

30th July 2021

Dear Baroness Vere

I am writing to you on behalf of NASP (National Associations Strategic Partnership) who between us represent around three quarters of the actual working driving instructors (ADIs) in the UK: this includes driver training across learners, vocational and rider training. NASP are also a Tier 1 Stakeholder with DVSA and we also have representation on the DfT Road Safety Delivery Group. Many of our members have been expressing their deep concerns since viewing the letter which was published to the transport industry on the 20th of July 2021 regarding making more tests available for vocational drivers gaining their LGV licence.

Whilst having held discussions with our members, we appreciate that there is a need to increase the testing capacity for LGV, it is difficult to understand that the Government is even considering removing the need for an additional test for B+E entitlement for drivers to be able to drive car/van and trailer combinations. In our opinion the government needs and should be working to improve towing safety and working to promote towing training.

The details in the letter will do nothing at all to maintain or improve driving standards and reduce KSI figures for this country. If anything, it will increase the number of incidents involving vehicles towing trailers up to 3500kg. It's not only those wishing to take up caravanning in this country, for which there has been a surge in demand due to the ongoing pandemic crisis, but it would essentially allow any driver to tow heavily loaded trailers up to 3500kg, and therefore a combined weight of anything up to 7000kg, on the road, without any formal assessment of competence to do so. You are asking an untrained, inexperienced driver to safely use a vehicle combination that is twice the length and weight of what they are used to. The effect that the trailer can have on the towing vehicle is one which can take the inexperienced driver completely by surprise, as any trainer will tell you, with potentially the most dangerous consequences.

DVSA figures themselves show that with a national pass rate for B+E driving tests of 69.6% for 2019/20 and only 58% for 2020/21 there are between 30-42% of people taking this test in order to tow over a 3500kg gross train weight that are unable to demonstrate the minimum standard of driving and competence to tow loaded trailers on the road on at least their first attempt.

There is also a Government report – Trailer Safety Report – published / printed on 18th July 2019 which under section 2.18 identifies 983 collisions involving vehicles towing single, multiple trailers and caravan (B+E category) of which 358 collisions were assigned to “people” related contributory factors, i.e. the driver. This is 5 times higher than contributory factors assigned to either vehicle or road individually as contributory factors. This report, only 2 years old, shows the risks involved in towing – and these collisions will in the main

have involved drivers who have taken the B+E test. How many more can we expect if the test is abolished?

Any plan to remove a need for testing would remove a need for training in the eye of the public, which not only has safety implications, but also is of grave concern in terms of its financial implications for B+E trainers. These are trainers who have already had their income eroded by COVID and any decision to remove the need for testing will place an economic burden on those trainers.

Add to this the ongoing issue that anyone can jump in and start doing small amounts of B+E training without an actual trainer licence or qualifying as a driver trainer of any kind (undermining the DVSA's own trainer licensing regime, and the justification of having licensed trainers who are appropriately qualified and regulated because it mitigates the risks inherent in training to have a regulated profession) and you can understand the concern and anger the industry has about this move.

Although we represent the driver training industry, members who are Fleet registered or cover Occupational Driver Safety need to be seen to be protecting the interests of their clients in so much that since 1997 the B+E has been tested as a licence acquisition. HSE has also been prolific in legislative change to ensure that companies do what is 'reasonably practicable' to ensure the working environment is kept safe under the HSAW Act 1974. A 'working environment' includes an extension of the workplace, i.e. vehicles and trailers on the road and the responsibility rests with employers to ensure that any equipment that is supplied for work can be operated confidently and competently. How do employers do this without a government accredited assessment of some kind?

If the DVSA/DVLA reverts back to a pre-1997 system of licensing we are mindful that, "The Corporate Homicide and Corporate Manslaughter Act and the Health and Safety Offences Act" will not disappear, the HSE will start prosecuting any company that does not have evidence of competence for a driver, in the event of a serious incident on the road.

Could there be a competency based certification? One along the lines of the Motorcycle CBT scheme, where training has to take place off road, they go through an accreditation, to sign off the training of competence and that certificate lasts for two years. At the end of two years, the accredited training has to be successfully completed again, unless within the two years, the driver undertakes a practical on road driving assessment with a vocational examiner.

We also suggest better use of delegated examiners via the LGV training world to help solve the testing and waiting times, allowing B+E to continue to be tested as normal.

With the above in place the industry has something to use as a competence certificate to show the HSE and the trainers can continue to do what they do best: develop safer driving, the roads remain safe - and the DVSA still helps because they will have to monitor the trainers on the ADI register, and the sites being used for training.

Other questions we would want to discuss and have more information on are:

- How will insurance be affected? If there is to be no requirement for formal training before a car driver is allowed to take a vehicle combination out on the road with a maximum weight of 7,000kgs and 14+ metres long then the insurance companies will obviously have to consider the risk. However, given the fact that there will be no restrictions for any driver, then that could see all car insurance premiums increased to absorb the extra liability faced by the insurer.
- What about all the small trailer towing businesses that will effectively need to close as soon as it goes public?
- How will this affect people wanting to drive outside the UK? Will EU countries accept a B licence with B+E for free when they all have to pass a test? We note the announcement on 30.7.21 that cars and light vans (between 2.5 and 3.5 tonnes) will require operators licences and tachographs as from March next year if they are being used abroad. This includes car/van and trailer combinations, so how can B+E be bereft of some sort of practical driving assessment?

We consider that for a long time, the B+E regulations have been left on the side line and it is only within the last 5 to 10 years that it has been taken seriously. The idea of removing the need for people to pass a test to gain the licence to tow (B+E) is something we believe should not be considered. If the Government is serious about road safety then it should not be considering removing safety measures.

We have noted that the DfT-DWP-DEFRA letter only mentions you are considering initiating a consultation on removing the extra test requirement. However from past experience we do know how rapidly consultations can turn into legislation and our members are deeply concerned this will happen. We would strongly urge you to reconsider the proposal.

Yours faithfully,

Lynne Barrie

Lynne Barrie M.A, Current Chair, NASP

NASP consists of ADINJC, DIA and MSA GB