

# Christabel Hallas Transport Solicitor

Christabel Hallas founded her firm in 2008 as a practice providing specialist legal services to the road haulage industry. Without the efficient delivery of goods, our modern economy would not function – yet haulage firms delivering the nation’s goods are subject to stringent rules regarding their operation. Christabel’s practice provides legal advice and representation in this sector. Based in Skipton, North Yorkshire, but serving a client-base across the country, it is dedicated to keeping the haulage industry on the road and behind the economy.



Christabel Hallas, Founder

The road haulage industry annually contributes around £40 billion to the UK economy. The aim of my practice is to provide clients with personal, high quality advice, with a focus on pragmatic solutions that keeps this invaluable service functioning efficiently.

## What we do

I primarily provide advice on regulatory matters. Businesses wishing to operate vehicles with a gross weight over 3.5 tonnes need to be authorised, whether they transport their own or other people’s goods. The industry is subject to numerous regulations. If a business falls afoul of these, the consequences can be severe. A substantial proportion of the practice’s work is helping companies defend themselves, following an investigation into whether they can continue possessing an operator’s licence. Clients are given a relatively short period of notice when they are called to attend a hearing, at which the traffic commissioner decides if they can continue to have vehicles on road. The statutory minimum period of notice is 21 days. Clients, however, often instruct at short notice once they realise the potential gravity of forthcoming action.

Being a boutique practice, I can take their case from receiving initial instructions through to its conclusion and have the flexibility to do this at short notice. My clients appreciate the direct interaction that they have with me personally, my commitment to the case and my willingness to accommodate them to their convenience.

Much of my work involves advising on how businesses can comply with regulations relating to operating large vehicles. Operators are only granted authority to operate such vehicles on the basis that they have effective systems in place, which ensure that the vehicle is in safe, working condition. It is the deficiencies in these systems that lead to the company facing regulatory action. Many clients fail to effectively monitor their systems. For example, although their drivers have to record the amount of driving on a tachograph, the operator may be unaware that the vehicle has been driven at other, unrecorded, times. I provide advice on installing and improving compliance systems. Improvements are often made in the brief period before the hearing. At the hearing, action can be taken against the operator, and in the worst cases will result in a client losing their authorisation to operate.

## AT A GLANCE CHRISTABEL HALLAS TRANSPORT SOLICITOR

- » Headed by Christabel Hallas
- » Established in 2008
- » Based in Skipton, North Yorkshire
- » Provides legal advice and representation in the transport sector
- » [www.christabelhallas.co.uk](http://www.christabelhallas.co.uk)



Robust maintenance procedures are essential

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## Transport law

Transport law is a dynamic subject relying on EU regulations, directives and case law. Clients need to be informed of any changes, and need complex legal principles explained in concise terms. With this in mind, each month I write a legal update for my website highlighting significant legal changes. These updates often focus on cases heard before the European Court of Justice, or opinions of the Advocate General. A recent issue pertained to whether drivers away from home can take their weekly rest in their vehicle or whether they should legally rest in hotel-type accommodation.

I believe that much of the practice’s success over the past nine years is due to the fact that not only am I a qualified solicitor, but I’m also qualified to manage a haulage business. Any organisation offering haulage services for hire and reward has a legal obligation to employ a qualified transport manager with a Certificate of Professional Competence to continuously and effectively manage transport operations. Having this qualification and an MBA gives me an insight into the day-to-day life of my clients, an essential quality of sound advice.

The haulage industry has seen significant changes over the past nine years. Much of this can be linked to technological improvements. When I started my practice, the majority of vehicles were fitted with analogue tachograph machines, which measured the time and distance driven. Today most vehicles use digital tachographs. The rationale behind the digital tachograph’s introduction was that they would be more secure, make data-analysis easier and that the number of cases where drivers had falsified their driving record would reduce. Professional drivers are now required to undergo periodic training and carry evidence of having completed such training. This has brought new challenges advising on interpretation of the exemptions from the requirement to undergo the training. The common perception of

lorry driving as a low skilled profession is much misplaced. Not only are drivers required to undertake periodic training, but like their employers, they can be called to a disciplinary hearing should they have committed certain offences. At such hearings, they can totally lose their professional driving entitlement, or have it suspended for a period. This is in addition to a conviction by a magistrates’ court.

The legislation regarding goods vehicles provides a check on those allowed into the industry. Both operators and drivers need to be considered suitable to enter the profession, either by being considered of good repute or fit to hold the relevant licence. Failure to advise when a company’s driver is convicted of a transport-related offence could lead to a company losing its repute. Applications for operators licences are rigorously scrutinised by the Office of the Traffic Commissioner. The EU is proposing a scheme for extending the scope of operator licensing to small goods vehicles. Subject to the outcome of Brexit negotiations or if the UK adopts similar legislation, it will bring a new sector within scope.

The coming years are going to be ones of rapid change for the transport industry and for its advisory members. There is a trend for fewer cases to be heard in the traditional court forum and an increasing number of clients’ cases being determined using the Single Justice Procedure, where the defendant submits a written form without the need to appear at court. Moreover, the development of driverless vehicles is rapidly advancing, signalling exponential change within haulage and logistics alike. Sadly, the last few years have seen incidences of goods vehicles used as weapons, a matter which will undoubtedly impact upon the industry. Whatever the future holds, rules regarding who is authorised to operate and the ways of operating goods vehicles will need to adapt, so that the public continue to be assured that the vehicles on our roads are safe.