



Date: 06/09/2024
Our ref: 01/FOI/24/013124/W

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 01/FOI/24/013124/W

I write in connection with your request for information dated 15/08/2024, received by Greater Manchester Police (GMP) for the following information:

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.

Our client is endeavouring to comply as best that it possibly can. This is not only borne out of a genuine willingness to remain compliant, but also because non-compliance is very costly for the organisation. As such, our client is determined to do things correctly the first time.

There is a slight degree of urgency in this matter as our client is regularly involved in such transportation and the quicker they can resolve these issues the better for both operator and your officers. Your assistance in this matter is greatly appreciated.

Result of Searches

Information is defined in section 84 of the Freedom of Information Act as 'information recorded in any form'. The Act therefore only extends to requests for recorded information. It does not require public authorities to answer questions generally; only if they already hold the answers in recorded form. The Act does not extend to requests for information about policies or their implementation, or the merits or demerits of any proposal or action - unless, of course, the answer to any such request is already held in recorded form. As such, no information is held by GMP in relation to your request.