DEPARTMENT FOR TRANSPORT SURVEY 2022 ON THE EFFECTS OF THE CARRIAGE OF DANGEROUS GOODS AND USE OF TRANSPORTABLE PRESSURE EQUIPMENT REGULATIONS 2009

Dear Stakeholder

The Department for Transport (DfT) is carrying out a post-implementation review (PIR) of The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009 as amended (CDG 2009). The Government wants to promote safety and minimise the risks associated with the transport of dangerous goods in the UK as well as facilitate trade across international borders and support economic growth through effective regulation. In Great Britain this is already achieved through CDG 2009, which implement the Agreement concerning the Internal Carriage of Dangerous Goods by Road (ADR) and the Regulation Concerning the International Carriage of Dangerous Goods by Rail (RID). These are subject to a biennial cycle of updates. Not to update this legislation would have a detrimental impact on safety and impact on the facilitation of trade. A fuller description of the regulations can be found below.

The review being undertaken covers the regulations as they exist at present, i.e. it includes the amendments made in 2011, 2019 and 2020. This is because DfT made a commitment in the amendments inserted in 2011 to carry out a review of the regulations every five years. The review is being conducted to assess whether the predicted objectives of the regulations are being achieved and to inform future policy decisions.

As part of this process we are seeking stakeholder views. Your organisation has been identified as a key stakeholder and we will therefore be grateful if you complete the attached questionnaire and return it to us by 17 February.

PIRs are crucial evidence collection tools and feed into policy making by:

* Informing decisions about whether to renew, remove, replace or amend a piece of regulation
* Helping policymakers prioritise those areas of regulation that would most benefit from review
* Helping to identify unintended consequences that may not have been foreseen at the policy planning stage.

To support these activities, it is important that we collect information from stakeholders affected by the regulations. Participation is optional, but we encourage all stakeholders to provide input.

If you have any questions about participation, please don’t hesitate to contact us at david.pope@dft.gov.uk

Thank you for your assistance.

How to respond

The consultation period began on 17 January and will run until 17 February. Please ensure that your response reaches us before the closing date. If you would like further copies of this consultation document, or alternative formats (Braille, audio CD, etc.), please contact us at the address below.

Please send consultation responses to:

Name David Pope

Email address david.pope@dft.gov.uk

When responding, please state whether you are responding as an individual or representing the views of an organisation. If responding on behalf of a larger organisation, please make it clear who the organisation represents and, where applicable, how the views of members were assembled.

A list of those consulted is attached at Annex A. If you have any suggestions of others who may wish to be involved in this process, please contact us.

Freedom of Information

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the Freedom of Information Act 2000 (FOIA) or the Environmental Information Regulations 2004.

If you want information that you provide to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence.

In view of this it would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information, we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

The Department will process your personal data in accordance with the Data Protection Act (DPA) and in the majority of circumstances this will mean that your personal data will not be disclosed to third parties.

Confidentiality and data protection

The Department for Transport (DfT) is carrying out this consultation to gather evidence on the effects of The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009. This consultation and the processing of personal data that it entails is necessary for the exercise of our functions as a government department. If your answers contain any information that allows you to be identified, DfT will, under data protection law, be the Controller for this information.

As part of this consultation we’re asking for your name and email address. This is in case we need to ask you follow-up questions about any of your responses. You do not have to give us this personal information. If you do provide it, we will use it only for the purpose of asking follow-up questions. Your answers will be anonymised for the purposes of reporting.

DfT’s privacy policy has more information about your rights in relation to your personal data, how to complain and how to contact the Data Protection Officer. You can view it at <https://www.gov.uk/government/organisations/department-for-transport/about/personal-information-charter>

Your information will be kept securely on an IT system within DfT and destroyed within 12 months after the consultation has been completed.

**Summary of the regulations**

The purposes of the 2009 Regulations were to implement European Directives (a) applying the European Agreement on the International Carriage of Dangerous Goods by Road; (b) on transportable pressure equipment; and (c) on informing the general public about health protection measures to be applied and steps to be taken in the event of a radiological emergency.

The purposes of the 2011 amendment regulations were to (a) implement a European Directive on Transportable Pressure Equipment; (b) enable ADR and RID to be interpreted in such a way as to ensure that class 1 goods are classified by the GB competent authority or the competent authority of another party to ADR or RID; (c) give the Secretary of State for Energy and Climate Change certain responsibilities in relation to class 7 goods, and make the Secretary of State for Defence an enforcing authority.

The purposes of the 2019 amendment regulations were to (a) to implement in part as respects Great Britain provisions of Council Directive 2013/59 laying down basic safety standards for protection against the dangers arising from exposure to ionising radiation; and (b) amend regulation 3 of the Transfrontier Shipment of Radioactive Waste and Spent Fuel Regulations 2008, to update the reference to Council Directive 96/29 laying down basic standards for the protection of the health of workers and the general public against the dangers arising from ionizing radiation.

The purposes of the 2020 amendment regulations were to (a) address failures of retained EU law to operate effectively and other deficiencies arising from the withdrawal of the UK from the European Union; (b) restate retained EU law in a clearer and more accessible way, and (c) make amendments to secondary legislation in the field of the carriage of dangerous goods by road and rail and, in particular, amend legislation relating to the inspection of transportable pressure equipment used in Great Britain.

**Questionnaire**

1. Name of respondent
2. Company
3. Position held
4. What has been the annual cost to your company of complying with the Carriage of Dangerous Goods Regulations 2009 and the various amendments?
5. If the regulations have affected your company in any non-financial ways, please explain how.
6. Have the regulations had any unintended consequences? If so, please briefly describe them below.
7. If you are able to provide any information about how the impact of the Dangerous Goods Regulations on UK business compares to that of international competitors, please do so.
8. Has there been an improvement in safety? Can you quantify this in any way?
9. Does your business employ fewer than 50 people?

☐ Yes

☐ No

1. Do you believe that the Dangerous Goods Regulations have had a disproportionate impact on businesses with less than 50 employees?

☐ Yes

☐ No

1. If you answered ‘yes’, please provide further details.
2. What would your recommendations be for the next steps of the regulation?

☐ Keep the regulations as they are

☐ Make changes to the regulations

☐ Remove the regulations

☐ Replace the regulations with something else

☐ Don’t know

1. If you have suggested changes, removal or replacement, please provide the reasons for your response here:
2. Do you have any other comments?

ANNEX A

LIST OF CONSULTEES

John Aaron Syngenta Ltd

Brian Abrahams Viamaster

Customer service John Hogg

Grant Anderson SQA

Nicholas Antill-Holmes Pall-Ex (UK) Ltd

Keith Antrobus The National Logistics and Training Consortium

Dave Ashton Suttons Group

Andy Baird TTS

Arne Bale

Paul Barden Eddie Stobart

Mike Billington

Will Birch Keep Legal Consultancy Ltd

Sam Birt Belzona Polymerics Ltd

Monika Bomba The Society of Motor Manufacturers and Traders Ltd (SMMT)

David Bond David Bond Ltd

Roy Boneham Premium UK

Simon Bradshaw Lisam

Shane Brennan Black Rose Consultancy and Training

Lloyd Briscoe Compliance Manager

Mark Britt Westinghouse

Kenny Brooks Collins Skiphire

Vicky Brooks Brooks Transport

Richard Steel Head of ICHCA International.

Mike Brown British Engineering Services

Scott Brown DGM

Tarn Brown The REACH Centre Ltd

Ian Bryer VCA

Peter Cameron Cameron Transport

Ian Carmichael

Patrick Cartledge Honeywell

Danny Castleton Articulated vehicles equipment support manager

Gabrielle Chalopek DGSA

Steve Chalupka Environmental Waste Management TCM Services & Training Provision

Simon Chaplin World Nuclear Transport Institute

Mario Chappell Fast Forward Direct

Alan Clements "

Zurich Engineering Consultancy Services

Nick Clifford Total

Amanda Cockton HSE

Alan Colledge Cawleys Hazardous Services

Sharon Collins AFBI

Hayley Comerford Synthomer

Gavin Conybeare

Mark Cooke MOD

Gemma Cooper Office and Purchasing Manager

Kate Coughlan SC Johnson

Jill Cowdell Robert Hopkins Environmental Services Ltd

Julian Cox South East Transport Training UK ltd

Bob Cross

Pierre Cruse HSE

Nick Deal Road Haulage Association (RHA)

Peter Dean

Paul Diamond Hampshire Police

Kim Dixon Nobel NC Europe

Steve Dixon Dennis Dixon

Neil Donaldson

Kevin Dougherty Air-Sea Containers Ltd

Arron Douglas Maxam UK Ltd

Mark Downing Hornett-Bros

tim Doggett Chemical Business Association (CBA)

David Drysdale Aquaterra Training

Brian Eames Hazchemsafety

Darren Edwards Llewellyn (Safety Advisors) Europe Ltd

Amanda Fairman Senior Export Co-ordinator

Anthony Fallon Fallon Pilott Ltd

Catherine Felgate Hazmat Logistics

Colin Fenwick DGSA

Marisa Ferguson SQA

Tracy Fletcher Tandal Dangerous Goods Safety Advisers

Susan Foster SI Group

David Drysdale Aquaterra Training

David Francis SMMT

David Francis The Society of Motor Manufacturers and Traders Ltd (SMMT)

Craig Freeman-Edward

Jacqueline Fulton Hoyer UN Ltd

Alison Galbraith Scotch Whisky Association (SWA)

Martin Fox Babcock International Group

Saito Gon

James Gordon-Baker MIExpE Thales Land and Air Systems

Millie Gillatt Sheffield

Trevor Green Wyvern Cargo

Keith Grubb Safety Kleen

Richard Hakeem UKLPG

Lucinda Hall Freelance Consultant

Rachel Hall

Vicki Hall Institute of Explosives Engineers

Jacky Hanafin Civil Aviation Authority (CAA)

Chris Hardy A.W. Jenkinson Forest Products

Robert Harris Amber Engineering Consultancy Ltd

Terence Harvey Norfolk & Suffolk police

Dr Warren Hepples Luxfer Gas Cylinders Ltd

Eric Heyworth Active Pharma Supplies

Terry Hiles Licence Check LTD

David Hiscox Numatic International Ltd

Nick Holloway

Mark Homer SGS

Paul Horner DG Safety Group

David Hughes Reynolds Recruitment

Martin Hughes Oxis Energy

Michelle Hunter

John Isherwood Wincanton

Louise Jackman Principle Consultant

Dr Paul Jackson British Aerosol Manufacturers' Association (BAMA)

Simon James Arnison James Ltd

Olivia Jamison CMS

Ben Jenkins British Engineering Services

Andrew Jenkinson Meller designs

Doug Johnson MoD

Chris Jones ONR

Gerald Riley RSSB

Russell Jones INEOS Enterprises

Will Jones Healthcare Waste Management

Roland Jordan Yodel

Kat Joyce

Chris Jubb

Roger Kagan Dangerous Goods Safety Advisors Ltd

Juri Kasemets Sympatico

Derya Kilislioglu Compliance & Contractor Assurance Advisor

Lambert Kleinjans

Triinu La Caille Mitie

Henry Laferla

Lynsey McGregor Lush

Jake Lake British Compressed Gases Association (BCGA)

John Land AIG

Vikki Law

Mark Le Paige Veola

Geoff Leach DGO

Daniel Lee

Doug Leech Chemical Business Association (CBA)

John Lenhall Len Hall Chemical Consultants Ltd

Conor Leonard

Nathan Lewis-Johnson EcoStar Environmental Ltd

Richard Livock Valero Energy Ltd

Andy Lockey

Anita Lockyer Exponent International Limited

David Lowe WCF Ltd

Roger Lucheli

Jane Ludgate Ludgate Consultants

Rickie Luxford BFS

Simon Manwaring BAE Systems

Richard Masters DG Masters Ltd

Nigel Matthews

Alex McCulloch UPS International

Dale McDonald The MSS Group

Neil Mcintyre Lanxess Ltd

Susan McKenna

Brian McKinlay KMG Chemicals

Darren McNeill Oxis Energy

Chris Meakins QuickStat

John Meyrick

Colin Millar

Jagan Mohanraj BPI Recycled Products

Geoff Morgan DGSA

Laurence Mullikin Stericycle

Lorna Murray ChemRegs (UK) Ltd)

Kellie McNamara HSENI

John Newsom Consultant DGSA

Sheryl Norris R Lewis and Co

Mike Nundy Procom Training Ltd

Robert O'Hanlon BOC

Eamonn O'Sullivan Trident Safety Group

Gill Pagliuca CHCS

Nishma Patel Chemical Industry Association (CIA)

Phil Pease The Industrial Packaging Association

Gary Green Magnox

Adam Perry Apelmk

Heather Plunkett AkzoNobel

Dr. Fabian-Alexander Polonius Daimler AG

Ray Prior

Caroline Raine British Association of Dangerous Goods Professionals (BADGP)

Daniel Raymond Worldwide Quality Assurance Ltd

Michael Richards Materials Management Operative & DGSA

Les Richings LRT Ltd

Dr Martin Ridley International Paint Ltd (AkzoNobel)

Dr David Ritchie Ritchies Training Centre

Jo Ritzema WCF Ltd

Marianne Roberts

Roy Rogowicz UPS International

Paul Roper Freightliner

Colin Rubery Itco Technical

John Rudderham Thermo Fisher Scientific

Dr Roy S. Irani Gas Package solutions

Joanna Sacks Cleapss

Shirley Samuels

Franck Schmitt Bureau Veritas

Jonathan Scott Total Compliance

Justin Scott Huktra UK ltd

Rosalind Shipley Fujifilm

Richard Shreeve Labeline

Andrew Shylan Freelance DGSA

Elaine Mcgavin Chemical Business Association (CBA)

Tripti Singh Moixa Technology

Adrian Slade Sigma Studies Ltd

Andrew Smith N-Ergise

Barbara Smith Robinson Brothers

Matt Smith ISSL

Philip Smith HSE

Emily Bradley BCF

David Snowden

Tracy Soanes Royal Hallamshire Hospital

Mark Spence

Aisling Spollen

Heidi McMaster Jacobs

Tina Squires

Rob Summers External Verifier for SQA

Scott Sutherland MoD

Roland Mugarura Chemical Business Association (CBA)

Charlie Templeton Toshiba

Katharine Thickett Kuehne & Nagel (Military and Government) Ltd

Gary Thistlethwaite Stobart Aviation Services

Bob Thomas TAP

Michael Thompson Cardinal Maritime

Neil Thompson VWR International

Martin Thomson Tei Limited

Nigel Tijou Lloyds Register

Michael Titz

Rachel Tott AWE

Leigh Travis Expeditors

Frank Tristram Cameon Ltd

Ruth Tucker Voyager Academy

Martyn Tulloch Loganair

Neil Umlas EHS

Vivian van de Voort SPG Prints B.V.

Michelle Waddilove The Training and Compliance Hub

Richard Walsh Quality and Compliance Manager

Denise Walters The London Taxi Company

Simon Perrin Cavendish Nuclear

Andy Webb Air Products

James Webb RSSB

Vanessa Webb Biocair

John Simpson

Keith White VCA

Mark Wild Oxis Energy

Simon Wilkinson STE Operations

Andrew Williams M1 Engineering

Roger Williams Davies Turner

Sara Wilson Seil Synergies Ltd

Dean Woolley British Engineering Services

Dr Anne Woolridge Independent Safety Services Ltd

Gary Wortley Institute of Food Research

Callum Wyse Freight Transport Association

Anna Ziou UK Chamber of Shipping

ChemFreight

Gareth D.A. Roberts Fuels Ltd

Tom Ashton Wheeldon Brothers Waste Ltd

Brian Thompson Dangerous Goods Management

Robert Merrylees UK Chamber of Shipping

Rodney Tunley Hazchem Safety Ltd

Debbie Frearson Safe Products Ltd

John Williams

Denise Bendle DVSA

Steev Stamford Azimuth Images Ltd

Martin Candish Logistics UK

Phil Lloyd Logistics UK

Tony Brown UKIFDA

Nathan da Rocha- Thomas Wolseley UK

David Winkworth Leonardo

Martin Candish Logistics UK

Phil Lloyd Logistics UK

Tony Brown UKIFDA

Phil Edwards Vonix

Anthony Bird EPC -UK

Sam Stretton Logicom Hub Ltd

Steve Riley Riley Transport

Jon Gotham RJS Waste Management

Deborah Traynor HSE

Julia Laverty HSE

Nathan Flood HSE

Christina Wall Carlfors Bruk AB

Clare Spour Sellafield Sites

Linda Transport Training Services (NI) Ltd

Carl Baker Align

Steven Musgrove QVC Europe

Martin Norton XPO Logistics

Keith Gray Adniti Ltd

Allan Keating Hannam's Reloading Ltd

Simon Bateman Marks and Spencer

Angie Morton FCC Environment

Tony Mann TMS

Derek Ford CTS (GB) Ltd.

Will Birch Keep Legal Consultancy Ltd

Dominick Hallett AWE Plc

John Billington Transafety Limited

Eric Johnson MOD

Percy Thrower Logistics UK

James Firth Logistics UK

Cara Ruzicka Civil Aviation Authority (CAA)

Andrew Younf Tanktec UK Ltd

John Williams

Raymond Smart Angus Smart & Son

Xindi Lin Swansea University

Phil Charlesworth Essentia

Grant Weild Rolls-Royce

Adetutu Taiwo BOMBARDIER SERVICES CENTRE (UK)

Michael Langley G4S Cash Solutions

Eoin Millar OIC MARINE SERVICES

Cliff Collie Survivex AIS

Gareth James City & County of Swansea

Dean Leggett TIP Tanker Services

Anthony Bird EPC Groupe

Tbc ONR

David Warden AWE

Sally Weedon AWE

Connor McGimpsey AFBI

Peter Nunn Equipmake

David O'toole Davies Turner Air Cargo Ltd

Dean Leggett TIP Tanker Services

Emily Bagg Pushback Ltd

Dilys Powell Wales and South West Training

Aiste Koveckiene MedDX Solutions Ltd

Danny Taplin MOD

Grant Weild Urenco Nuclear Stewardship

John Humpage Veolia

Peter Graves GXO Logistics

Liam Phelan Mersey Travel

Mark Plimmer B&Q Wincanton

Alastair Goodall DGSA

David O'Toole Davis Turner PLC

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