

**MONITORING PROCEDURE****Introduction**

Large Goods Vehicles (LGVs) (as defined by the European Union, as a vehicle over 3.5 tonnes) are disproportionately represented in fatal collisions with cyclists and pedestrians; 53% of cycle fatalities between 2008 and 2012 involved conflict with a LGV despite them only accounting for 4% of London's traffic.<sup>1</sup>

From January 2014, all new LB Camden contracts over £100k and/or 6 month duration which use LGVs are required to meet specific safety terms as outlined in the Council's contract documentation. This is called Work Related Road Risk (WRRR) and aims to mitigate the risk that LGVs pose to vulnerable road users. As of 2015, these are aligned with the [Construction Logistics and Cycle Safety \(CLOCS\) standard](#).

**Method**

Contractors will be required to report their compliance with Camden's WRRR terms, at the outset of a new contract and where relevant, on an annual basis to their Contract Manager and the Cycle Safety Projects and Contracts Officer (CSPCO). Alongside self-certification, Camden will be conducting both desktop assessments and physical vehicle spot-checks to check Contractors' compliance with the terms. Note the monitoring procedure is indicative only and may be varied following further evaluation.

**SELF REPORTING**

Once a new Contract is awarded or renewed, the CPSCO will request via the Contract Manager that the Contractor self-certifies their compliance, as outlined below.

The CPSCO will draft an email with the following link <https://consultations.wearecamden.org/culture-environment/work-related-road-risk-wrrr-construction-contracto> to a survey for the contractor to self-certify their compliance. This will require them to answer questions and submit some evidence, such as their Fleet Operator Recognition Scheme (FORS) accreditation certificate. This email will be sent out via the Contract Manager.

The only WRRR terms which do not need to be in place by the contract start date, are:

- FORS (or equivalent) Bronze accreditation to be achieved within **90** days of the contract start date.
- Safer Urban Driving (SUD) (or equivalent approved progressive training course), to be completed every 3 years, ideally at the start of the contract. Refresher e-learning should be completed every 12 months.

The CPSCO will identify from the survey where the Contractor has not met any of the WRRR requirements and highlight any non-compliance and notify the Contract Manager. The CPSCO and/or the Contract Manager will then request any such non-compliance be rectified as soon as possible and once resolved, the Council should be notified by emailing [WRRR@Camden.gov.uk](mailto:WRRR@Camden.gov.uk) with any supporting evidence attached, for example, of driver licences having been checked with the DVLA.

Appendix 1 demonstrates the compliance monitoring procedure for each of the WRRR terms, in table format.

**SPOT CHECKING**

Contractors should be made aware that spot checking will be conducted on a random and systemised basis to ensure that WRRR terms are being adhered to.

1. The CPSCO may conduct annual or more regular desk-based assessments of a contractor's compliance, for example, a check against the FORS database to ensure accreditation is still held.
2. Random physical spot checks will be undertaken of Contractor vehicles, primarily at LB Camden sites, but also possibly at a Contractor's depot, following completion of a risk assessment. Drivers will also be asked a few questions about their training record and who they work for. This should just take a few minutes. Appendix 1 outlines how each measure may be spot checked for compliance.

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## LB CAMDEN - CONTRACTOR 'WORK RELATED ROAD RISK' (WRRR)

### ENFORCEMENT PROCEDURE

#### Method

Alongside self-certification and spot-check monitoring that Contractors are compliant with the Work Related Road Risk (WRRR) terms, an enforcement programme is needed to mitigate and respond to any identified non-compliance. Enforcement of WRRR terms is intended to be:

- **An appropriate deterrent** – to increase compliance rates
- **Proportionate** – relative to the extent of non-compliance (e.g. scale and frequency of non-compliance) and also the extent of risk (e.g. risk posed to Vulnerable Road Users)
- **Consistent and efficient** – in being issued and done so immediately upon having been identified so that non-compliance can be rectified as soon as possible

The table below demonstrates the three stages of the enforcement escalation procedure. It should be noted that these do not have to be followed in order, neither does enforcement issued at one stage automatically lead to the next; this document is for information and does not prejudice the Authority's ability to issue a higher level of enforcement, if deemed appropriate.

**Table 1: Enforcement Escalation Levels**

LEVEL OF ENFORCEMENT ESCALATION	WHAT WILL BE DONE?
STAGE 1 – Breach of Contract Letter 1	A notification letter sent to the Contractor's Contract Manager (and maybe CEO/ Senior person), outlining the detail of the non-compliance and the need to demonstrate compliance urgently, within a specified timeframe, to remedy breach of contract. Support to rectify the issue may also be sign-posted
STAGE 2 – Breach of Contract Letter 2 and meeting with Contractor to resolve	If the issue is not rectified within the specified timeframe or a different area of non-compliance is identified, then a second notification letter will be sent and/or a meeting arranged with the Contractor to resolve the issue. Support may also be sign-posted
STAGE 3 – Non-compliance, breach, termination of Contract	If stage 1 and 2 do not bring about an improvement, then the option of termination of the contract remains as an option to the Council to pursue, based on the specific circumstances

Appendix 2 outlines the enforcement procedure and level of enforcement escalation (stage 1, 2, 3) resulting from specific non-compliant actions. It should be noted that these are indicative actions and timescales and the Authority reserves the right to assess any identified non-compliance on a case by case basis.

Please note any information held by the Council is potentially accessible under Freedom of Information (FOI) requests.

## APPENDIX 1: COMPLIANCE MONITORING PROCEDURE

Output	Measure(s)	Method for Self Reporting	Contractor Evidence	Method for Spot Checking	Frequency of Spot Checks
Demonstrate basic legal compliance and best practice fleet management	Minimum FORS bronze (or equivalent) status achieved within <b>90</b> days	Self-Report with FORS certificate	Copy of Accreditation certificate (uploaded)	Cross-referenced <a href="#">against FORS database</a> . Assessed by enforcement team via sticker	Annually to ensure renewal compliance OR ad hoc if a Contractor of concern
Drivers have a comprehensive understanding of the challenges of urban driving and are trained in how to protect vulnerable road users	Approved, progressive theoretical and practical training e.g. Safer Urban Driving (SUD) course every 3 years and eLearning module every 12 months	Self-report by confirming attendance, name of course and date	Evidence via individual course certificates (not requested) or training record e.g. CPC	Cross-referenced against <a href="#">SUD database listing or equivalent</a>	At random after physical vehicle spot checks with individual driver name OR ad hoc if a Contractor of concern
Drivers are licensed to drive relevant vehicles and any endorsements are monitored	Driver Licence Checks- frequency according to risk scale	Self-report with confirmation and evidence showing driver licence checks completed	Response from DVLA or equivalent e.g. Advanced Check service	Driver shows existing licence or possibly with DVLA via phone with driver permission or via third party (associated cost)	At random during physical vehicle spot checks with driver permission OR ad hoc if Contractor of concern
Reduction of risk to cyclist of being crushed by rear wheels	Side-guards or under-run bars	Self-report confirming vehicles have side-guards installed	If not installed, email <a href="mailto:WRRR@Camden.gov.uk">WRRR@Camden.gov.uk</a> when complete evidence with invoice/receipt	Vehicle inspection with checklist and photos taken for desk-based follow up	Random physical vehicle spot checks
Elimination of vehicle blind spots or minimised as far as practical and possible	Installation of direct and indirect vision aids and driver audible alerts e.g. CCTV and side-scan sensors	Self-report confirming assessment of blind spots and eliminated by equipment installed	If not installed, email <a href="mailto:WRRR@Camden.gov.uk">WRRR@Camden.gov.uk</a> when complete, evidence with invoice/receipt	Vehicle inspection with checklist and photos taken for desk-based follow up	Random physical vehicle spot checks
Cyclists warned of an intended left-hand manoeuvre	Audible alarm notifies cyclists of left-hand manoeuvre	Self-report confirming vehicles have alarms	If not installed, email <a href="mailto:WRRR@Camden.gov.uk">WRRR@Camden.gov.uk</a> when complete,	Vehicle inspection with checklist and photos taken for desk-based	Random physical vehicle spot checks

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Cyclists aware of the risks of passing vehicles on the nearside	'Beware of Passing on Inside' Stickers	Self-report confirming vehicles have stickers installed	Email with evidence <a href="mailto:WRRR@Camden.gov.uk">WRRR@Camden.gov.uk</a>	Vehicle inspection with checklist and photos taken for desk-based follow up	Random physical vehicle spot checks
Collisions investigation and analysis	Use of CLOCS manager or equivalent	Email within 5 days of incident/ request	Email within 5 days	Collision reporting records	Ad hoc if a concern
Suitable traffic routes taken to site to minimise impact on vulnerable road users	Agreed traffic routing and deviations communicated	Self-report with map and/or route description	Copy of agreed route to site and contractor/ driver acknowledgement	Cross referenced with Construction Management Plan	Driver asked at physical vehicle spot check OR ad hoc if contractor of concern
Construction site traffic is well managed to minimise impact on vulnerable road users  (client developer or primary contractor requirements)	<ul style="list-style-type: none"> <li>• Construction Logistics Plan</li> <li>• Suitable site</li> <li>• Managed site access/egress</li> <li>• Managed vehicle loading/unloading</li> <li>• Traffic routing</li> <li>• Control of traffic</li> <li>• Supply chain compliance</li> </ul>	Self-report evidencing method to manage site traffic	Description of methods and/or copy of Construction Management Plan	<p>Cross referenced with Construction Management Plan.</p> <p>Observation during vehicle inspection visit</p>	At random during physical vehicle spot checks OR ad hoc if Contractor of concern

**Table 2: Enforcement Escalation Level per Nature of Non-Compliance**

Work Related Road Risk Term	Examples of Nature of Non-Compliance	Risk Impact Rating (1 =L,2=M,3=H)	Enforcement Escalation Level
<b>Fleet Operator Recognition Scheme (FORS) (or equivalent) accreditation within 90 days</b>	Not achieved within 90 days of contract start date	1 (higher after ~120 days)	Stage 1 Stage 2 (after ~120 days); Stage 3 (after ~150 days)
	Accreditation removed at annual audit or due to illegal action	3	Stage 2 or Stage 3 if in conjunction with other non-compliance issues
<b>Approved Driver Training</b>	No training completed or a non-approved course is taken	2	Stage 2 or Stage 3 if in conjunction with other non-compliance issues
	Training is not completed to the recommended frequency	1	Stage 1 or Stage 2 if in conjunction with other non-compliance issues
<b>Driver Licence Check with</b>	Not conducted at start of contract	1	Stage 1

<b>DVLA in advance of Contract start date and at specified duration</b>	Regular (monthly) checks not undertaken for drivers with 9-12 points	3	Stage 2 or Stage 3 if in conjunction with other non-compliance issues
<b>Installation of Side-Guards on all LGVs</b>	Side-guard not installed, loose or protruding	3	Stage 2 or Stage 3 if in conjunction with other non-compliance issues
<b>Blind Spot Minimisation</b>	No evidence provided to demonstrate blind spots eliminated and minimised as far as practical and possible, or evidence unsatisfactory – further steps could have been taken	3	Stage 2 or Stage 3 if in conjunction with other non-compliance issues
	Blind spot minimisation technology is faulty, not functional or missing	3	Stage 2 or Stage 3 if in conjunction with other non-compliance issues
<b>Installation of Left Hand Manoeuvre Warnings</b>	Warnings not installed or not functional	3	Stage 2 or Stage 3 if in conjunction with other non-compliance issues
<b>Installation of Cyclist Warning Stickers</b>	No stickers or stickers dirty or loose	1	Stage 1
<b>Monitoring, Reporting and Analysis of Collisions</b>	Collision causing injury or fatality not reported within 5 days	2	Stage 2 or Stage 3 if in conjunction with other non-compliance issues
	Collisions not being captured, investigated and analysed	3	Stage 2 or Stage 3 if in conjunction with other non-compliance issues

<b>Traffic Routing</b>	Suitable routes are not developed, appropriate or adhered to or deviations not communicated effectively	1	Stage 1 if one-off deviation or non-compliance
		2	Stage 2 if suitable routes not developed or repeatedly ignored
<b>Requirements for Contractor with Site Management Responsibility (client developer or primary contractor)</b>	The condition of the site prevents vehicles fitted with safety features accessing it	2	Stage 2
	Access to and egress from the site is not managed, marked or understood	1	Stage 1 if one-off non-compliance with access/egress rule
		2	Stage 2 if recurrent poor management or non-compliance of site access/egress
Vehicles loaded/un-loaded on the carriageway rather than on-site (where feasible)	2	Stage 1 Or Stage 2 if in conjunction with other non-compliance issues	
<b>Subcontractors Compliance and Monitoring</b>	Subcontractors compliance monitoring and enforcement not developed or implemented	2	Stage 2 if one-off instance not monitored /enforced
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## WRRR TERMS: SUPPORTING GUIDANCE – FAQs

### Why We Are Doing This

#### 1. What is Work Related Road Risk (WRRR)?

WRRR relates to requirements on companies with a fleet of large vehicle (over 3.5 tonnes) to operate best practice management of their fleet, including for example, installing additional vehicle safety equipment (such as to reduce blind spots), undertaking driver training and achieving accreditation via best practice schemes.

Almost one third of traffic on London's roads is 'work-related'. Most work places and in particular Construction sites, have very stringent Health and Safety (H&S) requirements, however once a vehicle and driver leaves its place of work, the employers H&S policies usually do not apply to the same extent. WRRR recognises this and encourages organisations to take responsibility for the safety and management of their vehicles which are still working for them, in the public realm.

#### 2. Why has Camden adopted Work Related Road Risk (WRRR) terms?

Fatalities caused by large vehicles have become increasingly high profile in London over recent years and are disproportionately caused by larger vehicles. Of cycle fatalities between 2008 and 2012, 53% of them involved conflict with a large vehicle over 3.5 tonnes, despite them only accounting for just 4% of London's traffic. Furthermore, cycling rates have dramatically increased in recent years and are likely to continue to do so alongside London's predicted increase in population and the Mayor's target to double cycling rates over the next 10 years.

Camden is committed to improving road safety whilst promoting sustainable transport and has the potential to reduce risk for vulnerable road users (cyclists and pedestrians) by working with its own Contractors. Camden's own vehicle fleet are compliant with the terms and Camden is a FORS silver accredited organisation.

#### 3. What is the contract threshold for applying the WRRR terms?

At the present time, WRRR terms will not be applied to all contracts, but only those defined as longer-term contracts of 6 months or more **and** contracts valued at above £100k pa. This is minimum standard that Camden strives to meet, **however in areas where the risk posed to vulnerable road users are deemed to be higher, these two contract thresholds can be assessed independently.** Therefore, contracts over £100k pa but less than 6 month duration may be considered in-scope. High risk contracts are defined in FAQ 12, as all construction contracts or contracts with regular vehicle movements, of >10/month.

#### 4. Are any other Organisations doing this?

Crossrail and TfL include WRRR terms in all their contracts for both their primary contractors and their supply chain. Crossrail checks compliance of every vehicle arriving on-site and turns those away who are non-compliant.

Camden is the first borough to include WRRR terms into its contracts, although the City of London also requires FORS accreditation and is implementing WRRR. The Mayor and TfL recommend that all boroughs adopt similar terms for their Contractors. Therefore it is increasingly likely to become a requirement for contractors tendering for work, especially in the construction sector. See FAQ 5 and 6 below.

#### 5. What are the added benefits of complying?

There are significant benefits for fleet operators taking the lead and adopting Work Related Road Risk terms:

- *Reduced insurance premiums* – becoming Fleet Operator Recognition Scheme (FORS) or equivalent accredited, installing safety measures, undertaking further driver training



and analysing collisions, will all be seen favourably by insurers and help to bring insurance premiums down.

- *Savings from reduced fuel usage, incidents and fines/charges* – Becoming a member of FORS can bring significant savings in fuel costs, through reduced collisions or incidents and also fines or charges. For example, over a 4 year period FM Conway reduced their incidence of penalty charge notices by 78%, insurance costs by 46% and their third party costs by 47%. These are permanent financial and environmental savings, which mitigate the one-off costs of complying.
- *Good corporate social responsibility* – Becoming FORS accredited and building WRRR into day to day operations, demonstrates a fleet operator's commitment to road safety and may help achieve corporate social responsibility targets as well as your health and safety obligations. A commitment to WRRR also reduces the likelihood of prosecution via the Corporate Manslaughter Act (2008), and so being fully compliant demonstrates a commitment to cycle safety, thereby mitigating this risk.
- *Competitive advantage* - Companies are increasingly requiring contractors to adhere to WRRR and demonstrate their compliance. Crossrail, TfL and often developers have set this precedent and other local authorities are encouraged to by the Mayor of London and Transport Commissioner, so being fully compliant may help set companies apart from their competition and help to secure contracts. The Construction sector is going one step further – see FAQ 7 below.

#### 6. What else is Camden doing to reduce the number of large vehicles in the borough?

To reduce the number of large vehicles on the road, Camden is piloting an innovative project in conjunction with LB Enfield and Waltham Forest via use of a Consolidation Centre in Edmonton to reduce the number of separate delivery vehicles that are needed to visit Council properties. The 'last mile' delivery is then completed by fewer vehicles, with a low or zero carbon impact, which are also FORS accredited, to reduce risk to vulnerable road users and their associated environmental impact. See <http://www.lamiloproject.eu/london-camden/>.

#### 7. What is the Construction Logistics and Cycle Safety (CLOCS) Standard?

CLOCS has been developed in collaboration by construction logistic operators, developers and industry associations to provide one single standard for best practice road safety for the industry. Developers will increasingly begin asking Construction fleet operators to adhere to this standard which has significant overlap with WRRR terms, however specifically aimed at the industry and size of vehicle common to construction projects. It includes additional requirements such as traffic routing and peak hour management. See the CLOCS website for further information:

<http://www.clocs.org.uk/> Camden is a CLOCS Champion and is working on a trial with TfL to implement the standard as a planning requirement. More details can be found at:

[www.camden.gov.uk/CLOCS](http://www.camden.gov.uk/CLOCS)

### Cost and Scope

#### 8. What are the requirements and the costs of complying with WRRR?

Requirement	Cost	Comments
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1 - FORS bronze membership	Accreditation and audit costs dependent on level, fleet size and number of operating centres. Ranges from a few hundred to a few thousand if a national operator.	<p>Costs are set out on the FORS website: <a href="http://www.fors-online.org.uk/cms/news/2994/">http://www.fors-online.org.uk/cms/news/2994/</a> This entitles operators to: Advice, guidance and campaign toolkits; Performance management system and supporting tools; e-learning modules; Regular news and bulletins; Offers and discounts from FORS Associate suppliers; <a href="http://www.fors-online.org.uk">www.fors-online.org.uk</a>; free CPC training for HGV drivers; Safety training for van drivers; Best practice workshops for managers.</p> <p>There are currently nearly 4,000 companies actively registered with FORS and nearly 3,000 accredited. Costs can be reduced by achieving silver accreditation, which WRRR compliant contractors can easily achieve as necessary safety equipment is already installed, this is because an in person bronze audit then only needs to happen every 2 years.</p>
2a – Side guards	Side guards cost approx. £223 or £179, (depending on vehicle type and size) with 20% FORS discount. (note: this is required by law on most large vehicles)	Side guards are a legal requirement under UK law for most vehicles and proposed for most vehicles in London under the <a href="#">Safer Lorries Scheme</a> (summer 2015); although some vehicles are exempt (e.g. road sweepers). Vehicle side guards are subject to strict checks during annual vehicle testing in compliance to EC Directive 89/297/EEC and UK law. For vans with solid bodies side guards are not suitable, though high visibility markings (that can be installed at a cost of about £100 per vehicle) can improve visual clarity of the vehicle's presence.
2b – Blind spot minimisation - close proximity warning system (sensors, nearside CCTV), (or Fresnel lens), Class VI mirror	Costs will vary depending on the vehicle concerned.	Close proximity warning systems cost in the region of £500 (depending on size and type of vehicle). Fresnel lens cost just a few pounds. Class VI mirrors (costs ~£70-£185) are a legal requirement for vehicles >3.5t registered after January 2000, and will become mandatory for all vehicles in London under the proposed <a href="#">Safer Lorries Scheme</a> in London (from summer 2015)
2d – Cyclist warning sign	These are available to FORS accredited companies at <b>zero cost</b> .	<p>The sign warns cyclists of the dangers of passing the vehicle on the inside. Ideally these should read 'blind spot – take care' as per TfL agreement with cycling campaign groups, or 'beware of passing' rather than 'stay back'.</p> <p>These can be ordered here: <a href="https://www.fors-online.org.uk/index.php?page=A_STORE">https://www.fors-online.org.uk/index.php?page=A_STORE</a></p>
3- Driver Licence	These can be completed for <b>free</b>	Alternatively, this can be done via a Licence Validation service for checking multiple drivers at



<i>Checks</i>	with the drivers permission directly with the DVLA	one time. Costs vary per company and depending upon the number of driver's validation is required for. FORS have partnered with AdvancedCheck who offer a flat rate of £4.95 per driver per check or a £100 discount with over 50 drivers.
<i>4a – Cycle awareness training</i>	The Safer Urban Driver (SUD) training module is offered <b>free</b> through FORS.	The SUD module can count towards CPC training (compulsory 35 years training per 5 years per driver, introduced by the European Commission – phase starting Sept 2014), though drivers will need to pay £9.25 (upload fee). Only drivers on the contract have to complete the course.
<i>4b - e-Learning Modules</i>	Modules are <b>free</b> via the FORS website	The 'safety' module takes an hour and 5 minutes and the 'cycle safety' module 30 minutes and can be completed anytime online. Only drivers on the contract have to complete the course.

### 9. Who will pay for the costs of complying?

It is expected that Contractors will meet the costs of complying or paying for any new equipment, (where such equipment is not currently installed) for their vehicles as WRRR is increasingly becoming the best practice standard for Fleet Operators. FAQ 4 demonstrates some of the additional benefits being compliant can bring. Furthermore discounts can be offered for operators who are FORS accredited. Most other WRRR requirements are free of charge, but instead require management commitment to comply with.

### 10. Which vehicles are included?

Any vehicle over 3.5 tonnes is in-scope, as a rule of thumb this is anything larger than a Luton-transit type van, however this depends upon the use of the vehicle, as some transit vans with specific uses may be over 3.5t. To clarify, at the present time, no vehicle of 3.5 tonnes and under is included. Fleet Operators should be able to identify which vehicles will be used to deliver the contract and their relevant tonnage, measured as permissible gross vehicle weight (GVW), also known as mass authorised weight (MAM). Use of any trailers should also be considered when assessing weight thresholds. More information can be found at: <https://www.gov.uk/vehicle-weights-explained>.

### 11. Are sub-contractors or supply chains included?

For construction contracts, all sub-contractors and supply chains making repeat deliveries to the site in vehicles >3.5tonnes are subject to the terms. You must therefore include the WRRR terms in your contracts with your subcontractors, to make them aware of their obligations.

For non-construction contracts, WRRR terms apply to the principal Contractor only in most cases, **however** it is the intent of the WRRR scheme to significantly improve road safety for vulnerable road users and therefore if the services a Contractor delivers for Camden are delivered entirely by supply chain partners and/or sub-contractors **or** considered high risk from a WRRR road-users perspective, then sub-contractors must also fully adhere to the WRRR terms. High-risk is defined in FAQ 12 below and relates to use of construction vehicles and/or frequent large vehicle usage. Therefore this will be assessed on a case by case basis. At present, sub-contractors/supply chains providing one-off deliveries (no more than 1 vehicle movement per contract) will not be monitored and enforced against, however, primary contractors should endeavour to promote the WRRR terms to their entire supply chain where the high-risk category is applicable. Camden aims in due course

to extend the scope of the scheme to *automatically* include sub-contractors; therefore we recommend that you begin discussing this with your supply chains.

## 12. What is considered WRRR 'high-risk' when assessing inclusion of sub-contractors or contract threshold?

FAQ 3 states that financial / length contract thresholds will be assessed independently and FAQ 11 states sub-contractors will be included, when a contract is considered 'high-risk' for vulnerable road users from a WRRR perspective.

### **High risk in this instance is defined as:**

1. Any contract involving construction vehicles (tippers, scaffolding Lorries, skip Lorries, plant vehicles (including volumetrics) or any vehicle involved in the construction or waste industry over 3.5t.
2. If 1 above does not apply, then high-risk is also defined as contracts operating large vehicles regularly (e.g. daily or over 10 times within any one month) for the LB Camden contract (including primary contractor and supply chain).

If **either** of these conditions applies, then WRRR terms will apply to subcontractors (irrespective of whether) the contract is over £100k in value **or** (irrespective of whether it's over) 6 months duration.

## Accreditation Schemes

### 13. What is considered an acceptable alternative to the Fleet Operator Recognition Scheme (FORS)?

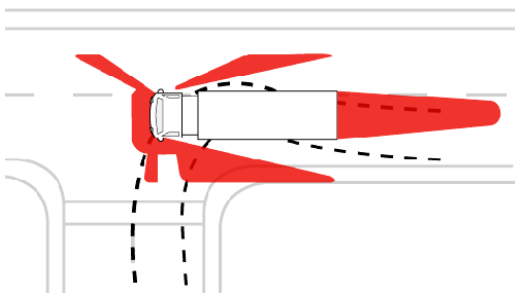
The only currently accepted alternative Scheme is the Van Excellence scheme which is open to all Fleet Operators who utilise vehicles with use of vans.

Those accredited via Van Excellence can be automatically submitted for a FORS audit.

## Vehicle Safety Equipment

### 14. What does point 2.ii about minimising blind spots mean??

TfL state that even though a vehicle may be fully legally compliant, there are still significant blind spots of up to 15%, as demonstrated by the diagram below.



To reduce blind spots on the nearside (left), such as left hand manoeuvres featuring in cyclist fatalities, there are various technology options including:

- Sensors alert the driver to a vulnerable road user located on the near-side and feed into an in-cab display or audible alarm. Ideally there should be no minimum speed setting on these.
- CCTV cameras are front-mounted, rear facing cameras showing the nearside blind spot, with an in-cab display.
- Fresnel lens or additional mirrors can also help reduce blind spots
- Class V/VI mirrors are mandatory in most vehicles and reduce the front and nearside blind spot.

Both cameras and sensors should be linked to an external verbal or audible alarm (e.g. white noise or 'this vehicle is turning left') to notify the cyclist or pedestrian of the next manoeuvre. Note FAQ 16

and proposed research by the Transport Research Laboratory which should be available from spring 2015.

You should be able to demonstrate that you have made an assessment of your vehicles to ensure blind spots are eliminated and minimised as far as practical and possible. You will be asked to provide evidence to demonstrate that you have done this. This may be in conjunction with getting advice from suppliers and FORS or a Transport Association. FORS offer a useful tool to help identify which equipment is most suitable for your vehicles: [http://www.fors-online.org.uk/index.php?page=RS1\\_4\\_02B&return=RS1\\_4](http://www.fors-online.org.uk/index.php?page=RS1_4_02B&return=RS1_4)

#### **15. When should a Class VI mirror be installed?**

A class VI mirror or 'Cyclops' mirror removes the blind spot directly in front of the vehicle. This is required when it can be properly mounted, with no part of the mirror being less than two meters from the ground; therefore in most cases vans are excluded. Note the proposed Safer Lorry Scheme will mandate this for most vehicles from summer 2015.

#### **16. When is a Fresnel lens a suitable alternative to a front-mounted CCTV/ close proximity system?**

A front-mounted CCTV or close proximity system, consisting of a front-mounted, but rear facing nearside CCTV camera with in-cab display, is usually preferable to a Fresnel lens. This is because they offer a constant view of the nearside blind spots, usually combined with a visual/audible alarm, resulting in the driver being alerted of the presence of a cyclist or pedestrian, reducing the need to regularly look left at the Fresnel lens. A TfL study of drivers found that for nearly all who had CCTV cameras installed, after some initial adaptation time, found them very useful and almost more so than a Fresnel lens and consequently an essential item for urban driving. Of drivers asked, 100% of those with a forward facing camera, 97% a near side camera, 93% an all-round camera and 95% a reversing camera, found them to be useful.

Please contact [WRRR@Camden.gov.uk](mailto:WRRR@Camden.gov.uk) if you believe you have justifiable reason to use a Fresnel lens instead of a CCTV camera and in-cab display.

The Transport Research Laboratory is developing a methodology that will be able to test and evaluate the most appropriate technology to reduce blind spots. This will be shared with contractors by autumn 2014, to help inform which system is preferred for large vehicles.

Note FAQ 14 and your obligation to demonstrate that blind spots have been eliminated and minimised as far as practical and possible.

### **Driver Checks and Training**

#### **17. How can I get my driver's licences checked or validated?**

This can be done on an individual basis if the driver is present and in agreement, by telephoning the DVLA directly. However, you can validate all your driver's licences in one go, as per the frequency specified by our terms. FORS have partnered with AdvancedCheck who offer 24/7 checks and alerts about urgent issues: [http://www.fors-online.org.uk/index.php?page=P\\_DRIVER\\_LICENCE\\_CHECK&return=P\\_WHY\\_INTRO](http://www.fors-online.org.uk/index.php?page=P_DRIVER_LICENCE_CHECK&return=P_WHY_INTRO)

#### **18. What is considered Approved Driver Training?**

The Safer Urban Driving (SUD) course is the recommended, JAUPT approved driver training that drivers should undertake. It consists of 3.5 hours theory and 3.5 hours practical session, including cycling, that can contribute towards drivers Certificate of Professional Competence (CPC) driver training which requires them to undertake 35 hours every 5 years. There may be acceptable

substitutes depending upon the industry the Contractor is in, but please contact us to discuss if you wish to undertake an alternative course. Evidence of attendance may be requested.

Camden offers SUD courses at a time and location to suit you, please contact [WRRR@Camden.gov.uk](mailto:WRRR@Camden.gov.uk) for more information.

#### **19. How long does it take to complete the e-Learning modules?**

The 'cycle safety' and 'safety' modules take approximately 30 minutes and an hour and five minutes respectively and each driver should complete one module annually.

#### **20. Which drivers need to undertake training?**

You should endeavour for every driver who will work on the contract for LB Camden to undertake a driver training course (e.g. Safer Urban Driving) and a relevant e-Learning module (see above). See FAQ 18/19.

### **Monitoring and Enforcement**

#### **21. How will compliance be monitored?**

Contractors will be asked to complete an online self-certification survey once appointed, via We Are Camden. This will be explained in full in the Monitoring and Enforcement Procedure, available on Essentials.

#### **22. What is the Enforcement Procedure?**

If WRRR terms are breached and non-compliance identified, there is a staged enforcement procedure, depending upon the severity and frequency of the non-compliance. This will be outlined in the Monitoring and Enforcement Procedure, available on Essentials.

### **Contract Related Queries**

#### **23. How do I get the WRRR requirements into the contract documentation?**

Contract Managers should see the separate guide on Essentials for how to ensure WRRR terms are included in the contract documentation for relevant contracts.

### **Support and Guidance**

#### **24. What support does LB Camden offer to help Contractors meet their WRRR requirements?**

- We offer free Safer Urban Driver training courses for approximately 20 drivers per course, which can be organised at a convenient time and location for your company. We also have set dates for your drivers to attend if you have fewer than 20 drivers. Contact [WRRR@Camden.gov.uk](mailto:WRRR@Camden.gov.uk) for more information.
- We can sign-post you to further help with TfL and/or FORS – see FAQ 24 below.
- We can put you in touch with other organisations who have embraced WRRR to support you and share ideas.
- We have support documents explaining the requirements, especially monitoring and enforcement, in more detail.
- We can meet you and your Contractors to discuss compliance and any issues you may have.
- We'll email Contractors periodically with updates, offers and best practice advice.

#### **25. Where can I find further information and guidance?**

- Camden Work Related Road Risk page: [www.camden.gov.uk/work-related-road-risk](http://www.camden.gov.uk/work-related-road-risk)
- Construction Logistics and Cycle Safety (CLOCS): <http://www.clocs.org.uk/>



- Crossrail requirements: <http://www.crossrail.co.uk/construction/road-safety-information/>
- Camden Transport Strategy and free cycle training: <http://www.camden.gov.uk/ccm/navigation/transport-and-streets/cycling-in-camden/>
- DVSA – Drivers of lorries, coaches or buses: <https://www.gov.uk/browse/driving/drivers-lorries-buses>
- DVSA – Being a goods vehicle operator: <https://www.gov.uk/being-a-goods-vehicle-operator>
- DVSA - Driver CPC for lorry, coach and bus drivers: <https://www.gov.uk/driver-certificate-of-professional-competence-cpc>
- DVSA - Vehicle weights explained: <https://www.gov.uk/vehicle-weights-explained>
- e-Learning modules: [http://www.fors-online.org.uk/index.php?page=AE\\_INTRO&return=PTE\\_INTRO#hash\\_1\\_2](http://www.fors-online.org.uk/index.php?page=AE_INTRO&return=PTE_INTRO#hash_1_2)
- Fleet Operators Recognition Scheme (FORS): [http://www.fors-online.org.uk/index.php?page=P\\_LANDING](http://www.fors-online.org.uk/index.php?page=P_LANDING)
- FORS Discounts and Offers: [http://www.fors-online.org.uk/index.php?page=POL\\_INTRO&return=P\\_WHY\\_INTRO](http://www.fors-online.org.uk/index.php?page=POL_INTRO&return=P_WHY_INTRO)
- FORS Advanced Check Driver Licence Checks: [http://www.fors-online.org.uk/index.php?page=P\\_DRIVER\\_LICENCE\\_CHECK&return=P\\_WHY\\_INTRO](http://www.fors-online.org.uk/index.php?page=P_DRIVER_LICENCE_CHECK&return=P_WHY_INTRO)
- Safer Urban Driving courses: [http://www.fors-online.org.uk/index.php?page=NOTFOUND&target=SAFE\\_URBAN\\_DRIVING&return=](http://www.fors-online.org.uk/index.php?page=NOTFOUND&target=SAFE_URBAN_DRIVING&return=)
- Van Excellence scheme: [http://issuu.com/ftahermes/docs/fta\\_van\\_excellence\\_supplement\\_web](http://issuu.com/ftahermes/docs/fta_van_excellence_supplement_web)
- Work Related Road Risk (WRRR) TfL: <http://www.tfl.gov.uk/info-for/freight/safety-and-the-environment/managing-risks-wrrr>

## 26. What should I do if I have any more questions?

Email [WRRR@Camden.gov.uk](mailto:WRRR@Camden.gov.uk) or call 020 7974 5478. Alternatively LB Camden Procurement or Legal team should be able to assist with contract related queries.



### **13. Work Related Road Risk**

#### **13.1. Fleet Operator Recognition Scheme (FORS) Accreditation**

- i. Where the Contractor operates Large Vehicles, it shall within 90 days of the Contract Date: (unless already registered) register for FORS or a scheme, which in the reasonable opinion of the Employer, is an acceptable substitute to FORS (the "Alternative Scheme"); and (unless already accredited) have attained the standard of Bronze Accreditation (or higher) or the equivalent within the Alternative Scheme.
- ii. The Contractor shall maintain the standard of Bronze Accreditation (or equivalent standard within the Alternative Scheme) by way of an annual independent assessment in accordance with the FORS Standard or take such steps as may be required to maintain the equivalent standard within the Alternative Scheme.
- iii. Alternatively, where the Contractor has attained Silver or Gold Accreditation, the maintenance requirements shall be undertaken in accordance with the periods set out in the FORS Standard.

#### **13.2. Safety Equipment on Vehicles**

The Contractor shall ensure that any Large Vehicle, which it uses to provide the Services, shall:

- i. Have side guards fitted, unless the Contractor can demonstrate to the reasonable satisfaction of the Employer that the vehicle will not perform the function for which it was built if side guards are fitted;
- ii. Have front, side and rear blind spots completely eliminated or minimised as far as practical and possible, through the use of fully operational direct and indirect vision aids and driver audible alerts;
- iii. Have equipment fitted with an audible means of warning other road users of the vehicle's left manoeuvre.
- iv. Bear prominent signage on the rear of the vehicle to warn VRUs of the dangers of passing the vehicle on the inside and of getting too close to the vehicle.

#### **13.3. Driver Licence Checks**

The Contractor shall ensure:

- i. It has a system in place to ensure all its Drivers hold a valid driving licence for the category of vehicle that they are tasked to drive, along with recording any endorsements, or restrictions on the Drivers licence; and
- ii. That each of its drivers has a driving licence check with the DVLA or equivalent before that driver commences delivery of the Services and that the driving licence check with the DVLA is repeated in accordance with either the following risk scale (in the case of the DVLA issued licences only), or the Contractor's risk scale, provided

that the Contractor's risk scale has been approved in writing by the Employer within the last 12 months:

- i. 0 – 3 points on the driving licence – annual checks;
- ii. 4 – 8 points on the driving licence – six monthly checks;
- iii. 9 – 11 points on the driving licence – quarterly checks; or
- iv. 12 or more points on the driving licence – monthly checks

#### **13.4. Driver Training**

The Contractor shall ensure that each of its drivers undergo approved progressive training (to include a mix of theoretical, e-learning, practical and on the job training) and continued professional development to include training covering the safety of vulnerable road users and on-cycle hazard awareness, throughout the Contract.

#### **13.5. Collision Reporting**

The Contractor shall ensure that it has a system in place to capture, investigate and analyse road traffic collisions that results in fatalities, injury or damage to vehicles, persons or property and for generating Collision Reports. For example, the CLOCS Manager [www.clocs-manager.org.uk](http://www.clocs-manager.org.uk)

The Contractor shall notify the Employer of any collisions involving injuries to persons or fatalities within five working days of an incident occurring and provide to the Employer an updated Collision Report within five working days of a written request.

#### **13.6. Traffic Routing**

The Contractor shall ensure that any vehicle routes to sites or premises specified by clients are adhered to unless directed otherwise (referred to in paragraphs 7.(v) below). If applicable, these should be the routes as defined in the site's Construction Management Plan. Wherever possible, these routes should be from the Transport for London Road Network.

#### **13.7. Requirements for Contractor with Site Management Responsibility**

The Contractor shall ensure that the transport impacts of the construction site are effectively managed and shall ensure:

- i. That other options to plan and control vehicles to reduce peak hour deliveries are considered, to reduce the risk.
- ii. That the condition of the site is suitable for vehicles fitted with safety features and side guards.
- iii. That access to and egress from the site is appropriately managed, clearly marked, understood and clear of obstacles and that traffic management principles are adhered to.
- iv. That vehicles are loaded and unloaded on-site as far as is practicable.

- v. That a suitable, risk assessed vehicle route to the site is specified and that the route is communicated to all contractors and drivers. Any deviations to this route will be clearly specified and communicated.
- vi. Where a Construction Management Plan is required by the Local Planning Authority, to submit such a plan for approval by the Local Planning Authority before commencing any works, and once any Construction Management Plan has been approved in relation to the development to thereafter to fully comply with the same.

### **13.8. Subcontracts**

These terms shall also apply to the Contractor's subcontractors and the Contractor shall ensure that any relevant subcontracts awarded by them include terms requiring subcontractors to comply with these obligations. The Contractor shall provide documentary evidence of the inclusion of such terms in their subcontracts if requested to do so by the Employer.

The Contractor shall develop and implement a compliance monitoring and enforcement procedure for subcontractors, to ensure the CLOCS standard is adhered to.

### **13.9. CLOCS Associate**

The Contractor shall register to be a CLOCS Associate to receive updates on the standard and details of further opportunities to become involved with the CLOCS standard, as detailed at: [www.clocs.org.uk/express-and-interest/](http://www.clocs.org.uk/express-and-interest/)

### **13.10. Failure to Comply with WRRR requirements**

If the Contractor fails to comply with paragraphs 1-9 above

- i. The Contractor shall be in material breach of this Contract and subject to the Enforcement Procedure referred to in sub-paragraph (v) below; and
- ii. The Employer may refuse the Contractor, its employees, agents and Large Vehicles entry onto any property that is owned, occupied or managed by the Employer for any purpose (including but not limited to deliveries).
- iii. Contractors will self-certify their compliance at the start of the Contract and provide annual updates on their compliance, as well as notifying the Employer if their compliance changes at any stage.
- iv. Spot checks will be undertaken at random times at Council properties and potentially also at Contractors vehicle operators sites or depots.
- v. A copy of the Enforcement Procedure is attached in Schedule 7. Contractors should note that the Employer has the option to terminate this contract in the event of non-compliance with clauses 13.1 to 13.9 above. Following ongoing review and development of the CLOCS trial, the Employer reserves the right to amend this Enforcement Procedure in the future; therefore it is included for guidance and indicative purposes only. A copy of any amended Enforcement Procedure will be issued to you.

### **13.11. Definitions**

*Approved Driver Training* means the Safe Urban Driving course as accredited by the Joint Approvals Unit for Periodic Training (JAUPT) details of which can be found at:

<http://www.fors-online.org.uk/cms/training/driver-cpc-training-2/>. This course is offered free to FORS members by various training providers. London Borough of Camden has funding for Safer Urban Driving courses; please enquire with [WRRR@Camden.gov.uk](mailto:WRRR@Camden.gov.uk) for details of upcoming courses.

*Bronze Accreditation* means the minimum level of accreditation within the FORS Standard, the requirements of which are more particularly described at: [www.forsonline.org.uk](http://www.forsonline.org.uk).

*Collision reporting* means a report detailing all collisions during the previous 12 months involving injuries to persons or fatalities and within 5 working days of occurring.

*Construction Logistics and Cycle Safety (CLOCS) Standard* means the standard for managing work related road risk in the construction logistics sector. Camden is a CLOCS Champion. The standard and supporting guidance can be found at: [www.clocs.org.uk](http://www.clocs.org.uk).

*CLOCS Associate* means an organisation which expresses an interest in receiving information and updates about the CLOCS standard and may be given the opportunity to participate CLOCS meetings or further development of the standard. A CLOCS Associate organisation should be positive in their messaging of CLOCS.

*CLOCS Manager* means the best practice work related road safety reporting system that enables fleet operators to log, record, monitor and report incidents, collisions and near-misses, as detailed at [www.clocs-manager.org.uk](http://www.clocs-manager.org.uk).

*Construction Management Plan* means the LB Camden planning requirement secured under a Section 106 agreement, for certain construction developments to mitigate the cumulative impacts of construction in the vicinity of the site, including transportation and traffic management impacts, but also other environmental impacts such as noise, dust and vibrations.

*Driver* means any employee of the Contractor (including an agency driver), who operates Large Vehicles on behalf of the Contractor while delivering the Services.

*DVLA* means the Driver and Vehicle Licensing Agency.

## Schedule 7

## **Work Related Road Risk (WRRR) safety requirements**

*Due to the nature of the requirements it is not practical to apply these requirements to all contracts. It is therefore proposed that these requirements are applied to relevant contracts which are defined as longer-term contracts of 6 months or more and/or contracts valued at above £100k pa, where Large Vehicles (LVs) are used, as defined below as vehicles >3.5 tonnes gross vehicle weight (GVW). This is the minimum standard that LB Camden strives to meet, however in areas where cycle safety risks are deemed to be higher (e.g. use of construction vehicles and contracts with regular vehicle movements, defined as >10/month), these two contract thresholds can be assessed independently. (Examples of services include, deliveries, transportation of goods or people, security, repairs and maintenance, waste collection, parks, ground maintenance etc...).*

The CLOCS Standard for construction logistics: Managing work related road risk (“the CLOCS Standard”) has been developed with the aim of reducing the risk of a collision between large goods vehicles in the construction sector and Vulnerable Road Users such as cyclists and pedestrians. On **[execution of this contract] / [appointment to this Framework Agreement]** the successful **[bidder] / [supplier] / [service provider]** shall implement the CLOCS Standard. The successful bidder shall also ensure that any third party transport providers used to deliver this contract also comply with the CLOCS Standard. Any costs associated with compliance are to be met by the Contractor.

More details on managing work related road risk can be found on the CLOCS and TfL’s website:

- <http://www.clocs.org.uk/>
- <http://www.tfl.gov.uk/info-for/freight/safety-and-the-environment/managing-risks-wrrr>

The CLOCS standard is outlined more specifically at:

- <http://www.clocs.org.uk/standard-for-clocs/>

*Note: The following clauses are to be included in all contracts where it is known that deliveries form part of the scope of work e.g. construction Lorries and any large vehicles as defined below, delivering goods to specified locations. The definitions of terms are given in section 11.*

### **1. Fleet Operator Recognition Scheme (FORS) Accreditation**

- i. Where the Contractor operates Large Vehicles, it shall within 90 days of the Contract Date: (unless already registered) register for FORS or a scheme, which in the reasonable opinion of the Authority, is an acceptable substitute to FORS (the “Alternative Scheme”); and (unless already accredited) have attained the standard of Bronze Accreditation (or higher) or the equivalent within the Alternative Scheme.
- ii. The Contractor shall maintain the standard of Bronze Accreditation (or equivalent standard within the Alternative Scheme) by way of an annual independent assessment in accordance with the FORS Standard or take such steps as may be required to maintain the equivalent standard within the Alternative Scheme.
- iii. Alternatively, where the Contractor has attained Silver or Gold Accreditation, the maintenance requirements shall be undertaken in accordance with the periods set out in the FORS Standard.

## **2. Safety Equipment on Vehicles**

The Contractor shall ensure that any Large Vehicle, which it uses to provide the Services, shall:

- i. Have side guards fitted, unless the Contractor can demonstrate to the reasonable satisfaction of the Authority that the vehicle will not perform the function for which it was built if side guards are fitted;
- ii. Have front, side and rear blind spots completely eliminated or minimised as far as practical and possible, through the use of fully operational direct and indirect vision aids and driver audible alerts;
- iii. Have equipment fitted with an audible means of warning other road users of the vehicle's left manoeuvre;
- iv. Bear prominent signage on the rear of the vehicle to warn VRUs of the dangers of passing the vehicle on the inside and of getting too close to the vehicle.

## **3. Driver Licence Checks**

The Contractor shall ensure:

- i. It has a system in place to ensure all its Drivers hold a valid driving licence for the category of vehicle that they are tasked to drive, along with recording any endorsements, or restrictions on the Drivers licence; and
- ii. That each of its drivers has a driving licence check with the DVLA or equivalent before that driver commences delivery of the Services and that the driving licence check with the DVLA is repeated in accordance with either the following risk scale (in the case of the DVLA issued licences only), or the Contractor's risk scale, provided that the Contractor's risk scale has been approved in writing by the Authority within the last 12 months:
  - i. 0 – 3 points on the driving licence – annual checks;
  - ii. 4 – 8 points on the driving licence – six monthly checks;
  - iii. 9 – 11 points on the driving licence – quarterly checks; or
  - iv. 12 or more points on the driving licence – monthly checks.

## **4. Driver Training**

The Contractor shall ensure that each of its drivers undergo approved progressive training (to include a mix of theoretical, e-learning, practical and on the job training) and continued professional development to include training covering the safety of vulnerable road users and on-cycle hazard awareness, throughout the Term of the Contract.

## **5. Collision Reporting**

The Contractor shall ensure that it has a system in place to capture, investigate and analyse road traffic collisions that results in fatalities, injury or damage to vehicles, persons or property and for generating Collision Reports. For example, the CLOCS Manager [www.clocs-manager.org.uk](http://www.clocs-manager.org.uk)



The Contractor shall notify the authority of any collisions involving injuries to persons or fatalities within five working days of an incident occurring and provide to the Authority an updated Collision Report within five working days of a written request.

## **6. Traffic Routing**

The Contractor shall ensure that any vehicle routes to sites or premises specified by clients are adhered to unless directed otherwise (referred to in paragraphs 7.(v) below). If applicable, these should be the routes as defined in the site's Construction Management Plan. Wherever possible, these routes should be from the Transport for London Road Network.

## **7. Requirements for Contractor with Site Management Responsibility**

The Contractor shall ensure that the transport impacts of the construction site are effectively managed and shall ensure:

- i. That other options to plan and control vehicles to reduce peak hour deliveries are considered, to reduce the risk.
- ii. That the condition of the site is suitable for vehicles fitted with safety features and side guards.
- iii. That access to and egress from the site is appropriately managed, clearly marked, understood and clear of obstacles and that traffic management principles are adhered to.
- iv. That vehicles are loaded and unloaded on-site as far as is practicable.
- v. That a suitable, risk assessed vehicle route to the site is specified and that the route is communicated to all contractors and drivers. Any deviations to this route will be clearly specified and communicated.
- vi. Where a Construction Management Plan is required by the Local Planning Authority, to submit such a plan for approval by the Local Planning Authority before commencing any works, and once any Construction Management Plan has been approved in relation to the development to thereafter to fully comply with the same.

## **8. Subcontracts**

These terms shall also apply to the Contractor's subcontractors and the Contractor shall ensure that any relevant subcontracts awarded by them include terms requiring subcontractors to comply with these obligations. The Contractor shall provide documentary evidence of the inclusion of such terms in their subcontracts if requested to do so by the Authority.

The Contractor shall develop and implement a compliance monitoring and enforcement procedure for subcontractors, to ensure the CLOCS standard is adhered to.

## **9. CLOCS Associate**

The Contractor shall register to be a CLOCS Associate to receive updates on the standard and details of further opportunities to become involved with the CLOCS standard, as detailed at: [www.clocs.org.uk/express-and-interest/](http://www.clocs.org.uk/express-and-interest/)

## 10. Failure to Comply with WRRR requirements

If the Contractor fails to comply with paragraphs 1-9 above

- i. The Contractor shall be in material breach of this Contract and subject to the Enforcement Procedure referred to in sub-paragraph (v) below; and
- ii. The Authority may refuse the Contractor, its employees, agents and Large Vehicles entry onto any property that is owned, occupied or managed by the Authority for any purpose (including but not limited to deliveries).
- iii. Contractors will self-certify their compliance at the start of the Contract and provide annual updates on their compliance, as well as notifying the Authority if their compliance changes at any stage.
- iv. Spot checks will be undertaken at random times at Council properties and potentially also at Contractors vehicle operators sites or depots.
- v. A copy of the Enforcement Procedure is attached in **Schedule X**. Contractors should note that the Authority has the option to terminate this contract in the event of non-compliance with paragraphs 1 to 9 above. Following ongoing review and development of the CLOCS trial, the Authority reserves the right to amend this Enforcement Procedure in the future; therefore it is included for guidance and indicative purposes only. A copy of any amended Enforcement Procedure will be issued to you.

## 11. Definitions

*Approved Driver Training* means the Safe Urban Driving course as accredited by the Joint Approvals Unit for Periodic Training (JAUPT) details of which can be found at: <http://www.fors-online.org.uk/cms/training/driver-cpc-training-2/>. This course is offered free to FORS members by various training providers. London Borough of Camden has funding for Safer Urban Driving courses; please enquire with [WRRR@Camden.gov.uk](mailto:WRRR@Camden.gov.uk) for details of upcoming courses.

*Bronze Accreditation* means the minimum level of accreditation within the FORS Standard, the requirements of which are more particularly described at: [www.forsonline.org.uk](http://www.forsonline.org.uk).

*Collision reporting* means a report detailing all collisions during the previous 12 months involving injuries to persons or fatalities and within 5 working days of occurring.

*Construction Logistics and Cycle Safety (CLOCS) Standard* means the standard for managing work related road risk in the construction logistics sector. Camden is a CLOCS Champion. The standard and supporting guidance can be found at: [www.clocs.org.uk](http://www.clocs.org.uk).

*CLOCS Associate* means an organisation which expresses an interest in receiving information and updates about the CLOCS standard and may be given the opportunity to participate CLOCS meetings or further development of the standard. A CLOCS Associate organisation should be positive in their messaging of CLOCS.

*CLOCS Manager* means the best practice work related road safety reporting system that enables fleet operators to capture, investigate and analyse incidents, collisions and near-misses, as detailed at [www.clocs-manager.org.uk](http://www.clocs-manager.org.uk).

*Construction Management Plan* means the LB Camden planning requirement secured under a Section 106 agreement, for certain construction developments to mitigate the cumulative

impacts of construction in the vicinity of the site, including transportation and traffic management impacts, but also other environmental impacts such as noise, dust and vibrations.

*Driver* means any employee of the Contractor (including an agency driver), who operates Large Vehicles on behalf of the Contractor while delivering the Services.

*DVLA* means the Driver and Vehicle Licensing Agency.

*eLearning* means an online driver training course offered via FORS and one of either two modules 'cycle safety' or 'safety', which can be found at:  
[http://www.fors-online.org.uk/index.php?page=AE\\_INTRO&return=PTE\\_INTRO](http://www.fors-online.org.uk/index.php?page=AE_INTRO&return=PTE_INTRO).

*FORS* means the Fleet Operator Recognition Scheme, which is an accredited scheme for businesses operating van and lorry fleets. It offers impartial, independent advice and guidance to motivate companies to improve their compliance with relevant laws and their environmental, social and economic performance.

*FORS Standard* means the standard setting out the accreditation requirements for the Fleet Operator Recognition Scheme, a copy of which can be found at: [www.fors-online.org.uk](http://www.fors-online.org.uk).

*Gold Accreditation* means the highest level of accreditation within the FORS Standard, the requirements of which are more particularly described at: [www.fors-online.org.uk](http://www.fors-online.org.uk).

*Large Vehicle* means a vehicle with a MAM exceeding 3,500 kilograms.

*MAM* means the maximum authorised mass of a vehicle or trailer including the maximum load that can be carried safely while used on the road. This is also known as the gross vehicle weight (GVW).

*Side guards* means guards that are fitted between the front and rear axles of a Lorry and that comply with EC Directive 89/297/EEC and the Road Vehicles (Construction and Use) Regulations 1986.

*Silver Accreditation* means the intermediate level of accreditation within the FORS Standard, the requirements of which are more particularly described at: [www.fors-online.org.uk](http://www.fors-online.org.uk).

*Transport for London Road Network* means London roads that are maintained, managed and operated by Transport for London. These are also known as 'red routes' and are separate to roads managed by the 32 London boroughs within their borough boundaries.

*Vehicle Manoeuvring Warning* means an audible alert that notifies vulnerable and other road users that a manoeuvre is being undertaken, such as a left-hand turn or reversing noise.

*Vulnerable Road Users* means a pedestrian, cyclist, motorcyclist or person of reduced mobility.

## SCHEDULE X: Work Related Road Risk – Enforcement Procedure

### Method

Alongside self-certification and spot-check monitoring that Contractors are compliant with the Work Related Road Risk (WRRR) terms, an enforcement programme is needed to mitigate and respond to any identified non-compliance. Enforcement of WRRR terms is intended to be:

- **An appropriate deterrent** – to increase compliance rates
- **Proportionate** – relative to the extent of non-compliance (e.g. scale and frequency of non-compliance) and also the extent of risk (e.g. risk posed to Vulnerable Road Users)
- **Consistent and efficient** – in being issued and done so immediately upon having been identified, so that non-compliance can be rectified as soon as possible

The table below demonstrates the three stages of the enforcement escalation procedure. It should be noted that these do not have to be followed in order, neither does enforcement issued at one stage automatically lead to the next; this document is for information and does not prejudice the Authority's ability to issue a higher level of enforcement, if deemed appropriate.

**Table 1: Enforcement Escalation Levels**

LEVEL OF ENFORCEMENT ESCALATION	WHAT WILL BE DONE?
STAGE 1 – Breach of Contract Letter 1	A notification letter sent to the Contractor's Contract Manager (and maybe CEO/ Senior person), outlining the detail of the non-compliance and the need to demonstrate compliance urgently, within a specified timeframe, to remedy breach of contract. Support to rectify the issue may also be sign-posted
STAGE 2 – Breach of Contract Letter 2 and meeting with Contractor to resolve	If the issue is not rectified within the specified timeframe or a different area of non-compliance is identified, then a second notification letter will be sent and/or a meeting arranged with the Contractor to resolve the issue. Support may also be sign-posted
STAGE 3 – Non-compliance, breach, termination of Contract	If stage 1 and 2 do not bring about an improvement, then the option of termination of the contract remains as an option for the Council to pursue, based on the specific circumstances

Table 2 outlines the enforcement procedure and level of enforcement (stage 1, 2, 3) resulting from specific non-compliant actions. It should be noted that these are indicative actions and timescales and the Authority reserves the right to assess any identified non-compliance on a case by case basis.

Please note any information held by the Council is potentially accessible under Freedom of Information (FOI) requests.

**Table 2: Enforcement Escalation Level per Nature of Non-Compliance**

Work Related Road Risk Term	Examples of Nature of Non-Compliance	Risk Impact Rating (1 =L,2=M,3=H)	Enforcement Escalation Level
<b>Fleet Operator Recognition Scheme (FORS) (or equivalent) accreditation within 90 days</b>	Not achieved within 90 days of contract start date	1 (higher after ~120 days)	Stage 1 Stage 2 (after ~120 days); Stage 3 (after ~150 days)
	Accreditation removed at annual audit or due to illegal action	3	Stage 2 or Stage 3 if in conjunction with other non-compliance issues
<b>Approved Driver Training</b>	No training completed or a non-approved course is taken	2	Stage 2 or Stage 3 if in conjunction with other non-compliance issues
	Training is not completed to the recommended frequency	1	Stage 1 or Stage 2 if in conjunction with other non-compliance issues
<b>Driver Licence Check with DVLA in advance of Contract start date and at specified duration</b>	Not conducted at start of contract	1	Stage 1
	Regular (monthly) checks not undertaken for drivers with 9-12 points	3	Stage 2 or Stage 3 if in conjunction with other non-compliance issues

<b>Installation of Side-Guards on all LGVs</b>	Side-guard not installed, loose or protruding	3	Stage 2 or Stage 3 if in conjunction with other non-compliance issues
<b>Blind Spot Minimisation</b>	No evidence provided to demonstrate blind spots eliminated and minimised as far as practical and possible, or evidence unsatisfactory – further steps could have been taken	3	Stage 2 or Stage 3 if in conjunction with other non-compliance issues
	Blind spot minimisation technology is faulty, not functional or missing	3	Stage 2 or Stage 3 if in conjunction with other non-compliance issues
<b>Installation of Left Hand Manoeuvre Warnings</b>	Warnings not installed or not functional	3	Stage 2 or Stage 3 if in conjunction with other non-compliance issues
<b>Installation of Cyclist Warning Stickers</b>	No stickers or stickers dirty or loose	1	Stage 1
<b>Monitoring, Reporting and Analysis of Collisions</b>	Collision causing injury or fatality not reported within 5 days	2	Stage 2 or Stage 3 if in conjunction with other non-compliance issues
	Collisions not being captured, investigated and analysed	3	Stage 2 or Stage 3 if in conjunction with other non-compliance issues
<b>Traffic Routing</b>	Suitable routes are not developed, appropriate or adhered to or deviations not communicated effectively	1	Stage 1 if one-off deviation or non-compliance
		2	Stage 2 if suitable routes not developed or repeatedly ignored

<b>Requirements for Contractor with Site Management Responsibility</b> <b>(client developer or primary contractor)</b>	The condition of the site prevents vehicles fitted with safety features accessing it	2	Stage 2
	Access to and egress from the site is not managed, marked or understood	1	Stage 1 if one-off non-compliance with access/egress rule
		2	Stage 2 if recurrent poor management or non-compliance of site access/egress
Vehicles loaded/un-loaded on the carriageway rather than on-site (where feasible)	2	Stage 1 Or Stage 2 if in conjunction with other non-compliance issues	
<b>Subcontractors Compliance and Monitoring</b>	Subcontractors compliance monitoring and enforcement not developed or implemented	2	Stage 2 if one-off instance not monitored /enforced
		3	or Stage 3 if full monitoring and enforcement procedure not developed or implemented (or in conjunction with other issues)