

Agenda Item No. 4(d)

DERBYSHIRE COUNTY COUNCIL

**MEETING OF CABINET MEMBER – HIGHWAYS, TRANSPORT AND
INFRASTRUCTURE**

21 November 2019

Report of the Executive Director – Economy, Transport and Environment

**HIGHWAYS DEVELOPMENT CONTROL - STANDING TECHNICAL
ADVICE FOR HGV OPERATORS LICENCES**

(1) **Purpose of Report** To seek the Cabinet Member's approval for the Highway Authority to provide Standing Advice for use by Driver and Vehicle Standards Agency (DVSA) and operators when considering or submitting applications for goods vehicle operating centres.

(2) **Information and Analysis** In its role as Highway Authority, the County Council is a consultee to the Driver and Vehicle Licencing Authority when it receives applications by goods vehicle operators to operate from new premises or extend the scale of existing operating centres.

Historically, the Council has been consulted in connection with between 100 and 150 license applications each year. However, the DVSA's method of consultation places extremely onerous resource implications upon the Highway Authority in dealing with these applications. This requires the Council's officers to interrogate the Licensing Authority's periodic regional bulletins for operating centres within Derbyshire and also search for newspaper advertisements for them.

The bulletin and advertisements provide no meaningful information regarding the site or the vehicles being applied for and it has been left to the Highway Authority to write to the applicants at its own expense in an effort to obtain this information, with limited success. Even when information is received, there are very limited prospects for imposing conditions or restrictions upon applicants without the (rare) recourse of a public hearing by the Traffic Commissioner. The Highway Authority is not able to take into consideration the nature of the highway leading to the site in its assessment and, more often than not, has found its advice disregarded.

In recent years, the Council has reluctantly based its handling of these licenses on the available resource and outcome limitations, and currently only responds to those proposals which receive complaints or notifications via the planning system.

In an effort to address and manage this situation more meaningfully, it is proposed to publish a Standing Advice note which will be provided to the Licensing Authority to allow its own officers to make a proper assessment of the operating centre without requiring the Highway Authority to spend time, resource and money in obtaining consultation material to limited effect.

It is also proposed to make the information available via the Council's website to assist applicants before they apply for an HGV operator's license from their premises.

(3) **Financial Considerations** As well as saving officer time, printing and postal costs, there will also be a reduction in the need to inspect operating centre sites with a consequential reduction in travel costs and environmental impact and more productive time spent in the office.

(4) **Legal Considerations** The Highway Authority will continue to fulfill its obligations as a consultee to the DVSA using a combination of the proposed Standing Advice and individual assessment of other applications where the Licensing Authority or applicant provides suitable quality consultation material.

(5) **Social Value Considerations** Adoption of this advice will allow officers to devote more time and energy to those applications which have a more significant impact upon the community and assist in maintaining the quality and efficiency of service to the public and developers.

Other Considerations

In preparing this report the relevance of the following factors has been considered: prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

(7) **Key Decision** No.

(8) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(9) **Background Papers** Held on file within the Economy, Transport and Environment Department.

(10) **OFFICER'S RECOMMENDATION** That the Cabinet Member approves the adoption and publication of the attached Standing Advice in connection with Heavy Goods Vehicle Operators' licence applications.

Mike Ashworth
Executive Director – Economy, Transport and Environment

Derbyshire County Council

Economic Regeneration

Highways Development Control Advice Note

Heavy Goods Vehicle Operators Licence Applications

In its capacity as Highway Authority, the County Council seeks to offer advice to applicants and the Driver and Vehicle Standards Agency (DVSA) regarding highway matters which should be taken into account when considering whether to authorise premises as an operating centre for goods vehicles.

Historically, the Council sought to identify each individual application site and provide tailored advice for it. However, the method of advertising applications, the limited information made available to the Council as a consultee and the resources required to provide a consultation response no longer make this form of assessment tenable.

The Highway Authority therefore provides the following Standing Advice for use by applicants and the DVSA in connection with all HGV 'O' Licence applications. Where either the applicant or the DVSA requires more detailed advice regarding highways matters, specific technical queries, accompanied by adequate supporting information, should be submitted to the Council using the contact details at the end of this advice note.

Matters which the Highway Authority is able to take into Account

Under the terms of the consultation process, the Highway Authority is not able to give consideration to the suitability of the highways leading to or from the operating centre, either in terms of width, geometry, design, safety or capacity.

The only matters which can be considered by the Highway Authority are:

- The access between the site and the highway in terms of emerging visibility for drivers and width/geometry to cater for the turning movements of the vehicles proposed to use the site.
- The space within the site to accommodate parking and manoeuvring of the vehicles and trailers the subject of the licence application.

Where the creation of an operating centre involves the change of use of premises under planning legislation, this will be a matter for consideration by the Local Planning Authority. In the event that planning permission is required for a change of use, the Highway Authority will be consulted separately about this by the Local Planning Authority. It should be noted that this Standing Advice does not mean that objections will not be raised at the planning application stage.

Access Visibility

Access visibility is normally measured in compliance with the criteria contained in the Department for Transport's publication Manual for Streets and companion guidance Manual for Streets II. Applicants and the DVSA should refer to these documents to determine whether the operating centre access can be provided with appropriate visibility.

This criteria is based upon a driver position (minor road distance) measured 2.4m back from the nearside carriageway edge of the highway along the centreline of the access. The standard driver's eye height is measured as being 1.05m above the surface of the access. Where the driver's position in terms of bonnet length and height of seating for the specific vehicle being applied for under the licence is different to the above dimensions, these should be substituted for assessment purposes.

From the emerging driver's position, it should be possible to have an unobstructed view along the approach road in both directions commensurate with the imposed speed limit or where it is known, the 85th percentile measured speed of vehicles approaching the access.

This 'major road distance' is measured along the nearside carriageway edge in both directions from the centreline of the access. Connecting the major and minor road distances with a straight line (sightline) provides the visibility splays for the access. The area in advance of the sightline needs to be maintained clear of any object which would impede driver visibility either from the access or along the highway.

The following major road distances are generally applicable for the following speed restrictions:

30mph – 43m in either direction.
40mph – 103m in either direction.
50mph – 149m in either direction.
60mph – 203m in either direction.

Access Geometry

Generally speaking, an access width of 6m with 6m radii on either side of the road should be able to accommodate the swept path of most goods vehicles.

However, this may need to be customised to particular combinations or vehicles and trailers and, depending upon the scale of the operating centre and the status of the highway, it may be necessary to assess the access for simultaneous two-way movement of vehicles and avoid the need for entering and emerging traffic to breach the centreline of the major road.

Where the applicant or DVSA is in any doubt as to these requirements, swept path analysis for the vehicles concerned should be obtained and the Highway Authority consulted.

Where it is proposed that the operating centre access is to be gated or secured by some form of barrier, this should be set back a sufficient distance to allow the proposed vehicles to draw in clear of the public highway when the gate is closed.

Where any changes are proposed to be made to a vehicle access within highway limits, the applicant will be required to obtain permission from a vehicle crossover licence from the Highway Authority, pursuant to Section 184 of the Highways Act 1980.

On-site Parking and Turning Provision

As part of the application, the applicant should clearly indicate the dedicated space available for existing and proposed vehicles and trailers operating from the premises.

Parking bay sizes should be based upon the manufacturers' external dimensions for the vehicles concerned, plus allowance for cab and trailer door opening and 10% contingency for access around the vehicle by drivers and other operatives.

Advice regarding turning characteristics for various types of goods vehicles may be obtained from the Freight Transport Association's publication 'Designing for Deliveries'. It should be possible for all goods vehicles to be able to enter and leave the operating centre access in forward gears without the need for excessive forward and reverse turning manoeuvres.

Further Advice and Assessment

Where the applicant or DVSA requires further detailed assessment by the Highway Authority, this should be submitted in writing to the postal or e-mail address below.

Requests should be supported by full details of the application, operating centre and vehicles being applied for, including scale plans of the site and access, criteria of the vehicles being applied for and any supplementary information, such as speed surveys and swept path analysis, where appropriate. Without such information, it will not be possible to provide a meaningful consultation response.

Author: David Arnold
Ext: 39772

Public

By post to:

Derbyshire County Council
Economy, Transport and Environment Department
Highways Development Control
County Hall
Matlock
Derbyshire DE4 3AG

By e-mail to:

ETE.DevControl@derbyshire.gov.uk

DRAFT

Goods Vehicle Licencing Authority

Dear Sirs,

**HGV Operators Licences
Highway Authority Consultation Process**

You will no doubt be aware that, in its capacity as Highway Authority, the County Council offers a consultee service providing your Authority with comment in connection with the highways impact of applications for new or modified Operators Licences for premises within Derbyshire.

The current arrangements have become increasingly resource hungry for the Highway Authority, requiring the Council to interrogate the Bulletins to identify those applications within the County, a procedure which at best could be construed as notification rather than consultation.

The information provided on the application Bulletin gives no meaningful data regarding the precise site location, its size, point of access or land controlled by the applicant. This frequently makes it impossible to undertake any assessment of the premises from a highway viewpoint and the level of information provided is simply not considered reasonable or fit for purpose. Historically, the Highway Authority has taken it upon itself to write to applicants with a plan asking for them to provide the necessary information, with mixed results. Resourcing this level of service is no longer tenable and the Highway Authority subsequently finds itself unable to provide you with a consultation service due to the inadequate levels of supporting information provided.

The inability to give any consideration to the local highway network as part of the assessment is a frequent frustration for local communities and one which the Highway Authority finds itself having to explain on many occasions to the incredulity of the local populace. Furthermore, even having obtained the above information at its own time and expense, where access assessments are carried out using recognised National criteria, these are often disregarded as being inapplicable to the exact vehicle for which the licence is being applied - again information which is not available to the Highway Authority as part of the Bulletin publication.

It is therefore considered that, as a consequence of the process, the outcomes for the Highway Authority do not merit the level of resource currently being applied to this activity.

I therefore regrettably have no option but to provide you with standing advice based upon the criteria the Highway Authority's officers would use if they had the necessary and reasonable level of consultation material to carry out an assessment. I would therefore refer your licencing officers to the access visibility criteria contained in sections 7.5 – 7.7 of the Department for Transport's Manual for Streets and Section 10 of its companion document Manual for Streets 2. In terms of vehicle swept paths, turning characteristics and parking bay sizes, the Freight Transport Association's publication Designing for Deliveries has always provided a useful indicator as to the adequacy of an operating centre's dimensions.

Yours Faithfully