

24 February 2016

Fish and Eels Bridge / Dobbs Weir Road

Environmental Weight Limit - Update and frequently asked questions

Following concerns raised regarding the potential level of breaches of the current Environmental Weight Limit, Essex County Council has undertaken a thorough review and the following actions are due to take place following the reopening of the bridge:

- **Intensive enforcement days**

Shortly after the bridge opens, Essex Trading Standards will hold intensive enforcement days in the area. They will be stationed at the five entry points to the Environmental Weight Limit zone, enabling us to track all HGV movements in the area.

- **Increasing monitoring by trading standards**

In addition to intensive enforcement days, Essex Trading Standards will increase their general presence in the area to monitor the current level of violations and provide the intelligence to support any further proposals. For you information, this is different to an intensive enforcement day, as it will involve fewer officers and concentrate on a particular entry point to zone, most likely Dobbs Weir Bridge.

There will also be police presence in conjunction with trading standards. The police can use their powers to administer fines on the spot for all HGVs that transgress the Environmental Weight Limit.

- **Improving signage**

There is also a review underway to close any 'gaps' in the Environmental Weight Limit signage and this will be supported by the intelligence gathered on the enforcement days. There has been early identification of corrections needed to signage on the Hertfordshire approach to the Environmental Weight Limit zone. As these signs lie beyond Essex County Council's boundary, agreement with Hertfordshire is now being sought to amend these signs. Formal agreement from Hertfordshire County Council is needed before the signs can be adjusted. There will also be further work to ensure that all roads entering and leaving the zone are properly signposted with restriction and end of restriction signs.

Together, these proposals form the basis on which the number of breaches can be assessed and pave the way for any future intervention in the area.

Questions and Answers:

1. **Will a weight restriction be applied to the reconstructed Fish and Eels Bridge?**

No structural weight limit was in place prior to the bridge reconstruction, and no structural weight limit will be applied after reconstruction.

Dobbs Weir Road (which passes over Fish and Eels Bridge) does have an Environmental Weight Restriction of 7.5 tonnes. This forms part of an existing Order in place for the area.

A copy of the order can be found at the end of this document.

2. **What do the current weight restrictions actually mean for HGVs wishing to use Dobbs Weir Road?**

Dobbs Weir Road forms one of the roads identified in the Essex County Council 7.5 tonne Environmental Weight Restriction. This was implemented in 2010 following a major review of the HGV movement in and around the Roydon and Nazeing area. The Order was subject to a legal consultation process at the time.

The Order means that any vehicle over 7.5 tonnes can legitimately use Dobbs Weir Road (as well as roads identified in the Order) to access premises on Dobbs Weir Road or along any other road within the wider restriction identified in the Order.

For example, someone who is delivering to or collecting from commercial premises on this road or others in the zone, in a vehicle over 7.5 tonnes, can legally use the road.

3. **What about the permit scheme that previously existed?**

Historically, a permit scheme was in place and operated by Epping Forest District Council.

As a result of the 2010 consultation, the permit scheme was finally withdrawn and the current Order was put into place.

4. **Who can enforce the Environmental Order?**

Environmental Weight Limit Orders may be enforced by Essex Police and Essex Trading Standards who have been delegated authority by Essex County Council.

Trading Standards have been delegated powers to enforce offences under the Road Traffic Act, such as breaches of the Weight Restriction Orders, but do not have power to stop vehicles on the highway. Enforcement by Trading Standards is therefore limited to observing breaches and then carrying out enforcement within their jurisdiction.

For information on Essex County Council's Weight Restriction Order Enforcement Policy visit: <http://www.essex.gov.uk/Business-Partners/Trading-Standards/Policies-and-procedures/Pages/Weight-Restriction-Order-Enforcement-Policy.aspx>

5. **What options have been considered to address concerns about HGVs?**

I. Enforcement options:

a) Automatic Number Plate Recognition (ANPR) camera:

The use of ANPR cameras has been carefully considered unfortunately this is not a viable option. In Essex, the enforcement of moving traffic violations by camera requires considerable time and resource. Vehicles captured by an ANPR camera need to be *manually* identified to filter out potential breaches which is an intensive process. A notice would then need to be sent to the vehicle owner requesting proof of the purpose of the journey, e.g. invoice/delivery note.

It is worth noting that London authorities have different powers of enforcement to county councils. The London Local Authorities and Transport for London Act 2003 provided for the moving traffic contraventions to be decriminalised and enforcement powers to be adopted by London Highway Authorities. This Act enabled London authorities to enforce a moving traffic offence by camera.

b) Enforcement days:

Essex Highways are commissioning a number of enforcement days this year following the reopening of the bridge. This is currently being pursued in collaboration with enforcement authorities, i.e. Essex Police/Essex Trading Standards. These enable officers to identify not only the number of breaches taking place, but also if there are trends relating to a particular area or company which can then be acted upon.

II. Physical restrictions:

The installation of barriers and/or other physical restrictions is not appropriate for Dobbs Weir Road because legitimate HGV access is required.

III. Signage:

Essex Highways have identified a number of opportunities to make changes to local signage which should make the Environmental Weight Limit clearer to HGV drivers, resulting in improved adherence of the restriction. Essex Highways are liaising with Hertfordshire County Council to work on these improvements.

IV. Traffic data:

Essex Highways have identified opportunities to obtain new traffic data to support understanding of HGV traffic movements within the environmental weight restricted zone. Essex Trading Standards will increase their general presence in the area to monitor the current level of violations and provide the intelligence to support any further proposals.

V. Structural weight limit:

A structural weight limit would not be appropriate, as it is being built to national loading standards.

VI. Removal of current Environmental Order:

This option would legally require a formal consultation process. Since the bridge has been closed, it has not been possible to ascertain the level of breaches currently occurring the Dobbs Weir area. This lack of information means that during the review of options available to Essex County Council there was no current evidence to support a change in order. This is not an option currently being reviewed by Essex Highways.

6. What options are available to the enforcement authority following a breach of the current Environment Order?

The options for breaching enforcement are a matter for the organisation undertaking enforcement to decide, but may consist of a warning and advice, fine or prosecution.

For information on Essex County Council's Weight Restriction Order Enforcement Policy visit:
<http://www.essex.gov.uk/Business-Partners/Trading-Standards/Policies-and-procedures/Pages/Weight-Restriction-Order-Enforcement-Policy.aspx>

To follow is a copy of the current Environmental Order:

**THE ESSEX COUNTY COUNCIL (VARIOUS ROADS, ROYDON AND
NAZEING) (7.5 TONNE WEIGHT RESTRICTION) ORDER 2010**

The Essex County Council (hereinafter referred to as "the Council") in exercise of its powers under Sections 1-4 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 ("the 1984 Act") and of all other enabling powers, and after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the 1984 Act, hereby make the following Order:-

1. In this Order
"operating centre" has the same meaning as in The Goods Vehicles (Licensing of Operators) Act 1995.
"public service vehicle" has the same meaning as in The Traffic Signs Regulations and General Directions 2002.
2. Save as provided in Article 2 of this Order no vehicle, having a maximum permissible gross weight exceeding 7.5 tonnes, shall proceed in those lengths of road in Nazeing and Roydon, in the District of Epping Forest as specified in the Schedule to this Order (hereinafter referred to as 'the said lengths of road').
3. Nothing in Article 1 of this Order shall apply so as to prevent any vehicle having a maximum permissible gross weight exceeding 7.5 Tonnes to proceed in the said lengths of road if the vehicle is being used
 - (a) for the conveyance of goods or merchandise to or from any premises situated on or adjacent to the said lengths of road;
 - (b) upon the direction or with the permission of a police constable in uniform;
 - (c) for the purpose of agriculture in connection with land in or adjacent to the said lengths of road; including the delivery and transportation of goods and services to and from these agricultural premises;
 - (d) for fire and rescue, police or ambulance purposes;
 - (e) to access an operating centre located either on the said lengths of road or where access can only be gained from the said length of road;
 - (f)
 - (i) in connection with any building or demolition operations in or adjacent to the said lengths of road;
 - (ii) for the removal of any obstruction to traffic in or adjacent to the said lengths of road;

- (iii) for the maintenance, improvement or reconstruction in or adjacent to the said lengths of road;
 - (iv) for the laying, erection, alteration or repair in or on land adjacent to the said lengths of road, of any sewer, or any main, pipe or apparatus for the supply of water, gas or electricity, or any telegraphic line;
 - (v) in the service of a local authority or water authority in connection with work being carried out in or on land adjacent to the said lengths of road, in pursuance of statutory powers or duties; or
 - (vi) as a public service vehicle;
4. The Council is satisfied that for preserving or improving the amenities of an area by prohibiting or restricting the use on a road or roads in that area of heavy commercial vehicles it is requisite that Section 3(1) of the 1984 Act should not apply in relation to this Order.
5. The Epping Forest District (Dobbs Weir Road and Nazeing Road, Nazeing) (Weight Restriction) Order 1990 is hereby revoked.
6. This Order shall come into operation on 2 August 2010 and may be cited as the Essex County Council (Various Roads, Roydon and Nazeing) (7.5 Tonne Weight Restriction) Order 2010.

Sealed with the Common Seal of the Essex County Council this Thirtieth day of June Two Thousand and Ten

THE COMMON SEAL of the ESSEX)
COUNTY COUNCIL was hereunto)
affixed in the presence of:-)





Attesting Officer

SCHEDULE

Lengths of road in Nazeing and Roydon, in the District of Epping Forest

Nazeing Road, Nazeing	From the western kerb line of St Leonards Road, west, for a distance of approximately 1097 metres.
North Street, Nazeing	From its junction with B194 Nazeing Road to its junction with Maplecroft Lane
Peck's Hill, Nazeing	From its junction with Maplecroft Lane to a point approximately 25 metres north of the common boundary of numbers 51 and 53, a distance of approximately 261 metres.
Sedge Green, Nazeing/Roydon	From point approximately 25 metres north of the common boundary of numbers 51 and 53 Peck's Hill to its junction with Netherhall Road, a distance of approximately 1592 metres.
Dobbs Weir Road, Roydon	From the junction of Dobbs Weir Road and Sedge Green to a point approximately 117 metres north west of the common boundary of Firtree Lodge and Rosemary, a distance of approximately 1178 metres.
Hamlet Hill, Roydon	From its junction with Netherhall Road to its junction with Reeves Lane.
Low Hill Road, Roydon	From its junction with Netherhall Road to its junction with B181 Epping Road.
Netherhall Road, Roydon	From the junction Sedge Green and Hamlet Hill to its junction with Low Hill Road.
Reeves Lane, Roydon	For its entire length from its junction with B181 Epping Road to its junction with Hamlet Hill and Tylers Road.
Tylers Road, Roydon	From its junction with Reeves Lane to its junction with the B181 Epping Road.