

Forestry Regulation Task Force

Call for Evidence - Questions

About you

Name of respondent:

Roland Stiven,
Timber Transport Forum
59 George Street,
Edinburgh,
EH2 2JG,
roland.stiven@confor.org.uk

Name of organisation (if applicable): Timber Transport Forum www.timbertransportforum.org.uk

Location of respondent/organisation (if applicable): The Forum is based in Edinburgh but covers the main plantation forestry areas of GB, working with a network of Timber Transport Groups in Scotland, North England and Wales.

Organisation/business type (if applicable):

The Timber Transport Forum is a voluntary partnership working with community representatives and the forest industry to promote a vibrant and sustainable timber transport sector and to secure social and environmental benefits. Members comprise representatives from the Convention of Scottish Local Authorities, Forest Industries (Confederation of Forest Industries and UK Forest Products Association), Forestry Commission England, Scotland, Wales, Welsh Assembly Government, Welsh Regional Transport Consortia, Rail Freight Group, Road Haulage Association, Scottish Enterprise, Scottish Government, and the Society for Chief Officers of Transportation in Scotland. Also represented on the Forum are the nine timber transport groups working across 16 local authority areas in Scotland and England and from the Welsh Timber Transport Group. Normally around 20 people attend the quarterly Forum meetings.

Size of organisation (if applicable):

micro (0-9 employees), small (10 – 50), medium (51-250), or large (250+)

Micro: The Forum employs one project officer.

Number of members (if applicable):

See above regarding the partnership.

Area of woodland managed (ha.): Not Applicable

Does the woodland meet the UKFS? Not Applicable

Do you receive funding through the EWGS? No

Does the woodland meet the UKWAS? Not Applicable

Do you want to keep your response confidential? No

Question

1. Do you think the current regulatory environment in England is fit-for-purpose? If not what changes would you suggest?

Much of the regulatory framework surrounding timber transport has much broader application than the forestry sector, applying to all road hauliers. In this response we have aimed to concentrate on areas where regulations hit harder on those involved in timber transport than on other parts of the haulage sector.

2. How might the existing regulations and support mechanisms be better implemented?

Not answered

3. What are the main regulatory issues that affect your business/organisation/interests and what solutions do you propose?

Regulations regarding the use of the roads by Large Goods Vehicles

The forest industries rely primarily on road haulage of logs from forest to processor. The start of this journey is often on a minor road network which was not designed for large goods vehicles. These infrastructure limitations mean that roundwood haulage does sometimes operate close to the limits of minor road capacity with a risk that local authority roads may suffer damage from timber traffic.

The Highways Act 1980 – and equivalent Roads (Scotland) Act 1984 provide the highways authorities with mechanisms to recover costs of damage resulting from ‘extraordinary traffic’¹. The forest industries have always argued that forestry is an established rural land use and that over time the highway authorities should expect to have to alter the standard of the road to suit the traffic that is expected. Local authorities do work to improve and strengthen key timber haul roads but with forest harvesting and other demands increasing and roads budgets under pressure there are limits as to what can realistically be achieved. The forest industry also recognises that concentrations of timber traffic in an area, if unmanaged, can cause costly damage to fragile roads.

The Timber Transport Forum was established in order to address this issue and look at practical ways in which the forest harvest can reach markets given the limitations of the road infrastructure. It promotes a voluntary partnership approach² to finding a negotiated solution of road and traffic management that protects the road network while allowing efficient timber haulage and limiting the impact on local communities.

The Forum recognises that this is a complex issue where the weight of the regulation felt by the industry is exacerbated by the inadequacy of infrastructure available and the resource challenges faced by local authorities. While there is real scope for targeted improvement in infrastructure, discussed below, it is unlikely that, even in the best of times, the minor road network will be a strong priority for public funds. For the most part, we need to work with, and look after, the infrastructure we have. There are clear national and local economic benefits from the commercial forestry sector which in turn benefits from national investment. However, it is to no-one’s advantage if substantial costs are transferred to local authorities for repairing and maintaining roads or indeed, if rural roads become un-usable through damage.

¹ See [pages 9- 11 of the Timber Transport Toolkit](#) for a fuller summary

² The partnership approach is set out in [Timber Transport Management Best Practice Guide](#)

The partnership approach undoubtedly limits the impact of timber haulage on fragile public roads and in doing so minimises road maintenance costs for local authorities and keeps roads serviceable for timber transport.

Cumbria Timber Transport Group established in early 2010 is in the process of developing agreed routes maps³ setting out the preferred routes for timber haulage and proposing voluntary restrictions on the use of other challenging or fragile roads. A consultation process is proposed for certain roads where limits to timber traffic in any period may need to be agreed to protect the road network or reduce the impact on other road users. The council see this as a means of meeting the needs of their customers - the road users – while responsibly managing the road asset. Agreed routes maps are in place in much of rural Scotland and a similar process of mapping is ongoing in North Yorkshire and parts of Wales.

However, the voluntary agreements are not cost free and require resources from both the public and private sectors to sustain. Costs to the timber industry arise from:

- involvement in regional timber transport group meetings and agreed routes map development
- increased mileage due to diversion onto agreed routes,
- extra miles of haulage on in-forest roads (and the resulting increased fuel use, tyre damage and lorry maintenance costs),
- restrictions on frequency and timing of haulage and
- investment in more expensive 'road friendly' vehicles with on board weighing devices, strengthened chassis, active suspension, wider tyres, double wheels and tyre pressure control technology. A bespoke road-friendly timber lorry may cost £170,000 - tens of thousands more than a standard road haulage vehicle.

In Scotland the partnership approach of the Forum benefits from Scottish Government funding directed at timber transport. The Strategic Timber Transport Fund⁴ targets investment in improving roads leading to strategic concentrations of timber. It provides matching funds to local authorities to invest in public roads or to the forestry sector to invest in in-forest haul routes that bypass stretches of fragile road. It can also promote other modes of timber haulage such as rail and boat. The fund also contributes to two full time and three part-time project officers that support the forum and groups. This national funding not only facilitates investment in minor roads, that local authorities would otherwise find it difficult to prioritise, but also serves to underpin the partnership approach. Local forestry businesses and hauliers are more likely to adhere to ongoing voluntary restrictions if they can see gradual investment in the road infrastructure on which they rely. Local authorities are more able to allocate funding to timber haul routes if they can demonstrate financial leverage of external funds.

The Forum lobbies for a continuation of the Strategic Timber Transport Fund in Scotland and for a comparable fund to be made available in Wales and north England. Targeted investment would help to address the long term lack of infrastructure investment in rural roads and in doing so gradually reduce the impact of the road use regulations on the timber industry. This is a tried and tested model which has delivered real practical solutions.

³ Scottish Agreed Routes Maps can be accessed from www.timbermap.org

⁴ The rationale for a strategic timber transport fund is set out in this timber transport forum [pamphlet](#)

HGV Fuel Taxation

Timber hauliers work in remote hilly terrain on rural minor roads and unsealed forest roads. Fuel consumption⁵ in such conditions is significantly greater than for lorries working predominantly on trunk roads and motorways, despite investment in modern vehicles. Therefore the impact of high fuel prices (and high taxes) impacts particularly on timber haulage and imposes an additional cost on this rural business. The instability of fuel costs with prices rising during contract periods can impose a particular burden on timber hauliers, many of which are small businesses.

It should be noted that the overall contribution of the forestry sector to greenhouse gas emissions is positive, with emissions from fossil fuel use in harvesting and haulage more than offset by carbon fixed in timber products. There is potential for wood products to reduce emissions further by replacing more energy-intensive fuels and construction materials⁶.

Red Diesel

The forest industry uses rebated (red) diesel for harvesting and extraction of timber. This rebate recognises the role of mechanisation in the primary supply chain and the substantial use of forest machinery on private land.

Most road haulage of roundwood does not use rebated (red) diesel despite the fact that in some situations a significant proportion of the haul route is on in-forest private roads. Requests to allow dual tanks on timber haulage lorries to enable use of rebated fuel while on private roads or for loading/unloading have not been accepted by HMRC. The higher fuel consumption experienced by lorries on in-forest roads exacerbates this tax burden.

The regulations governing when red diesel can and cannot be used are very difficult to interpret particularly with regard to the incidental use of the public road by forest and timber haulage machinery. Despite considerable effort by ConFor and the Timber Transport Forum over recent years, aimed at gaining clarification from HMRC⁷, the regulations concerning red diesel continue to be opaque.

While parts of the industry rely on rebated fuel, managing distinct fuels for different machines incurs significant cost. It may be possible to develop a simpler tax rebate system for forestry. Options include vehicle tracking technology which can record on/off road use. Current proposals for Lorry Road User Charging may also provide options for a simpler system. The current revision of the EU energy taxation directive could consider options that recognise the very positive carbon benefits of the timber supply chain.

Drivers' Hours And Working Time Rules

The most advanced timber lorries are often bespoke lorries that can only be used to transport logs. Because they shuttle from upland forest to central sawmill there is little potential to find return loads. Significant time is spent loading vehicles in the forest and unloading at mills. Agreed route diversions may increase haulage time. The working time directive could be more flexibly applied to allow better logistical planning. This point was noted in ConFor's response⁸ to the Scottish Parliament's Local Government and Transport inquiry into freight transport in Scotland.

⁵ Details of fuel use in timber haulage can be found in [Engineering and Legislative Options for Improved Timber Haulage in Scottish Forests – an Inclusive Stakeholder Approach](#)

⁶ Information on the carbon footprint of timber haulage can be found [here](#)

⁷ [Further clarification on the use of red diesel for forest machine vehicles](#)

⁸ [Submission to the Scottish Parliament's Local Government and Transport inquiry into freight transport in Scotland](#).

In winter, timber haul routes -which are mostly minor rural roads -are usually the last to be cleared or gritted by local authorities. In recent winters the reduction in supply of logs to mills significantly reduced their output affecting employment in rural towns and business profitability. Timber lorries are used to off road condition and are often able to access forests on frozen ground using snow chains and tyre pressure control technology but inevitably time spent accessing and loading timber in such conditions is much more time consuming. The gritting lorries did receive a special dispensation to relax working time rules at the height of winter. It would be helpful if this could be extended to timber lorries.

Code of Practice

With timber haulage being a relatively specialised industry, the onus for establishing safe and efficient working practices with regard to road haulage has tended to fall on the industry itself. The Timber Transport Forum has published the Road Haulage of Round Timber Code of Practice⁹, since 1996 and is now publishing a 4th edition. This covers aspects specific to timber haulage such as the need for on-board weighing devices, agreed routes maps, road defect reporting, safe loading and securing of timber loads, pollution prevention, health and safety in remote working and, increasingly, bio-security issues regarding plant disease transmission. Timber transport groups have been active in working with local police and VOSA officers to ensure shared understanding of agreed guidance.

Inter-modal opportunities

There is scope for greater use of other modes of transport, particularly rail and coastal shipping. Both already play a small part in the timber supply chain with coastal shipping in Scotland, Cumbria and North Wales and rail haulage from Carlisle and N. Yorkshire to Chirk. Again a lack of inter-modal infrastructure is an issue but policy and regulation also create barriers. The Timber Transport Forum submitted a [response to a review of rail freight policy in Scotland](#) setting out various issues that limit development of rail haulage of logs. This applies equally to England and Wales. Recently (January 2011) Freight Facilities Grants (which provide support to the development of intermodal infrastructure) were suspended in England. A budgetary cut in Scotland was partially overturned by concerted lobbying by the Rail Freight Group and others.

It should be noted that inter-modal options tend to take traffic off trunk roads (maintained by national government) rather than the local authority road network. In some cases concentrated traffic to fill a boat can increase the impact on the minor road network placing additional costs on local authorities.

4. Please list, in order of priority, up to 10 changes in the regulatory environment that would make a significant impact in achieving the aims of your business/organisation/woodland ownership.

- a. Targeted investment in timber haul route infrastructure to minimise the risk of damage to public roads and strengthen the partnership approach to timber traffic management.
- b. Reduced tax on HGV fuel
- c. Scope for using rebated fuel for in-forest haulage
- d. Support and encouragement for the development of intermodal haulage facilities
- e. Relaxation of application of drivers' hours regulation particularly in severe weather events

⁹ [Road Haulage of Roundwood Timber; Code of Practice 3rd edition](#)

5. How could the process of applying for grants be improved?

Not answered

6. What changes to current GB forestry and related legislation applicable to England would you like to see?

See 4

7. What changes to current EU forestry and related legislation applicable to England would you like to see?

Not answered

8. Is there a role for independent third parties, such as professional bodies or certification schemes, in helping to reduce or remove some elements of regulation? If so please explain further.

The Timber Transport Forum and the regional timber transport groups effectively provide a role helping hauliers to work within the regulatory framework and usually to promote wider economic efficiency. Often however this results in costs to hauliers and to the forestry sector.

While the Forum and the timber haulage industry recognise and support the objectives of many areas of regulation that affect timber transport, the cumulative effect is of an ever increasing burden of cost, time and regulation. Timber hauliers work in difficult remote, rural environments, a critical stage in the supply chain. Many of the cost saving options available to mainstream hauliers (such as improved logistics, aerodynamic lorries, increased scale of working etc.) are less applicable to timber transport businesses. At the same time the overall tax burden through fuel use is higher.

9. If you have experience of alternative models of forest regulation from other countries or regions please explain their strengths and weaknesses and suggest how the model might be applied in England.

Not answered

10. Please make any additional comments you may have.

Generally the Timber Transport Forum would like to see recognition of the positive efforts made by those involved in timber transport to work within the regulatory framework, provide for rural industries, create rural employment, work with rural public authorities and to develop and improve the sector.

In the short term any reduction in direct costs to timber haulage through tax relief would be welcome and may help keep timber hauliers in business.

In the medium term the solution is to target investment in rural haulage infrastructure that meets the needs of 21st Century land uses and to take advantage of all opportunities to improve the efficiency of the supply chain. A strategic timber transport fund for England and Wales would be a simple, cost effective and positive move in that direction.
