

For: PLANNING AND REGULATION COMMITTEE – 5 SEPTEMBER 2016

**By: ACTING DIRECTOR FOR ENVIRONMENT AND ECONOMY
(STRATEGY & INFRASTRUCTURE PLANNING)**

Lorry Routeing Protocol

Division Affected: All

Contact Officer: David Periam **Tel:** 01865 815151

Recommendation

The report recommends that the committee ENDORSE the lorry routeing protocol.

1. On 5 April 2016 Council unanimously resolved the following motion moved by Councillor Lilly and seconded by Councillor Mathew:

“Recent years have seen an increase in the number of planning applications received by our Planning Department for rectification of earlier inaccurate submissions and misdemeanours by various commercial organisations. Also an increased number of instances occur where operators have commenced work prior to planning permissions being issued. Road Traffic Agreements are not being correctly monitored by the organisations, and in many cases are doing nothing to rectify some obvious and blatant disregard for the Conditions and routeing agreements, that have been issued by this Authority.

We, as Councillors, regularly receive complaints from the public about such indiscretions. These then result in retrospective applications. This takes time and resources of our staff.

Council asks Cabinet to investigate and bring forward proposals for this Council to introduce a levy of financial penalties that can be imposed, for such misdemeanours. Our Officers have had to spend extra time, resources, and on some occasions, require legal opinion, to rectify these anomalies which could be controlled if the applicants themselves.

Other Councils in the UK are researching similar deterrents. So should we. Recently Ealing Borough Council successfully prosecuted a contractor for similar misdemeanours and were awarded a six figure sum as compensation plus all their legal costs.

I trust that Councillors will support this proposal.”

2. Further to that resolution, officers have prepared the draft protocol attached at Annex 1 to this report setting out a number of possible options which could be pursued with regard to a lorry routeing agreement and, if need be, an associated planning obligation or section 106 legal agreement where it is considered that the highway impacts of the proposed development would otherwise be unacceptable and refusal of permission would be justified. The consideration of which measures may be appropriate will be a matter for detailed consideration in relation to each specific planning application. Lorry routeing agreements must be freely entered into by applicants and so the County Council cannot impose any specific requirement upon them. But if it was considered by officers that a specific requirement was necessary which the applicant was not prepared to agree to then the expectation would be that the application would then be brought to this committee for its consideration.

RECOMMENDATION

It is RECOMMENDED that the Lorry Routeing Protocol set out in Annex 1 to this report be adopted.

SUSAN HALLIWELL

Acting Director for Environment and Economy (Strategy & Infrastructure Planning)

August 2016