV levels**

The removal of unauthorised use would assist with the reduction. This was the overall favoured option and has been forwarded to Planning Enforcement for attention.

**3.5.8 Option E
Take No Action at the present time**

The current arrangement will remain and the number of HGV movements in the area will naturally reduce as commercial premises revert to residential development.

4. CONSULTATION (including Overview and Scrutiny, if applicable)

- 4.1 The various options were put to the residents to seek their opinion and to discover which course of action they considered the most appropriate and should therefore receive the most support.
- 4.2 5 options (as listed above) were offered for consideration by the residents. All the properties fronting onto the major traffic routes which would be affected were sent a questionnaire with the list of options
- 4.3 Nearly 800 forms were delivered. The 201 forms received back represented a return of over 25%
- 4.4 The overwhelming preferred option was for greater enforcement of the existing restrictions on the business premises. This has now been forwarded on to Planning Enforcement for attention. The decision on the Howard Tenens site requires a designated route to the Motorway to be used
- 4.5 As the enforcement option does not have a financial involvement, the full sum of the 106 contribution would still be available. Therefore the consultation results were reviewed to determine whether there is significant support for a second option which would enable the Council to help the residents.
- 4.6 The second most favoured option was for the provision of a width restriction on South Road.
- 4.7 This registered as second favourite on the overall scoring system and (more significantly) was the top option of 52 of those who replied (greater than 25 %)
- 4.8 This option does not conflict with the top choice already acted upon.
- 4.9 It is envisaged that the majority of the design and construction costs for this width restriction could be met from the Transport Contribution of £53,483.13 with the rest being met from other S106 contributions from developments in the Arisdale Avenue area.

4.10 Ward Members were consulted on these proposals on 24th July 2013.

Two replies were received

Councillor L Carr

"I would like it noted that I am still concerned at the volume of lorries that will still travel down north road and west road. The effects that the lorries will have on the houses, causing structural damage. Also the danger they pose to pedestrians."

Councillor B Johnson

"My opinion echos that of Cllr Carr "

5. **IMPACT ON CORPORATE POLICIES, PRIORITIES, PERFORMANCE AND COMMUNITY IMPACT**

5.1 The implications of Section 17 of the Crime & Disorder Act 1998 have been considered and there are none.

6. **IMPLICATIONS**

6.1 **Financial**

Implications verified by: **Mark Terry**
Telephone and email: **01375 652150**
mterry@thurrock.gov.uk

The majority of the design and construction costs for this width restriction could be met from the Transport Contribution of £53,483.13 with the rest being met from other S106 contributions from developments in the Arisdale Avenue area.

6.2 **Legal**

Implications verified by: **Philip Cunliffe-Jones**
Telephone and email: **Extension 2822**
Philip.Cunliffe-Jones@BDTLegal.org.uk

The Transport Contribution will be repaid if not used. This proposal is within the scope of the agreement and should proceed expeditiously. The proposed Bus Lane Bypass will require a Traffic Management Order

6.3 **Diversity and Equality**

Implications verified by: **Samson DeAlyn**
Telephone and email: **01375 652472**
sdealyn@thurrock.gov.uk

There are no Diversity and Equality issues associated with this proposal

6.4 **Other implications (where significant) – i.e. Section 17, Risk Assessment, Health Impact Assessment, Sustainability, IT, Environmental**

There are no implications under Section 17

A full Safety Audit and risk assessment will be carried out on any scheme design prior to implementation

7. CONCLUSION

- 7.1 The residents of properties in South Ockendon fronting onto the major traffic routes used by Heavy Goods Vehicles were sent questionnaires asking for their comments on 5 different Options which could be taken to help relieve the situation.
- 7.2 The resident's survey produced an overwhelming support for greater enforcement of the existing unauthorised commercial use in Ockendon. This has now been forwarded to Planning Enforcement for attention.
- 7.3 This option made no requirement from the available funding. Therefore the money could be spent on the second favourite option (providing it did not conflict with the preferred option) – in this case the second option did not conflict and was for the introduction of a width restriction on South Road in order to support the existing weight limit.
- 7.4 The funding available (from the Section 106 Transport Contribution of £53,483.13) is unlikely to be sufficient to meet the design and construction for the width restriction and further funding will need to be sought. However, it is envisaged that any further financial requirement could be met through other S106 contributions from developments in the Arisdale Avenue area.

Recommendation

- 3.6 That the results of the resident survey are accepted and the preferred option be implemented.

BACKGROUND PAPERS USED IN PREPARING THIS REPORT:

- Consultation letter sent to residents
- Consultation results

APPENDICES TO THIS REPORT:

- None

Report Author Contact Details:

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