

## East Midlands Freight Council Minutes

Thursday 4 May 2023, 08:00 – 11:30

Hilton East Midlands Airport, M1, Junction, 24 Derby Rd, Derby DE74 2YZ

### INTRODUCTION

- The meeting was chaired by Carl Hughes of Hughes Driver Training Ltd.
- New Chair was welcomed, attendees were welcomed, and introductions made.
- The minutes of the last meeting were approved.
- Members were reminded about the competition law compliance guidance on page 7 of the Policy Report.

### UK MODAL COUNCILS & SECRETARY'S REPORT

Members received a report from the Road Council meeting held on 9 February and updates from the modal councils, forums and working groups. Members were also updated on the progress of other issues including driver CPC review, Guide to Maintaining Roadworthiness, revision to Senior Traffic Commissioner statutory document, the Spring Budget, changes to HGV emission testing, Direct Vision Standards (DVS) consultation, MOT extension and the transport committee call for evidence on strategic road investments.

### REGIONAL ITEMS

Members were updated on the East Midlands Freeport announcement, the Melton Mowbray A606 Road Scheme, the Deeper Devolution Deal for the West Midlands Combined Authority and Oxfordshire Weight Restrictions.

**ACTION:** Members were asked to raise any regional items that may not be covered in Logistics UK reports.

### AGENDA ITEMS

#### A1 MOT TESTING FOR EARNED RECOGNITION (ER) OPERATORS

Views were sought from members on the Department for Transport (DfT) Call for Evidence that was released on 14 April 2023 and the proposals of changes to the testing scheme for ER operators. Comments from members covered:

- Delegated testing was thought to be a good idea by some members, but others felt it could increase the burden on operators.
- Majority did not see the benefits of ER and felt it had been oversold.
- Safety concerns were expressed about increasing the test to every two years.
- The main issue is the reduced number of test slots available, and members felt that more testers are required.
- Concerns were raised about having a two-tier system and members wanted more clarity.
- There was a comment that ER is not free to apply to a business as it costs £00s to download software every month.
- It was felt that the Traffic Commissioners are not interested in ER

#### A2 COMPLIANCE STANDARDS FOR LIGHTER TRAILERS

Logistics UK does not have a policy on small trailer regulation and sought members views given that light trailers are a subject of interest to an APPG and minister. Responses from members covered:

- Large operators have maintenance regimes, with examples cited of regular 12 week inspections that include taking off brakes and annually a full strip down service. However, it was felt the majority of smaller ones will keep going until the trailer breaks down.
- Welfare units are not included in inspections as they are usually moved from site to site without return.
- Members felt that rather than an MOT test, which could slow down the MOT test market, trailers should under Periodic Maintenance Inspections (PMI) and be inspected by a competent person.
- The most important this was to educate and then inspect. It was felt that DVSA should stop more, inspect ore and then enforce, with any prohibitions going on to the Operators Compliance Risk Score (OCRS).
- Any testing, regulation or data collection about trailers should be split into separate groups of about commercial trailers and private/infrequent use trailers such as horse trailers and domestic caravans.
- Brakes and tyres should be checked when caravans and horseboxes are serviced.

## EXTERNAL PRESENTATION

Andrew Pritchard, Director of Policy and Infrastructure at East Midlands Councils updated members on the proposals for the East Midlands Combined Authority and shared transport priorities with Midlands Connect. A discussion followed covering:

- There is a shared principle for cross party support for combined authorities.
- The proposals are in addition to what is already in place for local government – there is no intention to dissolve local district councils.
- GB Rail headquarter will be in Derby could be a positive for logistics as there is an aspiration to grow rail freight.
- Discussion about problems on the road network and an acknowledgement from AP that there is no systematic process in place for different authorities to work together.

## AGENDA ITEMS (Continued)

### A3 SMART MOTORWAYS

Members were asked about whether Logistics UK's position on smart motorways should be refreshed, following recent announcements and ahead of future road investment strategies. Responses from members to questions were:

- Members agreed with the current stance on smart motorways.
- It would be better to have a standardised motorway format to help infrequent drivers.
- Drivers breaching the Red X should be penalised on the first transgression.
- It was felt there were not sufficient refuges, and they should be longer to help drivers gather momentum when exiting refuges.
- ANPR makes enforcement easier and should be used much more.
- There needs to be greater encouragement for commuter to return to public transport.

### A4 RETAINED EU LAW (REVOCATION AND REFORM) BILL

Members discussed the Retained EU Law Bill seeking to create powers to disapply retained EU law by 31 December 2023. Members were informed that changes to the scope of the Bill were imminent according to recent reports in the media, with the pieces of legislation under consideration now likely to be around 800 instead of 4,000 as originally listed. Comments from members covered:

- Members felt the Working Time Directive should be removed as Driver CPC changes have made things more complicated; employment law is already covered in other regulations.
- Disquiet that the onus has been pushed on to industry without full details of what is being considered. More time and list of regulations under review is required so that our sector can look at this issue properly.
- One member commented that the UK should adopt what is law in the EU relating to the sale of ICE engine vehicle as the earlier phase out date for vans is putting UK businesses at a competitive disadvantage with European competitors.
- General agreement that this should be pushed back to 2026 to allow time for stakeholders to consider in full. All sectors are in a similar position to transport. The recent Windsor Framework has given businesses even more to take on board in a short space of time.

### A5 LAST MILE URBAN LOGISTICS

Members discussed the development of a 'Last Mile' urban logistics policy position and covered:

- General comments that the urban delivery model is basically the same as a postman and referencing the difficulties currently facing Royal Mail in making the model work.
- No specific examples for the East Midlands urban centres were given.
- Members did not report on any different approaches between local authorities.
- Members said they wanted to understand better the objectives of implementing consolidation schemes and understand who will pay to build and run them.
- Logistics operators are already addressing clean air issues with newer cleaners fleet vehicles.
- Cargo bikes cannot carry the volume that a van can take and some members who run e-cargo bikes said that their load carrying issues problematic.
- It was felt that these types of vehicles may work for very dense urban areas such as London, but would not work in every town or city.

## ANY OTHER BUSINESS

- Attendees for next Road Council meeting on 8 June were confirmed as:
  - Carl Hughes, Hughes Driver Training
  - Bob Sands, Prompt
  - Pip Bains, LinkLine

- Members asked if there was an update about the Truck cartel submitted some time ago to FTA.
- ACTION:** DB agreed to look into the matter and report back.

## **DATE OF NEXT MEETING**

Tuesday 10 October 2023 – time and venue to be confirmed.

Meeting concluded at 11:30

## **ATTENDEES**

### **Chair**

Carl Hughes	Hughes Driver Training
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### **Speaker**

Andrew Pritchard	East Midlands Councils
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### **Members**

Pip Bains	Linkline Transport
Ross Baxter	Sciensus
Richard Black	PDRS Ltd
Graham Cobb	Clee Hill Plant Ltd
Nick Day	Balfour Beatty
Martin Dickin	Bidfood
Matthew Footitt	BJ Waters & Geo Siddall
James Hopkinson	Longcliffe Quarries
Craig Kimberlin	Evri
Sarah Pheasant	Alloga UK
Chris Powell	Weightmans LLP
Bob Sands	Prompt Training
Kevin Smith	GXO Supply Chain UK
Hayley Starbuck	Biffa
Andy Stephens	John A Stephens Limited
Gary Tomlinson	Central England Co-operative
Adrian Wanford	Balfour Beatty
Clare Waters	BJ Waters & Geo Siddall

### **Staff**

Denise Beedell	(Secretary) Senior Policy Manager
Molly Brookes	Membership Relations Manager
Josh Fenton	Policy Manager - Trade, Customs and Borders
Kate Jennings	Director of Policy
Ally Salter	Membership Relations Manager