

## Record of Officer Decision

<b>Decision title:</b>	Decision to introduce a No Goods Vehicles Exceeding 7.5 Tonnes (Except for Access) restriction on Various Roads, Herefordshire.
<b>Date of decision:</b>	11 May 2026
<b>Decision maker:</b>	Group Manager - Streetscene, Public Rights of Way and Traffic Management
<b>Authority for delegated decision:</b>	<p>Economy and Environment Scheme – Highways and Transport 75. To act on behalf of the council in respect of the legislation specified in the Road Traffic Regulation Act 1984.</p> <p>The authorisation limit is within the financial procedure rules and is sufficient for the decision and that the officer has authority under the contract procedure rules.</p>
<b>Ward:</b>	Ross West, Ross East, Ross North, Kerne Bridge, Penyard, Llangarron, Old Gore
<b>Consultation:</b>	<p>A formal (Statutory) consultation process was undertaken from 11<sup>th</sup> July 2025 to 1<sup>st</sup> August 2025, whereby an initial consultation letter and proposal plan was sent to all Statutory Consultees via email. During this process, no objections were raised. A summary of the responses received during the Formal (Statutory) Consultation process is included as Appendix C.</p> <p>The Notice of Proposal stage allowing the general public and Statutory Consultees to issue comments/concerns was undertaken from 19<sup>th</sup> March 2026 to 10<sup>th</sup> April 2026. During this process no objections were raised from the Statutory Consultees and a representation was made by a member of the public. A summary of the responses received during the Notice of Proposal stage is included as Appendix D. The responses from Statutory Consultees are also summarised below.</p> <p>Ross West Ward Member – Supports the proposal.</p> <p>Ross East Ward Member – Issued no response to the consultation.</p> <p>Ross North Ward Member – Issued no response to the consultation.</p> <p>Kerne Bridge Ward Member – Issued no response to the consultation</p> <p>Penyard Ward Member – Supports the proposal.</p> <p>Llangarron Ward Member – Supports the proposal.</p> <p>Old Gore Ward Member – Supports the proposal.</p> <p>Cabinet Member - Issued no response to the consultation.</p> <p>Ross-on-Wye Town Council – Offered no objections to the proposal.</p> <p>Bridstow Parish Council – Supports the proposal.</p> <p>Traffic Management Advisor (TMA), West Mercia Police – Offered no objections to the proposals based on the order being “self regulating” and not reliant on Police enforcement to ensure its success. They</p>

	<p>stated that “positive signage” be installed at the entry points and on approach to inform drivers appropriately and avoid late turning manoeuvres.</p> <p>Hereford and Worcester Fire and Rescue Service – Issued no response to the consultation.</p> <p>Road Haulage Association – Issued no response to the consultation.</p> <p>Freight Transport Association – Issued no response to the consultation.</p> <p>West Midlands Ambulance Service – Issued no response to the consultation.</p>
<b>Decision made:</b>	<p>Considering no objections have been raised during the Formal (Statutory) Consultation and Notice of Proposal Stages, a new Traffic Regulation Order be implemented under Sections 1, 2 and 4 of Part I and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984, as proposed in the Notice of Proposal. The effect of the Order will be to introduce a No Goods Vehicles Exceeding 7.5 Tonnes (Except for Access) restriction on Various Roads, Herefordshire.</p> <p>The proposal plan is included as Appendix A. The Notice of Proposal documents including a full schedule of the proposals are included as Appendix B.</p>
<b>Reasons for decision:</b>	<p>This scheme was initiated following a request to extend the existing weight restriction to other roads. The aim was to close identified gaps in the existing TRO and on-street signage to prevent Heavy Goods Vehicles (HGVs) from circumventing the restriction by accessing the area via roads not currently covered by the Order. Consequently, a review of the situation on the site was undertaken by officers and it was decided that details should be entered onto the prioritised TRO Waiting List.</p> <p>As a result of its entry onto the TRO Waiting List, this scheme was identified for commencement of investigations in the 2025/26 Annual Plan. Therefore, Herefordshire Council set about investigating the potential for a new Traffic Regulation Order that would necessitate any changes within the area under investigation.</p> <p>An on-site assessment and meeting with local stakeholders were undertaken in March 2025. During the assessment, officers undertook an audit of every road within the investigation area to check whether the existing Order and on-street signage corresponded with each other and to identify any anomalies. Officers also considered the request to extend the extents of the restriction to other roads.</p> <p>Following a comprehensive drive-through of the locality, officers determined that a northern extension of the existing 7.5-tonne restriction towards Greytrees and Brampton Abbots, along with the inclusion of Wilton Lane, was appropriate. The additional roads would prevent HGVs from bypassing the restriction by using these routes through the town centre as a through-route.</p> <p>During the assessment, officers also noted anomalies within the town centre area, including the presence of 3.5 tonne weight restriction</p>

signage. Given the absence of an existing Order to support this restriction, officers considered it prudent for the scheme to also include the removal of these 3.5 tonne weight restriction signs, as they are not backed by a TRO.

Consequently, officers determined that the most appropriate restriction would be a 7.5-tonne weight restriction with an “Except for Access” exemption across both the existing restriction area and the proposed northern extensions. This uniform approach would bring the entire town under a single weight restriction, providing consistent messaging to drivers. The restriction would continue to allow essential vehicles, such as delivery lorries, service vehicles, and local access traffic, to enter the area lawfully, while preventing non-essential through movements by HGVs.

Following the completion of the initial assessment, a Formal (Statutory) Consultation process was undertaken from 11<sup>th</sup> July 2025 to 1<sup>st</sup> August 2025, whereby a consultation letter and proposal plan were sent to all Statutory Consultees via email. During this process, no objections were raised.

During the consultation, the Traffic Management Advisor for West Mercia Police offered no objections to the proposals based on the order being “self regulating” and not reliant on Police enforcement to ensure its success. They requested that “positive signage” be installed at the entry points and on approach to inform drivers appropriately and avoid late turning manoeuvres.

In response to the comments made by the Traffic Management Advisor for West Mercia Police, the signage for the scheme will be reviewed as part of the works package and made to be as conspicuous as possible. Any existing signage will be updated to ensure it aligns with the requirements of the TSRGD 2016. Advanced warning signs will also be installed at key locations on approach to the weight restriction to ensure drivers are informed and can plan appropriately to avoid entering the restriction (if not permitted), thereby preventing occurrences of late turning manoeuvres.

A summary of the responses received during the Formal (Statutory) Consultation process is included as Appendix C.

The Notice of Proposal stage allowing the general public and Statutory Consultees to issue comments/concerns was undertaken from 19<sup>th</sup> March 2026 to 10<sup>th</sup> April 2026. During this process no objections were raised from the Statutory Consultees and a representation was made by a member of the public. The Traffic Management Advisor for West Mercia Police also reiterated their previous comments made during the Formal (Statutory) Consultation. A summary of the responses received during the Notice of Proposal stage is included as Appendix D.

The representation received stated that the use of “Except for Access” exemption on a 7.5 tonne weight restriction was “illogical”. The respondent argued that a weight limit should be absolute, and that an exemption for access undermines the purpose of the restriction, by allowing vehicles exceeding 7.5 tonnes to lawfully enter the restricted

area. The respondent likened this to a hypothetical scenario in which a lift's weight capacity could be exceeded when in use, asserting that such an exemption would not be acceptable from a health and safety perspective.

In response to the representation, there are two types of weight restriction permitted under the Road Traffic Regulation Act 1984, Traffic Signs Manual & Traffic Signs & General Directions Regulations 2016, these being structural & environmental. It is important to distinguish between a structural weight limit and an environmental weight limit, as the purpose and application of each are very different. These restrictions also have different signage requirements and, as such, are easily differentiated when driving.

A structural weight restriction relates to the physical capacity of a structure (such as a bridge). In these cases, it would be appropriate to omit any exemptions, as exceeding the limit could result in damage or failure. However, the restriction proposed as part of this TRO scheme is an environmental weight restriction, which is designed to manage the impact of through-traffic from HGVs on air quality, noise, congestion, road safety, and the general amenity of the area.

Consequently, because the restriction is environmental rather than structural, the exemption "Except for Access" is intentional and appropriate. This exemption allows HGVs such as delivery or service vehicles, and local access traffic to enter the area lawfully, while preventing non-essential HGV movements. Therefore, a vehicle exceeding 7.5 tonnes is only permitted to enter the weight restriction for the purpose of access (such as loading) within that area. It is not permitted to pass through, as a short cut or strategic route.

This type of restriction is common across the UK, and it allows towns such as Ross-on-Wye to function, whilst reducing the overall environmental impact of heavy traffic. Ross-on-Wye is a historic market town with narrow streets, residential frontages, and limited capacity to accommodate high volumes of HGVs. While it lies close to strategic routes such as the A40, the distance saved by passing through the Town Centre may be attractive to HGVs, hence the scheme proposal to prevent these through-traffic movements from occurring.

According to the Road Traffic Regulation Act (RTRA) 1984, it is the duty of a highway authority to 'manage their road network' and 'to improve road safety'. Section 122 of the RTRA 1984 states that local authorities must, so far as is practicable, exercise their functions under the RTRA so as to 'secure the expeditious, convenient and safe movement of traffic'. The proposal aligns with this guidance.

In conclusion, the proposed No Goods Vehicles Exceeding 7.5 Tonnes (Except for Access) restriction aligns with the duties set out in Section 122 of the Road Traffic Regulation Act 1984. The proposed restriction will act to improve road safety and amenity for local residents in the area, as well as ensure through-traffic HGVs utilise more suitable primary routes. Further, it is clear that the proposals are supported by the local residents/businesses and statutory consultees as no objections were raised throughout the TRO process.

	<p>Therefore, it is advised to progress with the recommendations outlined in this report for the reasons set out above.</p>
<p><b>Highlight any associated risks/finance/legal/equality considerations:</b></p>	<p><b>Community impact</b>  The recommendations outlined above will have a positive impact on the local community. The implementation of the proposed No Goods Vehicles Exceeding 7.5 Tonnes (Except for Access) restriction will seek to improve road safety and amenity. Therefore, the proposals are aligned with Section 122 of the Road Traffic Regulation Act 1984.</p> <p><b>Environmental Impact</b>  Herefordshire Council provides and purchases a wide range of services for the people of Herefordshire. Together with partner organisations in the private, public, and voluntary sectors we share a strong commitment to improving our environmental sustainability, achieving carbon neutrality and to protect and enhance Herefordshire's outstanding natural environment.</p> <p>The development of this project has sought to minimise any adverse environmental impact and will actively seek opportunities to improve and enhance environmental performance.</p> <p>The implementation of the proposals should result in improved road safety and amenity and provide an environment where people feel it is safer to walk, cycle or ride throughout the area.</p> <p><b>Equality duty</b>  The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.</p> <p>The recommendations set out in this report are considered to be low impact with regards to equality. The proposals aim to improve road amenity and safety, thus paying regard to the council's duty according to the Equality Act 2010 as set out below.</p> <p>Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:</p> <p>A public authority must, in the exercise of its functions, have due regard to the need to -</p> <ul style="list-style-type: none"> <li>(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;</li> <li>(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;</li> <li>(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.</li> </ul> <p>Any impact as a result of the scheme will be equal to all parties.</p>

See Appendix E of this report for Equality Impacts and Needs Assessment (EINA).

### **Resource implications**

The cost of the implementation of the proposals is approximately £18,000. This includes costs for statutory consultation, preparing and making the TRO, signage, and advertising. This cost has been identified from this year's existing budgets in the current Annual Plan.

### **Legal implications**

The introduction of a new Traffic Order under Sections 1, 2 and 4 and Part IV of Schedule 9 of the Road Traffic Regulation Act 1984 (the 1984 Act) and the Traffic Management Act 2004 (the 2004 Act) will be required.

Part 2 of the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 ("the 1996 Regulations") lays out the procedure prior to making an order. Regulations 6 and 7 require the Council as Highway Authority to undertake a formal consultation on the Traffic Order and publish the proposals. Regulation 8 allows for any person or persons to make objections and requires that the Council, as Highway Authority, consider any objections received after the formal statutory consultation process, (which includes advertising in a local newspaper). A subsequent report will include any such objections or comments, for consideration.

The Council has discretion to amend its original proposals if considered desirable, whether or not in the light of any objections or comments received, as a result of such statutory consultation. If any objections received are accepted, in part or whole, and/or a decision is made to modify the original proposals, if such a modification is considered to be substantial, then steps must be taken for those affected by the proposed modifications to be further consulted in accordance with Regulation 14 of the 1996 Regulations. Following consideration of the consultation responses the Council has decided not to modify the proposals.

The Council has received no Objections. Before the Order can be made it will need to be publicised in accordance with the requirements of Regulation 7 of the 1996 Regulations. This includes publication of a notice of the proposals in a newspaper circulating in the locality of the area where the road which is the subject of the Order is located. This must be done within two years of the date the order is first publicised in a newspaper circulating in the locality of the area where the land to which the Order relates is located. Within 14 days of the order being made it is necessary in accordance with Regulation 17 of the 1996 Regulations to publish a notice of making in a newspaper circulating in the area in which any road or place to which the Order relates is situated.

Once an Order is made by the Council it will need to be publicised in accordance with the requirements of Part 3 of the 1996 Regulations. The Order cannot come into force before the order has been publicised in accordance with these requirements. The time period for challenge is three months from the date of the making of the Order.

	<p><b>Risk management</b></p> <p>The Local Transport Plan sets out to reduce the number and severity of casualties on the highway network in Herefordshire and provide a highway network that is safe and efficient. A Key Performance Indicator is contained in this Local Transport Plan and details a locally set target for a reduction in fatal or serious injuries on the highway network. The adoption of the recommendations in this report would contribute to these objectives in the Local Transport Plan.</p> <p>It is important for safety, and its effectiveness that the No Goods Vehicles Exceeding 7.5 Tonnes (Except for Access) restriction is imposed appropriately having regard to the type of factors considered in this report. This is the case with the roads affected by this TRO scheme.</p> <p>There is a risk that vehicles may not comply with the proposed No Goods Vehicles Exceeding 7.5 Tonnes (Except for Access) restriction. However, the TRO establishes the legal framework necessary for enforcement by the police and makes it unlawful for HGV drivers with no legitimate access requirement to use the route as a through-route. Even without active enforcement measures, the presence of the restriction itself is likely to deter some drivers, resulting in a reduction in through-traffic.</p>
<p><b>Details of any alternative options considered and rejected:</b></p>	<p><b>Not to make any changes to the access arrangements –</b> This is not recommended as it would fail to achieve the primary goal of the proposal: to close identified gaps in the existing TRO and on-street signage to prevent HGVs from circumventing the restriction by accessing the area via roads not currently covered by the Order. This change aims to improve road safety and amenity for residents and visitors within the area. The proposals align with Section 122 of the Road Traffic Regulation Act 1984. Additionally, not implementing the No Goods Vehicles Exceeding 7.5 Tonnes (Except for Access) restriction would contradict the wishes of the statutory consultees and local residents.</p>
<p><b>Details of any declarations of interest made:</b></p>	<p>None.</p>

Signed:

Date: 11 May 2026

**Please ensure that signatures are redacted before publishing.**

**Appendix A: Location Plan**

