



The Road Haulage Association

Response of the Road Haulage Association to the Rural Economy & Connectivity Committee.

“Call for Views on Transport (Scotland) Bill”.

01/10/2018

Background about the RHA

The RHA is the leading trade association representing road haulage and distribution companies, which operate HGVs as profit centres. Our 7,000 members, operating near to 100,000 HGVs, range from single-truck firms to those with thousands of vehicles. These companies provide essential services on which the people and businesses of the UK depend.

We proactively encourage a spirit of entrepreneurship, compliance, profitability, safety and social responsibility. We do so through a range of advice, representation and services, including training.

We would like to thank The Scottish Government for the consultation and the opportunity to comment on the issues raised.

Responses to the Questions

The Committee did not set any questions for this Call for Views. Our response is listed below;

The Road Haulage Association (RHA) is grateful for the opportunity to comment on aspects of the Bill which will have implications for our members.

We welcome the principle aims of the Bill and what it sets out to achieve. There is a clear need to improve public transport, parking legislation and measures to improve air quality to make urban areas & the road network more accessible for all. The RHA has for some time had dialogue on these matters with Transport Scotland & other stakeholders, listening to others views and put forward the views of hauliers. Through these discussions we believe the Bill is balanced and fair. The Bill had the potential to follow other examples in England which we believe to be “anti-business” and thus, severely impacts the movement of goods in City Centres. We believe the Bill takes a more measured approach and acknowledges the needs of the businesses operating in the affected areas.



The Road Haulage Association

We aim to set out our views on certain aspects of the bill in the remainder of this response and explain some of the potential pitfalls & concerns for our members with the proposed Bill.

Low Emission Zones

First of all, we would like to comment on the proposed Penalty Charge Notices which will have a bearing on the remainder of our response & in particular our plea for a longer implementation period.

Hauliers are already subject to high scrutiny of their environmental practices through the Operator Licencing system. The introduction of a Low Emission Zones could result in these standards being open to interpretation, leading to further confusion and potentially unintended consequences. In the worst case, a haulier failing to comply with a LEZ could find themselves being brought to the attention of the Traffic Commissioner. We believe this would be overtly punitive for what could be a minor transgression. The proposed Penalty Charge Notice should be kept in isolation and not lead to something disproportionately punitive for what would be a minor case of non-compliance

Deadlines have been set for LEZs in Scotland's four largest cities. This is something everyone has come to accept but the timescales set for HGVs we believe are still too ambitious. While very supportive of the Bill, we would ask that consideration and time is given for the haulage industry to upgrade their fleet and meet the required standards. Recently we have discovered that Glasgow will not have the infrastructure to properly enforce its LEZ until 2023, meaning the bus fleet will be unaffected by a LEZ until that date. If this is the case for Glasgow, it is hard to imagine the other cities will be any further forward. In essence therefore, the bus fleet have been given a 4-year period to renew its fleet, where the road haulage industry will be penalised immediately from "go-live date". What is perhaps more of a concern is not knowing the other three Scottish cities plans.

We have concerns that the Bill may still leave a lot of scope for Local Authorities to set different standards in different cities. For route planners in traffic offices (particularly if we take into account the relative closeness in proximity the Scottish cities have to each other). In practice, this could mean a haulier who would send one vehicle to a delivery run in both Edinburgh & Glasgow, could find his vehicle is exempt in Glasgow but is restricted Edinburgh. This would make planning difficult and potentially add cost to the delivery. A point we will return to later in the response.

Although the Bill does not explicitly say, it is widely recognised that LEZs will be enforced using ANPR cameras. We have some concern over how this system will handle private registration plates in determining the euro standard of that vehicle. Private registrations are extremely common in haulage where a company has purchased a host of plates and will rotate them round their fleet. Likewise, some plates can make vehicles appear older & therefore of a lower emission standard. Similarly, Scotland frequently witnesses a large number of foreign vehicles delivering. We have



The Road Haulage Association

doubts over how these vehicles will be picked up by ANPR and how their vehicles will be penalised for not meeting the required standard.

In the Financial Memorandum, there are statements made referring to equivalent European low emission zones. According to the Urban Access Regulations in Europe website, the strictest requirement for the current LEZ in Copenhagen is for diesel vehicles to reach Euro IV. It comes as no surprise that there has been “few reported negative business impacts”. Although not mentioned in the Financial Memorandum, low emission zones have been established in the Netherlands for some years but only require Euro III for diesel HGVs in Rotterdam & Utrecht.

France, and more specifically Paris, has a long list of exemptions to their LEZ which includes a host of delivery types that would involve HGVs. These approaches are considerate to business operating within the zone & those who still need to make deliveries in these areas. We think these are appropriate comparisons to add some context to the debate.

The haulage industry is striving to improve their carbon footprint and in doing so are purchasing the latest & best technology. Already our Euro VI diesel fleet percentage is very high, and this will continue to increase naturally our members believe that any standards imposed that devalue their current older vehicles and / or prevent them from delivering to city centres without penalty is a tax on business.

The cost of a new Euro VI HGV is in excess of £120,000.00. Most haulage businesses in Scotland are SME's and rely heavily on the second-hand market to sell on, or trade in their old HGVs to be able to purchase new equipment. With Local Authorities looking to set Euro VI diesel as the standard from the outset, we are seeing a marked decrease in the trade in value for their old Euro IV & V diesel HGVs creating a distortion in the marketplace and a further barrier to those seeking to adopt the newer technologies. This is particularly felt when purchasing more specialist equipment, say in the construction industry who commonly operate vehicles for longer periods due to the higher purchase price, and spend a lot of their working life in the City Centre environment. These vehicles can reach £200,000.00 to purchase new. As an example, articulated combinations with a refrigerated trailer used to transport fresh produce to our supermarkets & local convenience stores are classed as specialised equipment. The financial reality of this means that hauliers are forced to hang on to vehicles and run them for longer (distorted trade in values make it prohibitive to upgrade) rather than trade them in for the newer technologies required by this legislation. This naturally affects the new and used vehicle sales markets negatively.

Being able to buy & sell vehicles is critical to hauliers in Scotland as there is currently no Commercial Vehicle Retrofit Accreditation Scheme (CVRAS) retrofit option available (unlike for example, the bus fleet). Green Urban have indicated that, depending on the engine size, a retrofit option for HGVs could cost anywhere between £11,000.00 & £25,000.00 but this becomes a moot point as there is no approved retrofit option for the industry to adopt anyway. The requirement for hauliers to lay

out substantial amounts of money, with no idea of payback figures on technology that has not been approved is too big a risk, on what is one of their biggest assets.

To conclude, these measures must work to address the problem at hand and not pass punitive costs on to hauliers (and by extension, the whole supply chain), particularly as there is no option to retrofit for the fleets they have spent many years building up. 90% of everything moved in Scotland will at some point be on the back of a lorry. Additional costs to hauliers will have an impact on every aspect of Scotland's supply chain. Any legislation which will have this much of an effect on our lives must be thought through carefully, brought in with a phased approach and be sympathetic to those affected. Particularly those who cannot adopt the technology through no fault of their own.

Pavement Parking and Double Parking

We believe the Bill outlines a reasonable approach that is commensurate to the problem. By far the most controversial element of the Bill is the exception for delivery vehicles to stop for up to 20 minutes in the course of their work, providing they are not causing an obstruction. Having heard some concerns over this exception, we do not believe that the term is ambiguous or would lead individuals to use this exception as a way to illegally park.

There are additional considerations relative to haulage & site safety that need to be considered in relation to this exception. When delivering to a building site, the driver is unlikely to know the condition on the site and whether they have the facility to turn. It can be extremely unsafe practice to drive straight on to a site on arrival without first investigating on foot. This reduces sight lines for everyone concerned, the driver has no way of knowing if they will get turned on-site. In this case, it is common for HGVs to stop on the nearby road, and arrive on-site by foot, to assess the situation and speak to the site manager. In this case, we have witnessed vehicles bump up on the kerb in order to not obstruct the main carriageway. While we accept this should not be best or standard practice, in most cases the vehicle is not obstructing the footway beyond the 1.5m minimum clearance requirement and is allowing vehicular traffic to pass, while maintaining their own safety & that of the workers on-site.

A further consideration of this exception is that 20 minutes is often not long enough to complete a delivery. Bearing in mind that in some cases it is a physical impossibility for deliveries to be completed without stopping on or crossing over a footway, we would like to see this time limit extended to 40 minutes.

This Bill should seek to improve urban areas and the transport network for everyone who uses it, not prohibit the movement & delivery of goods in these environments.

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