

Mr Mark Harper
Secretary of State for Transport
House of Commons
London
SW1A 0AA



Construction Plant-hire Association
27/28 Newbury Street, Barbican,
London, EC1A 7HU
Tel: 020 7796 3366. Fax: 020 7796 3399
Email: enquiries@cpa.uk.net

9th May 2024

Dear Secretary of State,

Re: Construction Plant-hire industry road issues: Embargo Times

I am writing to you on behalf of the Construction Plant-hire Association (CPA), which has over 1,900 member companies, ranging from small owner/operator companies to the largest national/international construction equipment manufacturers. These companies hire out all forms of plant and equipment – from small excavators and dumpers to the largest mobile/crawler cranes – which are supplied to construction sites throughout the country, whether they are for urban or rural (re-)developments or large-scale infrastructure projects such as HS2.

Our members (and others across the wider construction industry) are currently experiencing extreme problems with Embargo times - police enforced movement orders which prevents the movement of construction plant and equipment at the beginning and end of the working day. A report published yesterday by the Centre for Economic and Business Research (CEBR) on *'The costs of increased police enforcement of Abnormal Loads regulations'* written on behalf of the Road Haulage Association (RHA), Heavy Transport Association (HTA), and others, found some disturbing figures for UK Plc. Heightened regulatory requirements affecting the haulage sector – which our members provide not only for their own machinery, but on behalf of fellow members when required – is estimated to lead to a reduced economic activity for the road haulage sector, equating to a **£1.5 billion loss** over a 10-year window if higher end projections become a reality.

Construction sites begin work at 8.00am, and finish at 4.30pm. Sites refuse entry to vehicles before 8.00am, which leaves owners/drivers in the difficult position of where the vehicle can safely park until the Embargo time has ended – usually at 9.30am.

On those very rare occasions when a site will open early – in London this has to be before 6.00am on a weekday – then local residents adjacent or local to a site could be woken from 4.00am onwards. [Most of these sites have a very strict operating policy whereby the machines' engines cannot start before 8.00am and must finish at 6.00pm.]

Equally, as soon as the machine's work is complete – nearly always at the end of the day, plant owners are being asked to remove their machines from site – whether under their own power, or on a low-loader. This again places the machine/low-loader driver in an impossible position, as they cannot stay on site, but cannot leave either without breaching the Embargo. This also impacts on the number of hours the driver may work, and the consequences for their safety, and the safety of road users.

With some police forces being particularly stringent with enforcement – one member was notified that they had infringed the Embargo time by 49 seconds. Consequently, companies are avoiding problematic forces such as West Midlands, Merseyside, Metropolitan Police and Greater Manchester. If businesses are avoiding certain constabularies, this will create problems elsewhere on the UK's truck road system, adding unnecessary carbon dioxide emissions. By using UK Government's cost of carbon figures alone, the CEBR report estimates that over a 10-year window to an additional **£420 million**. This does not reflect the longer journey times, and the associated costs which according to the CEBR is estimated to cost businesses upwards of **£2.4 billion**.

Website: www.cpa.uk.net

With the creation of Embargo times, the consensus is that construction related vehicles should not travel during rush-hour/peak-time hours. However, if the Government's primary concern is regarding other road users during rush hour/peak time movements, there has been a growing uptake by companies (and their drivers) of professional accreditation schemes - such as Construction Logistics and Community Scheme (CLOCs), Fleet Operating Recognition Scheme (FORS) - together with the evolution of Driver CPC scheme. In addition, electronic warning systems, as advocated by Transport for London (TfL) with their Passive Safe Systems (PSS) is the next stage in TfL's Direct Vision Standard (DVS).

Construction projects use Traffic Marshals, thereby mitigating any risk to other road users or pedestrians. This scheme would also work in reverse with machinery/low-loader leaving site, with traffic flows being equally slow at the end of the day.

From the latest Embargo map that police forces circulate, North Wales and Durham have the latest Embargo time beginning at 8.00am. This has not had any adverse impact on other road users - and so could be rolled out as a pilot scheme in other areas, whereby an 8.15am time could be implemented to facilitate entry onto sites. Equally, the pilot scheme could look at introducing an earlier embargo time - Northumbria has the earliest, ending at 5.30pm. If the pilot scheme - one that could incorporate CLOCs (or a similar recognised scheme) - which advocates routing vehicles away from schools or other locations where vulnerable road users - could additionally enable the scheme to work in other areas, then this could begin at 4.45pm, before the main rush hour/peak time travel begins. [The CLOCs scheme, like other schemes, has been in existence for over 10 years and has significantly reduced the number of injuries/fatalities on our streets.]

The cost to customers, whether provided by our members, or those working in other industries have been universally affected by the unnecessary delays being imposed, has, according to the CBER, equated to **£1.2 billion** over a 10-year period.

Within the construction industry, there is a discrepancy between HGVs which can travel freely in urban (or rural) areas without restriction, whereas construction plant and low-loaders (which are similar to the dimensions of a HGV/bus) are restricted. This is having a massive impact on our members and highlights an inconsistent approach by the police and the authorities in how Embargo times are policed. If a sensible agreement can be reached, this would benefit our industry, and promote efficiencies and savings to UK Plc. The total costs outlined by CEBR estimate that from their figures, UK Plc would be over **£5 billion** better off if changes were implemented immediately.

We are aware that ACPO's 2010 '*Guidance on the Movement of Abnormal Indivisible Loads*' is being reviewed next month. It is critical this review works for the construction industry and develops a consistent approach if we are to avoid significant costs and productivity impacts across UK construction.

We are keen to discuss these issues in more detail with you and your colleagues in order to reach an outcome that addresses your concerns and resolve these very real challenges impacting our members.

We look forward to hearing from you.

Yours sincerely



David Smith
CPA Legal Manager

Chris Cassley
CPA Policy Manager

Cc:

Mr Alan Mak – Construction Minister

Mr Chris Philp – Home Office Policing Minister

Mr Guy Opperman – Parliamentary Under Secretary of State

Ms Louise Haigh – Shadow Secretary of State for Transport

Mr Jonathan Reynolds – Shadow Secretary of State for Business and Trade

Mr Bill Esterton – Shadow Roads Policy

Chief Constable Jo Shiner – Sussex Police