



# BREXIT KEY FACTS

## #WeMakeEvents Brexit Factsheet 05/02/21

The following is commentary from #WeMakeEvents Brexit Group and focusses on the transport/trucking situation as detailed by David Coumbe of leading trucking company FlyByNite

### THE CURRENT PICTURE

#### OVERVIEW

- The current regulations/restrictions governing UK trucks travelling to Europe will take some time to amend/be relaxed.
- The current laws have actually been in place for Cabotage/Cross Trade for a good number of years now, and the various transport bodies have been lobbying the government and alerting them to the UK specialist entertainments hauliers plight for some time.
- To change the current legislation, any rule changes would have first to be agreed by each of the 27 member states and that All would have to agree.
- The head of the RHA has made it very clear on numerous occasions that in his / their opinion hauliers may have to accept that there will be no quick fix and work on alternatives.

#### CURRENT REGULATIONS POST BREXIT

- Under the current regulations UK Vehicles are restricted to a maximum of two or three movements (depending on ECMT permits) in Europe before having then to return to the UK.
- **Without ECMT permit - 2 movements**  
Can go to a Venue in Europe = Movement one, can then go to a second venue (this your one permitted Cabotage movement), the truck must be heading back to U-K within 7 days of commencing the second movement.



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- **With an ECMT permit – 3 movements**  
Can go to a Venue in Europe, then a second and also a third - **the truck must be heading back to the U-K within 7 days of commencing the 2nd movement.**
- The way this works is that we load UK to go to say Barcelona & deliver = 1 movement, if there is a 2nd delivery that classifies as the 2nd movement, or if a truck unloads, goes to parking and then is called back in to reload empties then that's also classed as a 2nd movement. Once the 2nd movement has commenced the truck has seven days to complete that 3rd delivery / collection before having to head back to the U-K.
- There are Unlimited point to point operations between the UK and EU - That is to say that truck can unload Barcelona, wait for an unspecified time to reload and come back (no movements allowed in between unload / reloading and only one delivery / collection allowable) so for example the truck could not unload, go into parking and then return for empties and go back to parking as if it did then this would class as the 2nd movement.

## THE FUTURE PLANS

- **FlyByNite have taken the decision to go European. We have formed a European company which is housed in Ireland (Dublin),**
  - A portion of our fleet will be re-registered with Irish plates, these will work on an Irish O Licence, the drivers will take Irish CPC's (Certificate of Professional Competence) and will be paid by the Irish company.
  - This will allow us to work freely within the EU member states rules and regulations.
  - In short this permits unlimited Cross trade movements.
- There are still the restrictions created by Cabotage rules in that the European law is, (and has been for many years), that for example a German truck can only perform three movements in another EU member country before leaving that country.



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- There are no time restraints in completing those three movements.
- It does not have to return back to Germany, but must cross a border before then being able to return. (Hitherto everyone has pretty much turned a blind eye to this rule and it's very rare that anyone has been stopped / questioned, it's never once happened to us, but I do know of some Eastern European hauliers that have been stopped and challenged.)
- The real likelihood is that this will continue to be the case, however there is no guarantee.
- **To play safe promoters / bookers would need to adhere to this 'regulation' and book tours accordingly**, so for example play three shows in France, then enter Spain, play three shows, drop into Portugal for up to three shows, return to Spain for another three shows, back into France for another three shows, and so on.
  - It is also allowable for an EU registered truck to simply cross a border, turn around and re-enter straight away.
  - **Trailers have no such restrictions**, they can be pulled by as many tractor units as needs be.
- **However, many people's main concern is for continuity of drivers, which is something we are committed to make possible.**
- **Ironically the one place that we will face restrictions with our European trucks is the UK - they will be subject to the reverse of the restrictions placed on UK trucks in Europe. Our intention should there be multiple venues in Europe to swap out the Euro registered truck with UK registered truck, therefore maintaining the all-important driver continuity.**



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## CARNETS

- Carnets will now be required to accompany all goods that are 'temporarily going' into Europe, in the same way that we have for years for goods going outside the EU
- **The positive news** is we have just received confirmation from Customs officials that One Carnet can be raised for Multiple Truck loads of equipment provided all trucks under that Carnet travel together when exporting / importing the UK.
- The theory at the moment is that Carnets will be opened inland (Birmingham as an example), then copies forwarded to the port of export, trucks will then avoid any queues for clearance, enter the port and straight into line in bays dedicated for Carnet traffic ready to board the first available ferry.
- **The Carnet acts as a 27 nation** transit document. No further clearance is required to travel to other EU member states and you can leave Europe through whichever one you choose
- One complication with goods is that **merchandising or consumables** – ie items that don't return to the UK, will probably need to be shipped separately as they can't be on the carnet.