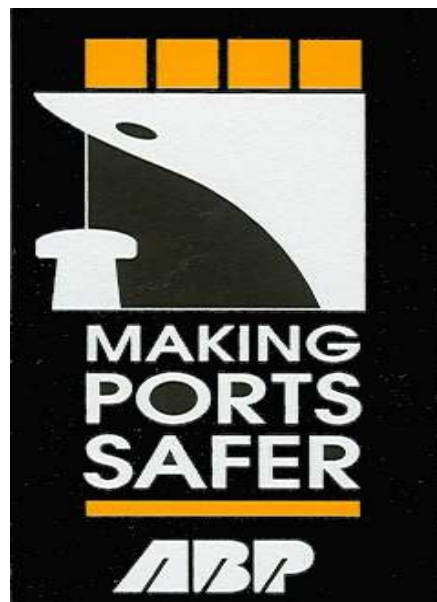




**Associated British Ports
South Wales**

Transport Policy

For the Ports of Newport, Cardiff, Barry, Port Talbot & Swansea.



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1. **Introduction**

The purpose of this document is to set out how Associated British Ports, South Wales intends to manage the private road networks on the ports of Newport, Cardiff, Barry, Port Talbot and Swansea.

The Road Traffic Act applies to this road network although not necessarily in its entirety. In any situation where the Road Traffic Act is not applied, Associated British Ports have adopted a robust and defensible policy to ensure that best practice is followed in order to maintain safety standards.

The application of the Road Traffic Act to the roads in the South Wales Ports stems from the British Transport Commission Act 1961. Section 26 of this act deals with traffic offences on dock roads and restricted dock roads. The Act provides that persons committing an offence on these roads are liable to be dealt with as if the offence had been committed on a public road.

2. Policy Statement

Associated British Ports, South Wales, will ensure management of the private road networks on the port estates in a consistent manner. The provisions of the Road Traffic Act, where they apply, will be strictly enforced. In all other situations, best practice will be employed to ensure the safety of all users of the port road networks is not compromised.

This management of the private road network will include consultation with port users through Port Users Liaison meetings and Port Safety Liaison meetings as well as local ABP Health and Safety Committees. At these forums, traffic management issues will be discussed and minuted and form an agenda item to enable effective consultation.

Where appropriate, consultation with the Local Highways Department will take place to ensure that the design, wording and siting of traffic signs and road markings within the port boundary areas are suitable.

Speed limits

Speed limits on the port roads will be strictly enforced. Such enforcement may be by Police, Port Security or ABP staff. Suitable speed monitoring equipment is provided for ABP or its security contractor to achieve this aim. This equipment is regularly calibrated to ensure that accurate and correct checks are being made. A system for the management of offenders caught breaking port speed limits or for other traffic offences is in place and assists ABP in monitoring the behaviour of drivers. This may lead to individuals who are caught repeatedly being banned from driving on the port estates. Such bans may also be given for offences of a serious nature. It should be noted that such bans are not an exclusion from the port estate but an exclusion from driving on the port estates. The period of a ban may vary depending on the seriousness of the offence but would normally take the form of a three week ban, rising to a three month ban for serious or persistent offences. Further bans of twelve months may be issued for repeated offences and ABP reserve the right to permanently exclude an individual from driving on port estates should their behaviour be serious enough to warrant it in order to protect other road users. Bans may also be issued for other traffic offences such as driving whilst using a hand held mobile phone, unsecured loads etc. (*See section 3 for further details*).

Driving Licences

It is expected that drivers should hold the appropriate licences for the vehicles they drive and it is the responsibility of employers to make the appropriate checks to ensure that this is the case if they drive on company business. In some cases, vocational training licences may be acceptable following an appropriate level of training and formal assessment. Vehicles for which no DVLA licence exists shall only be driven following a vocational training programme having been completed. It is also expected that all vehicles shall be covered by the appropriate private or company motor insurance.

Taxing of Vehicles

Road tax is only required for vehicles used on public roads i.e. those roads maintained at public expense. As such, port vehicles specifically used for work within the confines of the port boundary do not have to display a valid road tax certificate. Any such usage of such vehicles for port only vehicles may have to be approved by Associated British Ports: in which case a fee may be payable in order to obtain such approval. The use of red diesel for such vehicles is an issue for each individual operator to establish the legalities for themselves.

Vehicle Maintenance

Road going vehicles used on port roads that do not venture onto public roads should nonetheless be maintained to the same standards as they would be to allow usage on a public road. Non road going vehicles such as fork lift trucks, loading shovels, tug masters and other plant and equipment shall be maintained as required under the relevant Health and Safety legislation such as the Provision and Use of Work Equipment Regulations 1998 (PUWER) and/or the Lifting Operations and Lifting Equipment Regulations 1998 (LOLER). Vehicles and plant & equipment should undergo regular pre-use checks by the operators to ensure that they remain in a safe and proper condition for their use. Any vehicle not meeting the minimum standards for safe use must not be used on the port roads.

Load Security

Loads must be adequately secured for the purposes of moving around the port road networks. The general level of security for loads on public roads should also apply to the port estates. Bulk loads must be properly sheeted if liable to generate dust or blow off the trailer. Scrap loads should be securely netted if there is a foreseeable risk of material falling from the trailer. Enforcement action will be taken against any driver who does not take reasonable steps to ensure the safety and security of their load

3. **Enforcement and Guidance**

The responsibility for enforcement may be through a number of agencies. These may include the local Police, the Health and Safety Executive (HSE), Her Majesty's Revenue and Customs (HMRC), Vehicle and Operator Services Agency (VOSA) as well as Associated British Ports (ABP) as the Port Authority or its Port Security contractor.

Speeding Tolerances

Speeding tolerances are generally set at:

35 to 39 mph: a first warning. Three offences of this nature could lead to a ban.

40 to 49 mph: a first and final warning.

50 to 55 mph: a three week driving ban.

55 mph +: a three month driving ban.

These tolerances are meant as a guide only and are discretionary. They may be changed depending on the circumstances involved: i.e. dangerous driving and overtaking etc. Any person who continues to offend after receiving a three month ban could face a twelve month ban or indeed, a permanent ban from driving on the port estates. A driving ban will be enforced throughout the region and is not specific to the port where the offence was committed. All information regarding offences is logged onto a database for a period of no less than twelve months. It should be noted that if a driver is banned, they are still permitted entry onto the port but are unable to drive on the port estate.

Other Offences

Warnings and bans will also be issued for other offences such as:

- Unsecured loads.
- Un-roadworthy vehicles.
- Unauthorised parking.
- Driving whilst using a hand held mobile phone.
- Speeding in area with reduced speed limits (e.g. operational areas, swing bridges etc).
- Non –compliances of Personal Protective Equipment (PPE) in mandatory areas.
- Abusive and threatening behaviour.

This list of offences is not meant to be exhaustive.

March 1st 2010.