



## **Unite submission to Department for Transport consultation on: Temporary extension to road haulage cabotage**

### **Introduction**

This response is submitted by Unite the Union, the UK and Ireland's largest trade union with 1.2 million members across the private and public sectors. The union's members work in a range of industries including manufacturing, financial services, print, media, construction, energy generation, chemicals, transport, local government, education, health and not for profit sectors.

In the arena of transport Unite represents over a quarter of a million members in all transport modes, making it the largest transport union in the UK. Unite's current membership in the Passenger Transport and Road Transport Commercial, Logistics & Retail Distribution sectors Unite's membership is 145,000.

On the issue of cabotage, Unite has continually engaged with and collected views from our members working across the road haulage industry through our lay member committees at national and regional level. Therefore Unite is in a unique position to submit a response to the Department for Transport consultation on '*Temporary extension to road haulage cabotage*'. Unite is providing this response on behalf of our members in the road transport sector and we are also factoring in the experiences and safety needs of all our members who are road users as pedestrians, motorists, horse riders, motorcyclists and cyclists.

## Unite's response

### Do you support a temporary extension of cabotage rights?

No. Unite opposes the temporary extension of cabotage rights.

### Supply any evidence you have about the extent of extra capacity the proposed extension would provide.

N/A

### Supply any evidence of any other effects of the cabotage extension.

Unite understand international road transport is a vital part of the UK economy. However it is our firm view that the importation and exportation of goods should be better controlled to avoid exploitation of drivers and unfair advantage across the industry. In the car delivery sector the UK government relaxed rules on cabotage and Unite witnessed how this created an opportunity for low cost foreign operators to exploit a busy time in the industry which led to undercutting and race to the bottom and exploitative practices across the industry.

Unite noted and reported that during this time restrictions for car transporters were not being monitored and recorded sufficiently resulting in under supervised inexperienced drivers entering the UK with no monitoring from the authorities.

In a recent joint VNB ITF-IUF report on European trucking during the pandemic, concerns were raised over how the partial relaxation of driving regulations during the Covid-19 crisis enabled unscrupulous road haulage operators to exploit lorry drivers<sup>1</sup>;

*"I'm employed in Lithuania and drive a Lithuanian truck. Ninety percent of the time I do cabotage operations inside of Germany and break the cabotage rules. During the few months on the road, I only received a few hundred Euros per month, just enough to survive and buy food. – Driver D<sup>2</sup>*

The report also contains examples which evidence how some employers deliberately misinform lorry drivers in order to exploit both cabotage rules and foreign drivers for financial gain, the statement below was given by an Asian driver who was employed in Slovakia but drove his truck in Western Europe, he was subcontracted by several logistics companies from West European. He has now been recognised as a victim of human trafficking in a Western European country:

*"I lived for months in my truck and did not receive my salary. I was stopped on the road in [country redacted] and the company was penalised. The company did not want to pay the penalty and left me in the truck parking area for several days. Later on the employer came in the middle of the night, pulled me out of my truck and put a Serbian driver in the truck to replace me. I was left in the parking area in the rain, in the middle of the night."*

The report highlights that lack enforcement across the EU has enable unscrupulous haulage operators to *"force their drivers to violate driving and resting time rules and commit fraud on a daily basis with impunity. Drivers are forced to live illegally in their trucks for months, drive too long, rest too little, and use other drivers' tachograph cards to mislead enforcement authorities"*.

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<sup>1</sup> VNB-ITF-IUF Report on European road transport: Pandemic of exploitation in European trucking. June 2020. [Link](#)

<sup>2</sup> Ibid – see page 5 of the VNB ITF-IUF report

Over the years Unite has raised similar concerns over cabotage regulations to the DfT and at industry forums over cabotage regulations, yet there is little evidence that this has led to tighter controls during periods of cabotage.

Unite also believe that a revision to the current cabotage regulations will result in a loss of tax revenue to the Exchequer, an increased danger to the UK general public through a lack of compliance with UK regulatory legislation in regard to continental drivers, in particular compliance with drivers' health and safety legislation, DVSA and DfT requirements. Furthermore relaxation to the cabotage regulations (albeit it temporary) will reduce the size and viability of the UK businesses continuing to provide logistics services and remove UK jobs.

**Should, in your view, the extension be limited to certain types of transport (for example, food supply and ports)?**

Unite believe the extension should not be applied to ANY part of the haulage industry, we have highlighted our concerns with examples in the section above.

**If you answered yes to the previous question, what types of transport should the extension be limited to? Should an extension be for 3 months, 6 months or another duration?**

N/A

**In your view should the extension of cabotage rights include a cap on the number of cabotage journeys following a laden international entry of 4 transports within 7 days, unlimited numbers within 14 days or another cap on the number of cabotage journeys?**

The current rules provide sufficient flexibility and are consistent across the EU.

**Any other comments.**

Unite have considered the proposed relaxation but we are extremely concerned this will allow overseas companies to force their drivers to stay in the UK making deliveries for two weeks without guaranteed safeguards such as decent accommodation for overseas drivers. This will do nothing to address the chronic problems we face. The fact that the proposal is in 2 week blocks suggests that drivers will have a reduced weekly rest within the fortnight and stay in their vehicles. This will lead to even higher levels of fatigue and the inevitable heightened risk to road safety.

*"The bottom line is that unless European hauliers are prepared to invest in proper accommodation for their drivers they will be forced to live in their cabs for an entire fortnight. This will be a miserable, exhausting existence for them and once again raises safety issues for all UK road users."* – Adrian Jones, Unite National Officer for Road Transport & Logistics

The indirect effect if this proposal will be to further demoralise the UK driver workforce. This is seen by drivers as a u-turn on government promises and a refusal to deal with the long term, underlying issues in the industry. It is Unite's position that the free-for-all of the cabotage market within road haulage, should be replaced with a planned and intermodal freight strategy based on environmental and economic efficiency through sectoral bargaining.

With respect to this consultation, Unite is concerned that consultation period within the industry has been limited to 7 days, which we believe is insufficient time for proper and full feedback.

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This submission is put forward by Unite's **National Officers** in the Road Transport Sector:

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