

RHA
Van

Policy Paper

August 2021



V1

Background

Vans are a core part of the road freight industry.

This policy document, the first RHA policy for vans, needs to reflect the core values of the RHA around safe operation, accountability, compliance and fair competition.

To that end, this paper represents RHA policy priorities around the operation of vans. These policies will evolve and develop over time in consultation with the RHA membership.

Currently vans are lightly regulated, with no requirement for operator licensing of vans used for commercial freight activities. However, in May 2022 that will change for international operations when Operator Licensing will be introduced for vans for the first time.

The introduction of operator licensing will apply to UK operators of vans between 2.5t & 3.5t maximum gross weight operating internationally for hire and reward. This was agreed in the Trade & Cooperation Agreement between the UK & EU. The requirements include rules around Legal Establishment, Repute, Transport Managers and Financial Standing.

The UK Government will start implementation of these rules in the coming months. It is expected that the Government focus will be on embedding van operations in scope of new regulations into the UK operator licensing system. The need to implement these rules has influenced the RHA Van Policy.



Main Policy Positions

The main policy priorities for the RHA are outlined below. Further policy positions will be informed by member feedback in coming months and years.

1. International Operator Licensing for Vans in Commercial Road Haulage (Hire & Reward)

Issue:

From May 2022 anyone operating a goods vehicle (van) between 2,500 kgs and 3,500 kgs GVW working internationally for Hire and Reward will be subject to operator licensing. (Own account operations will be exempt from the requirement for operator licensing).

The ability to change the fundamentals of the requirements are set out in EU law and the Trade & Cooperation Agreement between the UK and the EU, so a significant delay or change is not possible.

In summary, the specification for international van Operator Licensing will require:

- Operators to have a suitable qualified Transport Manager (either a full Transport Manager CPC or Acquired Rights agreed by a UK Competent Authority)
- Legal Establishment in the UK
- Repute of the operator and transport manager
- Financial Standing (at lower rate than lorries)
- Vans will need to be specified on the licence
- There will be O-licensing fees and a recovery of enforcement costs - to be determined.
- Vans will require tachographs from 2026.



The RHA does not believe the rules for operator licensing of vans working internationally are proportionate for the sector, however it is a done deal internationally and change cannot be influenced any more. We expect ministers will not do significantly more than the minimum to ensure compliance with the international law agreed.

The RHA believes that van licensing in Northern Ireland will impact proportionately more operators, given the expected greater use of vans for international transport in and out of the Republic.

The details of the rules are being determined over the summer and autumn of 2021 before being enshrined in UK law. The RHA will engage with Government to ensure, as far as possible, that proportionate and practical regulation will be put in place.

Policy Position:

- RHA will support development of the O-licencing for vans used internationally for hire & reward.
- Government proposals for this so far include allowing those conducting the Transport Manager role who have working in the area for more than 10 years to be granted “acquired rights” and for a phase-in period to get qualified to act as the Transport Manager on a van only licence. The RHA will support the use of “acquired rights” but will not support time limiting these as is currently proposed.
- RHA believes that meeting the need for fully qualified Transport Managers on licenses by May 2022 may be a problem, therefore there should be a grace period of 2 years for Transport Manager CPC qualification. A Transport Manager with good repute will still be required, our proposal is that the formal qualification requirement should be waived initially.
- Fees for licensing & enforcement need to be set appropriately.
- The RHA will work with authorities in the UK and EU to communicate the changes to van users.
- RHA supports the use of Tachographs for internationally operating vans from 2026.

2. Proposal for a Light Goods Operator Registration Scheme (Hire and Reward)

Issue:

Safe operation and operator accountability are fundamental values of the RHA. For lorries these things are achieved through the operator licensing system.

The RHA believes that there is a requirement for greater operator accountability below 3.5t that is not fulfilled by current regulation and the voluntary schemes already in existence.

The RHA proposal is all vehicle operators moving goods in motorised vehicles for hire and reward with a GVW capacity below 3.5t should be required to register as a Light Vehicle Goods Operator, nominating a “Van Transport Manager” who is responsible for safe and compliant operation of the operator’s vans.

We believe Operator and “Van Transport Manager” reputations will be the key parts of the registration scheme. The scheme should be light touch and low cost. We see no role for financial standing as the focus should be exclusively on ensuring reputation so registration can be removed should serious or dangerous non-compliance be discovered.

The aim is to ensure that high quality, safe and compliant operators can operate under a level playing field – a competitive market where action can be taken to remove unethical, incompetent or unsafe persons and operators from working in the freight sector using light vehicles.

We are not proposing that the Light Vehicle Goods Operator Registration scheme would apply in the “own account” sphere.

Policy Position:

- RHA will campaign for and support Light Goods Vehicle Registration for light goods vehicles used domestically for hire and reward.
- RHA believes that bringing light goods vehicles into a light touch Registration scheme would facilitate compliance and enforcement of road rules and safety.
- A key requirement will be the good reputation of the operator and of the person undertaking the “Van Transport Manager” role.
- A qualification for the “Van Transport Manager” may be needed in time. If so, any qualification should be tailored to the operation of light goods vehicles and not simply a replication of current Transport Manager CPC qualifications used in lorry operations.
- Feedback regarding this draft proposal is welcomed.



3. Annual Roadworthiness Testing of vans from year 1

Issue:

Vans and other light goods vehicles are exempted from annual roadworthiness testing until year 3 from new. Given the high duty cycles of most vans, and the very high failure rates on first tests we believe this exemption conflicts with the road safety values of the RHA.

Policy Position:

- RHA will campaign for and support annual MOT roadworthiness testing of all vans at year 1 and 2.



4. Mandatory documented daily walk around checks

Issue:

It is good practice for all drivers to check vehicles before they are used every day. We believe that it should be a formal requirement for drivers of vans to undertake and document a daily “walk around” check of the vehicle at the beginning of each working day. This will assist in improving vehicle quality and will help establish a professional safety culture.

Policy Position:

- RHA will campaign for and support the requirement for documented daily walk around checks for all vans operated commercially.

5. Net Zero transition and Clean Air issues

Issue:

The transition to net zero will be the major transformational issue for all vehicle operators in coming years. To date the RHA has focused on the impacts of change and transition on lorries and coaches.

The RHA will integrate our policy position for van net zero based our existing approach to the transition for larger vehicles. That is supporting change through the adoption and use of appropriate vehicle standards supported by a clear guaranteed operational life for existing vehicles.

Change needs to respect the diverse uses lorries, coaches and vans are put to, the radically different needs in different locations and sectors. This will require Government policies that are designed to meet the requirements of many different vehicles, places & uses.

Policy Position:

- RHA will support a market-based approach based on agreed national and international standards along the lines we have outlined for larger vehicles. The focus will be on ensuring that full van life cycles are respected as the transition towards cleaner vehicles and net zero continues in coming years.
- RHA will campaign against inappropriate application of locally derived standards and vehicle access restrictions (these are seen as counter-productive, economically damaging, discriminatory towards SMEs and ineffective).

Other policy initiatives the RHA will develop over time

The RHA will need to campaign across a wide and evolving range of issues relating vans in coming years. The following suggestions will require a wider debate among RHA members over time and will need further detailed development.

A. Proposal to develop documented driving time / tachographs for vans

Vans used in international road haulage will require Tachographs from July 2026. This opens the question as to whether the same could or should apply to domestically operated vans.

The RHA has no firm policy position on this matter currently. We are unconvinced of the need for additional driving time rules for vans and the need for tachographs at this time. However, the issue does need further consideration.

B. Press for Government backed Van Best Practice (Consider Non-statutory standards?)

There is a range of material promoting “best practice” for van users. However, since the Governments own “Best Practice” stopped several years ago the reach and effectiveness of the material is doubtful.

The RHA will work with National and Devolved Governments (& others) to develop a suite of Van Best Practice guidance and information under a credible recognised branding.



C. Promote road infrastructure needs (and parking/access for deliveries)

Road investment plans are under attack. The need for free-flowing roads (or at least roads with predictable transit times) is critical for freight uses. Urban restrictions on vehicle movement and parking are especially critical for van members.

The RHA intends to continue to actively campaign in favor of road infrastructure management from authorities that minimize congestion and maximises practical access for commercial freight operations that are safe and considerate to local residents.

D. Embed van crime & policing policy

We believe vehicle crime has been marginalised by many police forces and those in providing lorry parking. This has impacted the heavy sector and dealing with it is a priority for the RHA.

The RHA will ensure the needs of our van members are central in our work dealing with vehicle crime. This includes promoting the necessity for policing authorities to prioritise commercial crime by introducing a new class of offence, theft from a commercial vehicle.

E. Consider Van Driver CPC

A form of Van Driver CPC is a logical extension of best practice & licensing of operators. The aim would be to improve the quality of driving.

Given the large increase in the numbers driving vans, with no more than a normal car driving licence, a form of Van Driver CPC could have a positive impact of road safety.

The RHA will consider this further with members and will decide if we should promote this policy idea further and create a CPC specification over the long-term

F. Consider non-van freight vehicles

The RHA will consider if all vehicles working commercially for hire & reward, not just vans, should be subject to our proposed Light Goods Operator Registration scheme. Not just vans/large vans but anything carrying goods for others. It could perhaps include collection and deliveries by car, e-bike & motorbike.

There is a rational argument that operator registration including these non-vans will give a greater level of accountability across all road based distribution.