

# MEMORANDUM OF UNDERSTANDING

between  
SG for CLOCS-A

and  
TfL for CLOCS and FORS

## 1. Preamble

Infrastructure projects significantly increase the number of heavy vehicle construction related movements within the existing road networks. Within a city environment, the increased heavy vehicle movements also increase the risk for interactions between construction vehicles working on the project and vulnerable road user.

Within the United Kingdom, between 2008 and 2013, 55 per cent of cyclist fatalities in London involved a heavy goods vehicle. A disproportionate number of these were construction vehicles. In 2012 Transport for London (TfL) commissioned an independent review of the construction sector's transport activities to understand the causes of these collisions and how they might be prevented.

The resulting 'Construction Logistics and Cyclist Safety' (CLOCS) report was published in February 2013 by Transport Research Laboratory. In response to this report, the construction logistics industry demonstrated its commitment to change and identified actions in order to improve road safety which led to the establishment of a single common standard.

Since the launch of CLOCS, the program and single code of practice has been identified as a world leading approach. CLOCS has expanded beyond London and across the UK due to its recognised benefits and evaluated success. The quality and standard of vehicles within the CLOCS program is maintained through TfL's Fleet Operators Recognition Scheme (FORS).

Within Australia a number of major city based infrastructure projects are underway and those responsible for these projects are equally concerned about the risk for heavy vehicle and vulnerable user interactions. In Victoria, a Steering Committee (SC) for the major infrastructure projects has been formed to ensure a consistent approach is undertaken to attempt to mitigate such risk. The SC consists of Melbourne Metro Rail Authority, VicRoads, Transurban, and the Level Crossing Removal Authority.

The SC is seeking to establish a Construction Logistics and Community Safety Australia (CLOCS-A) which adopts and adapts CLOCS for local conditions. By establishing CLOCS locally, Australia can seek to share learnings as they occur, collaborate on issues and ensure the standard remains aligned with world's best practice. Without such an approach, contracts relating to the heavy vehicle safety specifications would remain locked at the time of signing whereas a CLOCS-A can ensure safety specifications can evolve.

The SC is seeking to be a catalyst that will guide the establishment of CLOCS-A which can operate nationally benefiting industry and government. To achieve this, the SC is will identify an organisation to deliver CLOCS-A, and when such an organisation is identified the management of CLOCS-A will be transferred as will the MoU.

## 2. Purpose

CLOCS-A and CLOCS will work in parallel with similar visions in the area of improving road safety. CLOCS-A is to be based on CLOCS whilst being more specific to issues in Australia.

This Memorandum of Understanding (MoU) records the agreement between CLOCS-A and CLOCS to form a relationship to work together in improving road safety, through a formalisation of the exchange of resources for use in both programs.

To this end each party:

- acknowledges the origins of CLOCS which led to the development of CLOCS-A
- has agreed to aligning, collaborating, and sharing
- has agreed that this alignment is in good faith and that the intention is that these activities will continue regardless of who hosts their code
- has agreed to align with the Fleet Operator Recognition Scheme (FORS) Standard as an auditing guideline.

## 3. Mechanism

The parties enter into this MoU in good faith with the goal that it provides direction and collaboration between CLOCS and CLOCS-A.

To this end:

1. The MoU represents a common understanding for alignment, collaboration and sharing between the FORS, CLOCS and CLOCS-A programs.
2. The MoU is made in good faith between the organisations which deliver FORS, CLOCS and the SC of CLOCS-A.
3. All discussions between the parties shall be held confidential unless agreed otherwise by each party.
4. Each party recognises that the development of CLOCS-A is currently being led by a Victorian SC with the view of it being national.
5. Each party agrees to establishing a technical point of contact, to help facilitate the exchange of knowledge, to be established as a knowledge share group.
6. Each party agrees to explore opportunities for sharing and collaboration including but not limited to:
  - Personnel exchange
  - Direct communications
  - Provision of documents
  - Technical support
  - Sharing of innovation
  - Sharing of stakeholder feedback
  - Projects
  - Research
  - Evaluation mechanisms



#### 4. Operation

This MoU is effective as of the date of execution by the appropriate officer of each party, and will remain in force until a decision by either party not to continue is communicated to the other. It is understood that this MoU merely constitutes a statement of the parties' mutual intentions with respect to the contents of the MoU and each party represents to the other that:

- a) it does not constitute an obligation binding on either side; and
- b) it creates no rights in favour of either party

Nothing in this MoU commits either SC or TfL to insure or otherwise protect the other party. Issues of liability, intellectual property and similar legal matters are to be subjects of project or case specific agreements.

This MoU may be amended at any time by mutual consent and shall be reviewed on an annual basis.

#### 5. Auditing

The parties that enter this MoU are agreeing to an auditing requirement equal to that of the FORS Standard. FORS is a voluntary accreditation scheme that promotes best practice for commercial vehicle operators. FORS includes all aspects of safety, efficiency, compliance and environmental protection through encouraging and training fleet operators to measure, monitor and improve performance. FORS provides accreditation pathways for operators of any type, and for those organisations that award contracts and specify transport requirements. Its purpose is to raise the level of quality within fleet operations, and to demonstrate which operators are achieving the standard.

#### 6. AGREEMENT

This MoU is agreed between:

TfL Representative

Signed

  
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by Name of Officer

Peter Binham  
.....

Position Held


Principal City Planner  
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Date

19/1/18  
.....

SC Representative

Signed

  
.....

by Name of Officer

JAMIE ROSS  
.....

Position Held

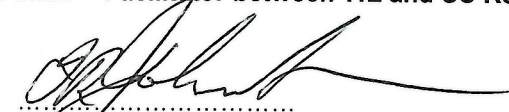
DIRECTOR, SAFETY MELBOURNE METRO  
RAIL AUTHORITY  
.....

Date

3/10/17  
.....

**NRSPP Independent Chair – Facilitator between TfL and SC Representative**

Signed

  
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by Name of Officer

IAN JOHNSTON  
.....

Position Held

Indep. Chair  
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Date

5/10/17  
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