

**COVID-19  
Weekly Roundup**

*9 April 2020*

BACKHOUSE  
JONES

## Vehicle Maintenance

### ATF Bookings

DVSA are not confirming ATF resource allocations for the period July to September 2020, which means annual test bookings cannot be confirmed:

<https://www.backhousejones.co.uk/atf-bookings/>

### Drivers' Hours

#### Temporary Relaxation of the EU and GB Drivers' Hours Rules – Update

In response to unprecedented pressures on local and national supply chains as a result of the COVID-19 outbreak, the Department for Transport (DfT) introduced temporary and limited urgent relaxations of the enforcement of EU and GB drivers' hours rules in England, Scotland and Wales for anyone undertaking carriage of goods by road.

A specific review of the continuation of the relaxations past Sunday 5 April 2020 has now been conducted by the DfT and a decision has been made to *continue* with the relaxations – they will apply until 23:59 on Tuesday 21 April 2020 (this will be kept under review and the DfT reserves the right to withdraw the relaxations or extend the relaxations if circumstances change).

Operators whose drivers make use of the relaxations *must* adapt their existing drivers' hours and tachograph analysis systems to manage this additional compliance obligation.

Current tachograph analysis software will not be configured to take account of the relaxations and will instead report wholesale

infringements where the relaxations are relied on. Operators and transport managers must therefore conduct a detailed review of every infringement to establish whether in fact it is an infringement or whether one of the relaxations applies (and, if it does, has the driver complied with the relaxed rules *and* produced/handed in the required records).

This is a labour intensive and time-consuming process *but* it is vital for enforcement purposes. We, in conjunction with Foster Tachographs and Transport Compliance, can undertake this analysis exercise for you.

<https://www.backhousejones.co.uk/temporary-relaxation-of-the-eu-and-gb-drivers-hours-rules-update/>

## Tachographs

### Approved Tachograph Centres – Special Notice 01-20

On 3 April 2020, DVSA issued Special Notice 01-20 to all Approved Tachograph Centres.

Due to the COVID19 pandemic, the requirement to calibrate and inspect tachographs periodically has been relaxed. Until further notice, all tachograph calibration and inspection expiry dates are extended by 3 months.

Special Notice 01-20 also covers:

- The extension of current training certificate expiry dates
- Periodic quality control checks
- DVSA Examiner visits
- Tachograph centre equipment calibration
- April 2020 workshop cards

- 1C sealing requirements
- Pheonix seal
- 1C tachograph retrofit program

<https://www.backhousejones.co.uk/approved-tachograph-centres-special-notice-from-dvsa/>

## Clean Air Zones

### Clean Air Zones Postponed

The introduction of Clean Air Zones (CAZs) across the country is expected to be delayed until at least January 2021:

<https://www.backhousejones.co.uk/introduction-of-clean-air-zones-to-be-postponed/>

## Travelling to France

### New Requirements for Travel to France

In response to the COVID-19 outbreak and in an attempt to prevent non-essential travel, French authorities have introduced a requirement for anyone travelling into the country to complete an [International Attestation form](#) to confirm that their journey meets the criteria for 'essential travel'.

<https://www.backhousejones.co.uk/new-requirements-for-travel-to-france/>

## Traffic Commissioners

### Senior Traffic Commissioner Updates Advice Note for Operators

In light of further developments to the coronavirus response, the Senior Traffic Commissioner has updated the Advice Note for Operators in relation to a number of areas.

#### Vehicles Returning to Service

In normal circumstances, pre-use inspections are always recommended for vehicles returning to service after a period out of use; however, the Traffic Commissioners recognise that this may not be achievable on the large scale that will be required following the current crisis – operators will want to use their vehicles as soon as possible and there may not be enough maintenance slots available, which will cause delays to businesses getting up and running again. The Senior Traffic Commissioner has therefore identified a number of principles that can be applied for fleets that are unused during the crisis period.

#### Transport Managers

The Advice Note reminds operators and transport managers of their obligation to notify the Traffic Commissioner of changes to their transport manager arrangements and/or apply for a period of grace in relation to professional competence.

#### Training Undertakings

The Traffic Commissioners may agree to extend the relevant deadlines and/or accept online/remote training alternatives.

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### Request for temporary exemption from requirement to hold a standard licence

The updated Advice Note now includes (at Annex A) a specific application form to be used.

### Temporary arrangements for varying local bus services

The updated Advice Note now includes (at Annex B) detailed guidance explaining the temporary arrangements.

<https://www.backhousejones.co.uk/senior-traffic-commissioner-updates-advice-note-to-operators/>

### **Senior Traffic Commissioner Guidance on Furloughing Transport Managers**

The Senior Traffic Commissioner, Richard Turfitt, has further updated his Advice Note for Operators to specifically include guidance on furloughing Transport Managers during the COVID-19 pandemic:

<https://www.backhousejones.co.uk/senior-traffic-commissioners-guidance-on-furloughing-transport-managers/>

## **HSE**

### **HSE Guidance for Businesses**

The HSE has issued new guidance for businesses on social distancing, keeping businesses open and in-work activities during the COVID-19 outbreak:

<https://www.backhousejones.co.uk/hse-issues-new-covid-19-guidance-for-businesses/>

### **Reporting Coronavirus Incidents under RIDDOR**

The HSE has issued details of when and how you should report coronavirus incidents under RIDDOR (the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013):

<https://www.backhousejones.co.uk/hse-guidance-reporting-coronavirus-incidents-under-riddor/>

### **Procurement Policy Notice**

The Cabinet Office has issued a Procurement Policy Note (PPN) setting out information and guidance for public bodies on payment to their suppliers (*even if products and services are not being delivered*) during the COVID-19 pandemic. Read BHJ's advice note on Procurement Policy Note (PPN) 02/20 - Supplier Relief due to COVID-19 here: <https://www.backhousejones.comn.uk/advice-note-procurement-policy-note-02-20-supplier-relief-due-to-covid-19/>

## Financial Packages

### Bus Operator Funding of Almost £400 million

On Friday, 3 April 2020, Transport Secretary Grant Shapps announced a support package totalling £397 million for vital bus operators:

<https://www.backhousejones.co.uk/bus-support-package-of-almost-400-million-announced/>

## Insolvency

### Wrongful Trading

The Government has announced a temporary (and retrospective) relaxation of the wrongful trading provisions, which is to run initially for 3 months from 1 March 2020. The aim is for directors to keep businesses going (paying staff and creditors) without the threat of personal liability:

<https://www.backhousejones.co.uk/covid-19-government-announced-relaxation-of-wrongful-trading-rules/>

## Employment

### Coronavirus Job Retention Scheme

The Government has recently updated published guidance regarding the Coronavirus Job Retention Scheme ("CJRS").

Our Employment team have compiled a detailed guidance note on the CJRS, highlighting the various options available to you and dealing with differing scenarios:

<https://www.backhousejones.co.uk/covid-19-coronavirus-job-retention-scheme-cjrs-the-latest-information/>

## Commercial

### Business Interruption Insurance - What Does It Actually Cover?

Many insurance policies come up for renewal in April and it would appear insurers have been making late changes to the terms they are prepared to offer on a range of commercial policies due to the coronavirus outbreak.

This may leave you in the position where you are questioning the renewal of your insurance or are unable to make a business interruption claim... or both!

<https://www.backhousejones.co.uk/business-interruption-insurance-what-does-it-actually-cover/>

### Claiming for Business Interruption – A Grey Area?

As well as increasing premiums, insurers are adopting a robust stance (and have done so since the outbreak began) to exclude COVID19 from many policies and are also currently

tightening the terms of their business interruption coverage to make sure anything related to the coronavirus pandemic is *explicitly* excluded.

<https://www.backhousejones.co.uk/claiming-for-business-interruption-a-grey-area/>

## Cross Sector Collaboration

The Chartered Institute of Logistics and Transport (CILT) (supported by RHA, FTA and CPT) is calling for cross-sector collaboration to ensure that as a country we are equipped to respond to the Coronavirus crisis.

The CILT believes that we can work together to meet this challenge and is providing a service to match organisations together so that those who have capacity can help those in need, by making available staff, vehicles and expertise to support the supply chain:

<https://www.backhousejones.co.uk/cross-sector-collaboration/>

## BHJ Support

At Backhouse Jones, we are assisting, supporting and advising literally hundreds of operators each and every day of the crisis. We understand how the coronavirus pandemic is affecting transport businesses and have put together a range of support packages to help including **FREE telephone advice, FREE updating webinars and an online COVID19 Resources Hub:**

<https://www.backhousejones.co.uk/covid-19-support-packages-for-operators-from-bhj/>

### Monthly Roundup – March 2020

Read BHJ's roundup of all things COVID19:

<https://www.backhousejones.co.uk/wp-content/uploads/2020/04/COVID19-Monthly-Roundup-March-2020.pdf>

### Webinar – 3 April 2020

Listen again to BHJ's webinar from 3 April 2020 – focusing on all things COVID19 and the implications for the road transport sector:

<https://register.gotowebinar.com/recording/8113778293445448459>

**Please note: This publication does not constitute legal advice**

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