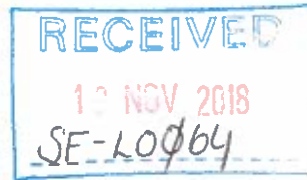




Department
for Transport

Councillor Sean Fielding
Leader of Oldham Council
Room 347, Level 3
Civic Centre, West Street
Oldham
OL1 1UL



From the Minister of State
Jesse Norman MP

Great Minster House
33 Horseferry Road
London
SW1P 4DR

Tel: 0300 330 3000
E-Mail: jesse.norman@dft.gov.uk

Web site: www.gov.uk/dft

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Sean Cllr Fielding

Thank you for your letter of 17 September to Theresa May, about your Council's support for Frances Molloy's 'Tyred' campaign to legislate against the use of tyres older than ten years on public service vehicles (PSVs). Your letter has been transferred to this Department and I am replying as the Minister responsible for this issue.

Mrs Molloy, together with Maria Eagle MP, met with Patrick McLoughlin (when Secretary of State for Transport) in 2014 seeking the changes in legislation that the "Tyred" campaign seeks. In response to this meeting, Patrick McLoughlin instructed officials to take a number of actions to manage older tyres in the PSV fleet. These included providing clear guidance to all PSV operators describing how to establish the age of a tyre and, if a tyre of 10-years old (or more) was identified, to use it only as part of a twin wheel arrangement on a rear axle. Vehicle examiners of the Driver and Vehicle Service Agency (DVSA) were also tasked with monitoring tyres in the PSV fleet to reinforce the message.

Official figures show that in the period between January and September 2018, the DVSA conducted 61,570 roadworthiness inspections (including retests). Of those, approximately 0.27 per cent failed to meet the legal tyre requirements and approximately 0.04 per cent had tyres older than 12 years. The DVSA vehicle examiners have been instructed to remain vigilant and to issue official advice notes to operators who do not follow best practice.

In parallel to these actions, the Department for Transport investigated whether the tyre manufacturing industry had evidence concerning the effect of age on their products. The European Tyre and Rim Manufacturers Association (ETRTO), who represent the tyre manufacturing sector, were clear that tyre ageing is a very complex issue and that it is related to the duty cycle of the tyre and on effective maintenance, rather than simply its chronological age.

In recognition of the industry advice, more comprehensive guidance covering all aspects of tyre use and management has been created by the British Tyre Manufacturers' Association (BTMA) working with the Traffic Commissioner and the Department for Transport. A hard copy of this guidance has been provided to every registered operator of public service vehicles by the Department for Transport. The guidance can also be found online at: <http://btmauk.com/wp-content/uploads/2014/12/October-2016-CV-TyreManagement-LINKS-270916.pdf>.

The Government is committed to the use of robust evidence to define policy and, where appropriate, bring forward legislation. In this particular case, scientific evidence was not available but, directly in response to the concerns raised with the Secretary of State, the Department adopted the precautionary principle to guide the actions that I have described above.

I announced in the House on 1 March 2018 that the Department has commissioned independent scientific research on this subject which should be completed in early 2019. The research is examining the effect of age on the materials that are used in tyre construction. A sample of tyres with a range of accumulated ages is currently being investigated. These tyres are being deconstructed in a specialist laboratory so that a forensic analysis of the materials can be undertaken. This specialist scientific appraisal should provide more clarity on how the materials in tyres change with use, and help to quantify the effect of this ageing process on a tyre's integrity.

I met with Mrs Molloy and Maria Eagle MP to discuss this matter. I was able to provide them with detail about the activities of the DVSA in monitoring tyre age in the PSV fleet and to confirm the Department's commitment to conducting research to inform policy decisions. Department officials have since met twice with Mrs Molloy and with Maria Eagle MP to discuss these issues and brief them as to progress with the research.

The Department is not complacent and until we have the evidence from the research, we wish to ensure that the precautionary principle approach that the Department has taken continues to be effective. I instructed officials to consider further measures that could be taken to reinforce the guidance.

New procedures have been established that will see an owner of any bus or coach identified as not complying with the tyre age guidance receiving a letter from the DVSA reminding them of the best practice. This initiative ensures that, in addition to maintenance staff, the vehicle owner is made aware of any non-compliance. In the event that a vehicle is found with tyres fitted to its steering axle that are significantly older than recommended, a DVSA vehicle examiner will visit the operator's premises to reinforce the guidance and look more generally at maintenance procedures.

In addition, the DVSA is revising the safety inspection requirements of the Operator Licensing scheme. This revision will include a requirement to check tyre age as part of the regular safety inspection task. This will raise the awareness of tyre age in a fleet and act further as a prompt to comply with the guidance.

In the meantime, I have not ruled out further measures that may encourage compliance with best practice. Needless to say, if you have, or know of, any evidence about tyres more than 10 years old and their effects on accidents or mortality, we would be very interested to see it.

I note that the Council has also written to the Chief Executive of the DVSA, and I hope you have received a response on this matter.

Yours ever,



JESSE NORMAN

I would be grateful if you could circulate this response to members of the Council, & Officials.

