

7 October 2024

FOI Ref 17158

Request - You asked us the following:

We write in relation to a query from a client who is involved in the movement of abnormal loads both under The Road Vehicles (Construction and Use) Regulations 1986 ("the Construction and Use Regulations") but also, at times, under the Road Vehicles (Authorisation of Special Types) (General) Order 2003 ("STGO").

Our client has expressed a degree of confusion in attempting to remain compliant with two main sets of regulations. They have approached us for advice on the law and they have been advised as to the legislation and case law on those two points. However, for the avoidance of all doubt and to ensure that our client remains compliant in the future, we request clarification in relation to the two issues below:

1. The length at which a vehicle will require an attendant under the Construction and Use Regulations. This, for the most part, is set out in Regulation 82 of the Construction and Use Regulations. Our client only operates articulated vehicles and does not operate rigid vehicles. Therefore, the length at which an attendant is required will be determined by measurements from both:

- the front of the trailer to the rear of the trailer or the rear of the load if there is a projection; and
- from the very front of the articulated vehicle to the rear of the trailer or the load if there is a projection.

Can you confirm the length of both sets of measurements and at what point you will expect an attendant to be with the vehicle?

2. The use of in-vehicle attendants or separate escort vehicles.

There has been some discussion over whether the requirement for an attendant under the Construction and Use Regulations can be satisfied with an escort vehicle which complies with the various requirements as found in the STGO Regulations and National Highways Guidance or, whether, under Construction and Use Regulations, that attendant must be within the carrying vehicle, i.e. sitting beside the driver of the abnormally loaded vehicle.

The wording of the statute is fairly clear, however, again for the avoidance of all doubt, please confirm your enforcement position in relation to this question: are there any circumstances where an escort vehicle will not be permitted and that you will insist on an in-cab attendant?

If you have any documents or policy publications which address either issue, we request a copy of those.

We received your request on 15/08/2024 and have processed this under the Freedom of Information Act (FOIA).

Staffordshire Police's response to your enquiry is as follows:

Staffordshire Police holds the requested information.

- The length at which a vehicle will require an attendant under the Construction and Use Regulations.



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- the front of the trailer to the rear of the trailer or the rear of the load if there is a projection; and
- from the very front of the articulated vehicle to the rear of the trailer or the load if there is a projection.

Can you confirm the length of both sets of measurements and at what point you will expect an attendant to be with the vehicle? – **Disclosed, An attendant is required if a single rigid units length exceeds 18.75 metres, the meaning of single rigid unit is described below or the total length exceeds 25.9 metres.**

Defined as any single rigid unit (this may be either a rigid vehicle, or a trailer that forms part of a combination: for example, a semi-trailer being drawn by an articulated unit) exceeding 18.75 metres in length, including projections.

An attendant is also required where a front projection exceeds 2 metres and a rear projection exceeds 3.05 metres, this is unconnected to the rigid or total length of the vehicle. So if the vehicles length was 18 metres long, but it had a front projection of 2.1 metres or a rear projection of 3.1 metres it would still require an attendant with the load.

- The use of in-vehicle attendants or separate escort vehicles.
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The wording of the statute is fairly clear, however, again for the avoidance of all doubt, please confirm your enforcement position in relation to this question: are there any circumstances where an escort vehicle will not be permitted and that you will insist on an in-cab attendant? – **Disclosed, Where an attendant is needed they can travel in the vehicle according to the Special Types General Orders (STGO) or Special Order movement. Alternatively they can travel in an escort vehicle, providing that they are:**

- in radio contact with the vehicle concerned
- are able to see the vehicle concerned during the journey, as far as is reasonably practical

Where 3 or more loads are travelling in convoy, only the first and last vehicles need an attendant.

The above discusses attendants and escort vehicles in relation to STGO legislation or Special Order movements, however Staffordshire Police are happy for attendants travelling with loads that fall within Construction and Use regulations to follow the same guidance. Our preference would be for the attendant to travel in a suitable escort vehicle rather than in the cab with the driver. The escort vehicle gives other road users more warning of the abnormal loads presence and allows the attendant to have view of the load throughout the journey. Staffordshire Police will not insist on an in-cab attendant as long as the escort vehicle being used falls in line with National Highways guidance, please see the attached National Highways guide which stipulates what an escort vehicle should look like and have.

- If you have any documents or policy publications which address either issue, we request a copy of those. – **Withheld.**



STAFFORDSHIRE
POLICE

The following exemptions have been applied:

In accordance with Section 17(1) of the Freedom of Information Act, this letter represents a refusal notice for parts of this particular request.

- Section 21(1) - Information reasonably accessible by other means.

Section 21 is an absolute, class-based exemption and as such there is no requirement to quantify the harm that may arise from the disclosure, nor is there a requirement to perform a Public Interest Test.

Advice and assistance

In order to comply with our obligations under Section 16 of the Act, the obligation to provide advice and assistance, please find below links to the information requested.

- https://assets.publishing.service.gov.uk/media/5a801968e5274a2e8ab4e2db/Lighting_and_marking_COP_for_abnormal_load_self_escorting_vehicles_HE_rebranding_v1.pdf

Next steps

You can ask us to review our response.

If you would like us to carry out a review of our response, please let us know within two months of the date of receipt of this email, review requests should be addressed to:

foi@staffordshire.police.uk

Or by Post to:

Central Disclosure Unit
Staffordshire Police HQ
PO Box 3167
Stafford
ST16 9JZ

Please remember to quote the reference number in any future communications.

Freedom of Information
Central Disclosure Unit