



Response of the Road Haulage Association to Transport for London.

“Phase 2b Policy Consultation document”.

18th February 2019.

Summary of the Consultation

1. Transport for London (TfL) are consulting on “Phase 2b” of the Direct Vision Standard (DVS) proposals which are planned to be introduced in 2020. This will affect all operators of lorries weighing more than 12 tonnes and operating in London.
2. Every lorry entering London will need to be rated according to a TfL defined star rating system and then have a permit issued by TfL before it can enter the city. Most lorries will be required to be retrofitted with extra equipment such as cameras, sensor systems and loudspeaker turning alert systems.
3. Failure to rate a lorry and obtain a London permit will result in a liability for fines that will apply to both vehicle operators and lorry drivers.

Background about the RHA

4. The RHA is the leading trade association representing road haulage and distribution companies, which operate HGVs as profit centres. Our 7,200 members, operate near to 250,000 HGVs out of 10,000 Operating Centres. The members range in size from single-truck firms to those with thousands of vehicles. These companies provide the people and businesses of the UK with the goods upon which we all depend. From food and clothing through to medicines, car parts and construction material.
5. 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.
6. We would like to thank Transport for London for the consultation and the opportunity to comment on the issues raised.
7. In addition to answering the questions directly we have added further comments on related issues where we feel these are relevant.

General Comments

8. The RHA and its members are active supporters of improved road safety. But, the RHA believes the Direct Vision Standard / London Lorry Permit scheme proposal will be largely ineffective, will be expensive, inappropriately targets lorry drivers with heavy fines and is distraction away from the serious issues we have with London's infrastructure and protection of vulnerable road users.
9. The RHA has engaged with this process since its inception. However we have been disappointed that the views of operators have been continuously dismissed and marginalised. Our belief is that this has happened as a result of TfL commitment to its original plan in advance of, and regardless of, the consultation process.
10. The Impact Assessment and other supporting documents provided by TfL demonstrate that the proposed permit scheme will be an ineffective use of resources. Retrospective rules and vehicle standards such as the London proposal are costly to comply with, and in this case will be ineffective.
11. The RHA is in favour of improved vehicle standards, including in the area of vehicle design. Well thought through standards at national level have been promoted to Government by the RHA and others, but have been rejected by current ministers.
12. The RHA believes that vehicle standards should not be set locally – the appropriate level for determining vehicle standards is nationally or internationally. The local setting of standards causes confusion, cost and inconsistency.
13. It is a great concern that TfL have focussed almost exclusively on one aspect of the road safety problem – the physical nature of lorries, and have failed to examine and holistically assess the causation of collisions on London roads. TfL have largely ignored behavioural and infrastructure issues throughout.
14. The RHA also believes that locally based permit or registration schemes, as proposed in this case, undermine good quality national regulation. There is a danger that other local authorities will demand their own additional registration or permit schemes, leading to a patchwork of regulation and standards that will be difficult and expensive to comply with.
15. Lorries work nationally, lorry vehicle regulation should be national.

Responses to the Questions (as per TfL online survey)

Question 6. To what extent do you agree or disagree with our proposed process for obtaining a vehicle star rating? (Please refer to pages 15-19 of the consultation document)

- A. We strongly disagree.

Question 7. Do To what extent do you agree or disagree with our proposals for the permit application process? (Please refer to pages 15-19 of the consultation document).

A. We strongly disagree.

Question 8. To what extent do you agree or disagree with our proposed safe system mitigating measures - for example cameras and mirrors. (Please refer to pages 10-14 of the consultation document).

A. The RHA strongly disagrees.

Question 9. To what extent do you agree or disagree with our proposals for how we enforce the scheme and how appeals will be dealt with? (Please refer to pages 20-21 of the consultation document)

A. We strongly disagree.

Question 10. Do you have any further comments on our final scheme proposals?

16. These proposals create significant additional administrative burdens for operators.
17. We have heard reports from members that some manufacturers have not always been able to provide operators with star ratings for vehicles. This is a great concern and TfL needs to ensure that operators can secure star ratings. At the very least operators should be able to report this to TfL for further action as where a manufacturer is unable to supply a star rating, it will be allocated a zero star rating. This is unreasonable when the vehicle may not physically be in this category. An alternative method needs to be available.
18. There are lorries that have been modified by specialist coachbuilders and altered from manufacturers specification. In this event an operator may believe they are compliant, when in fact they may not be. This could lead to unfair prosecution and penalties, again there needs to be a process for this.
19. Operators are being asked to provide a significant amount of information both in terms of photographic evidence and written information. To minimise red tape and avoiding gold plating, operators should be asked to sign an undertaking. It appears that TfL is attempting to make this process so complicated that small operators will be prevented from working in London.
20. TfL's own figures 72% of the HGV fleet working in London will require modification, at substantial cost to operators.
21. It will be a requirement before any permit is issued for operators to "confirm their intention and plan to implement a driver training policy", but TfL claim this is not mandatory. This is inconsistent. The RHA view is that this requirement should be

removed from the scheme. The RHA has previously suggested that similar requirements should be met through national Driver CPC standards.

22. The proposal to fine drivers £130 is unacceptable.
23. The “safe system” requires cameras for zero star vehicles to cover areas not visible to drivers of 1 star to 5 star vehicles. This approach is inconsistent and appears to be based quite simply on an anti-lorry mindset within TfL.
24. The “safe system” requirement for audible warnings will create noise nuisance and should be removed entirely. There is insufficient evidence that this will improve road safety.
25. Proposals are that small fleets less than 5 vehicles at zero star will have to upload data on all vehicles, but those with larger fleets will not. This is an active discrimination against SME’s.
26. The validities are up to 2024 for zero to 2 star lorries, 10 years for 3 to 5 star lorries. However the permits are not transferable between operators. This is not acceptable as it simply adds to bureaucratic burdens. All vehicles rated 1 to 5 star should be transferable.

Question 12. What do you think about the quality of this consultation (for example, the information we have provided, any printed material you have received, any maps or plans, the website and questionnaire etc.)?

27. The structure of the consultation and the survey makes it difficult to comment effectively on the questions being asked as outlined above. The links to the questions and question numbering of the survey did not work properly.
28. The online survey consists of five material questions, four of which are tick box only.
29. This does not feel like a proper consultation, it is a survey designed to support the policy and little more.

Final Comments

30. The National Infrastructure Commission published an interim report into the Future of Freight and refers to “Freight blindness”. Stating, “This report has demonstrated that both government and local authorities often have little understanding of why and how to plan for freight, leaving the needs of the freight system far down the priority list. This has resulted in policy makers or planners being unable to take account of, or plan effectively for, the needs of freight.” The RHA considers that the proposed TfL measures reflect this concern.



The Road Haulage Association

31. Over 400,000 tonnes of goods move in, out and around London every day, overwhelmingly by lorry operators. It is disappointing that the sector feels that TfL have marginalised and ignored operator perspectives. The sector feels that the decision was taken first and since then evidence has been made to fit the desired outcome.
32. The Impact assessment submitted by TfL itself shows how dreadfully expensive and ineffective this proposal is.
33. There are serious concerns that hire and foreign based vehicles could enter the TfL area totally unaware of this parochial scheme. Standards must be set nationally and be agreed internationally, not in isolation city by city.
34. Finally, fining drivers who are doing their job in equipment provided by others is an unacceptable approach. It is unfair and again demonstrates the anti lorry driver mindset that is evident in TfL.

18th February 2019

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