



Department for Transport

Questions and Answers concerning police enforcement of travel and retail restrictions due to COVID 19.

Nothing in these questions and answers is intended to fetter how the police discharge their duties in respect of the prevention and detection of crime or any other statutory or common law duty.

This guidance relates solely to the exercise of powers in relation to COVID 19.

Workers in the supply chain are essential to the health, welfare and economic well-being of the country. Without them in the workplace we cannot get food and other goods to the people that need them and this could result in totally unnecessary shortages of food, medical supplies and other goods.

For these reasons every effort should be made to ensure that people travelling to and from work, or in the course of work, are not impeded. Such people would include those working in warehouses of any description, packaging and production plants, supply of spare parts, vehicle rental and servicing and transport of goods in haulage and local delivery. The better these services and supply chains work the easier it is for others to stay at home and save our NHS.

The following questions and answers have been formulated to assist operational police officers and the public to have a clearer understanding of who can travel, in what circumstances and that all goods can still be moved not just those considered essential or emergency items.

Q1. What goods and supplies can be moved under current restrictions?

It is essential that the work of the logistics sector should continue to the greatest extent possible through the Covid-19 crisis. Vehicles engaged in **ANY** supply/ delivery chain should be permitted to work as normally as usual. This applies to **ALL** supply/ delivery chains and not only those for food and medical supplies.

Q2. What paperwork should delivery drivers and hauliers have on them to prove they are working?

There is no system of passes to show who should or should not be working. If the vehicle has a load then it is probably working. If police officers are suspicious of an unloaded vehicle then they should consider making the enquiries they would usually make to establish the bona fides of the driver's assertion they are working/ on their way to work. However, just because a lorry or van is unladen does not mean that it is not working – vehicles travel empty to pick up loads or return empty after delivering a load etc. Indeed, there are currently more empty 'return legs' of journeys than normal due to the severe reduction in economic activity generally.

Q3. Who can travel for work under the existing restrictions?

The Government's position remains that everyone who can work from home should do so. Where that is not possible, people should go into work where it is safe and they are not symptomatic, following relevant PHE guidance.

Haulage drivers, managers, warehouse staff, including agency staff, and all other logistics professionals need to continue to go about their business to keep supply chains moving, and government policy is clear that this applies to **all** supply chains and not only those for food and medical supplies.

All travel related to the operation of logistics businesses or necessary travel by logistics workers to places of work such as distribution centres is therefore to be considered 'essential travel' in the context of current restrictions. At all times workers should however follow Public Health England guidelines on social distancing unless there is a industrial agreement or PHE guidance for that workplace which replaces the general guidance. Employers should be taking responsibility to ensure that PHE guidelines are being followed in their workplaces.

Q4. Should Motorway Service Areas (MSA's) and Truck Stops continue to remain Open?

These facilities should remain open to provide fuel and toilet and shower facilities and take away food services. Public Health England (PHE) have provided guidance on this which can be found at:

<https://www.gov.uk/government/publications/covid-19-guidance-for-staff-in-the-transport-sector>

Q5. Should engineers/ mechanics/ tyre fitters be travelling to work?

The Government's position remains that everyone who can work from home should do so. Where that is not possible, people should go into work where it is safe and they are not symptomatic, following relevant PHE guidance.

Clearly tyre fitters, engineers who need to maintain/ repair equipment and mechanics are examples of people who cannot, normally, work from home. These occupations like many others are vital to the smooth and efficient running of supply chains and they should not be impeded from doing work or while travelling to and from work.

Q6. Should Truck washes be allowed to remain open?

The Government's position remains that everyone who can work from home should do so. Where that is not possible, people should go into work where it is safe and they are not symptomatic, following relevant PHE guidance.

Truck washes are an essential part of the infrastructure in keeping the haulage industry operational and should be permitted to remain functioning.

Q7. Can more than one person travel in a car for work purposes or to get to and from work

In general, multiple occupancy vehicles taking people to and from work should be permitted to continue their journey without being impeded.

Regulation 7 of the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020/350 provides that during the emergency period, no person may participate in a gathering in a public place of more than two people. A car on the road is in a public place. Therefore, more than two people in the car would arguably amount to a gathering in a public place.

An offence is only committed, however, if the gathering is without reasonable excuse (regulation 9(1)(a)), one of the stated exceptions is where *“the gathering is essential for work purposes”*. Clearly travelling to or from work is essential for a work purpose and with reductions in public transport multiple persons travelling in the same car may be the only reasonable solution to the problem of getting to and from work. It makes sense, for people who spend time working together to travel together, rather than travelling on public transport with people they don't work with. Therefore, as an example, where three employees are travelling in the same car but live separately, they would be in breach of the Regulations unless they can show that their gathering in the car on the road is essential for work purposes. This could be done by the key worker letter and another letter, or other evidence, that confirms that the particular individual has no other reasonable means of getting to work.