



# AVRO News

Association of Vehicle Recovery Operators



Issue 42

February/March 2017

Visit the AVRO website to update your Vehicle Cartel information

[www.avrouk.com](http://www.avrouk.com)

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Come and join us on this fun-filled week in aid of the Avro Benevolent Fund. Get your hands on a randomly selected hanger and join in the fun!

Runs from **Monday 26th June** to **Saturday 1st July 2017.**



Start in Budapest and finish at Jurys Hinckley Island Hotel, Leicestershire, U.K!



Registration deadline: **MARCH 17th 2017**  
 For Registration or Information contact: [eilis@kfg.ie](mailto:eilis@kfg.ie)

## The AVRO Scrapheap challenge - 26th June–1st July 2017

In June 2016, 28 brave people took on the challenge to drive some very old Eastern European cars from Budapest to Coventry in 4 days! This would be a mission in a very modern car, let alone a car bought from a scrap yard!! 2088km Was covered in the 4 days of driving, travelling through 8 countries. It was a wonderful experience, far beyond our expectations. A great bunch of “nutters” took part which helped. There were punctures, blowouts, breakdowns on a daily basis, but the challenge was to get back on the road as quickly as possible and head to the next stop. Everyone mucked in and we all looked after one another. I am happy to say that it was not all men drivers, there were 4 ladies’ teams. The run was such a great success that we were asked to do another one this year. I guess that says it all!!

When this idea was spoken about, many people said that we were “crazy” which made us more determined to do it. What is life without a good challenge? On the other hand we wanted to do something “SPECIAL” for the AVRO Benevolent Fund. This is a fund that is very

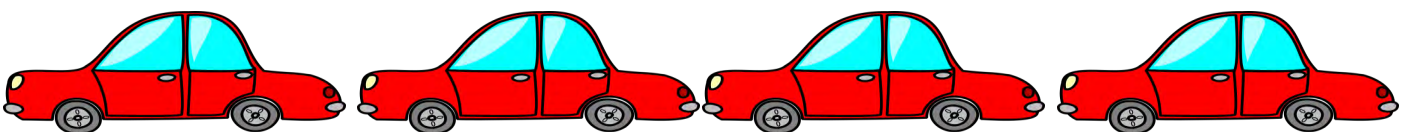
dear to our hearts at Kelly Recovery in Ireland. The fund was set up to alleviate the pressure and hardship in a time of need. None of us know what’s around the corner. The Industry we are all involved in is full of risks and dangers which we all face on a daily basis. It’s nice to know that we at AVRO put this fund in place many years ago, as there was nothing specifically for the Recovery Industry back then.

The AVRO Benevolent Fund is run totally independently by a Board of Trustees who do great work behind the scenes helping our fellow men and women in the industry.

We hope that you will support us in our efforts to raise much needed funds, but we also want to “elevate the profile and awareness of the AVRO Benevolent Fund”.

If you are up to a good challenge, why not join us? You won’t regret it!

For more information please contact [eilis@kfg.ie](mailto:eilis@kfg.ie)



	<h1>AVRO AGM SATURDAY 1<sup>st</sup> JULY</h1>		<p>Call us today on <b>01788 572850</b></p>
	<ul style="list-style-type: none"> <li>◻ The Jurys Inn Hinckley Island</li> <li>◻ Including Business seminar</li> </ul>	<ul style="list-style-type: none"> <li>◻ Industry related Guest speakers</li> <li>◻ Gala Dinner</li> </ul>	<p>◻ Full Details and weekend package information in the next Issue</p>

## Recovery licensing takes a big step forward while one of its biggest supporters takes a step back

John Coupland, formally Castle Recovery, who has been active in the recovery and transport industry for over 55 years, fellow of the IVR and member of the ERRI Standards & Regulatory Group, is taking more of a lead role in the development and delivery of the concept of ROLS (Recovery Operator Licensing Scheme), whilst Derek Firminger has decided to take more of a support role.

If we turn the clock back to the Tow Show Business Seminar of 2012, John gave our industry the first introduction to the real concept of recovery licensing. From that day John has continued to be an intricate part of ERRI's Standards & Regulatory Group, where he has given up hours and hours of his own time along with the other members of the group developing the scheme.

Firminger explains: "I have been representing AVRO as their Chief Executive for six months now, we have been working hard on expanding members' benefits and to increase membership. This started from a very successful attendance at last year's Tow Show where we had some old members who had left the association some time ago re-join, and new members join for the first time."

"We have now started the process of engaging closer with the industry's work providers and have agreed to an AVRO members RAC contractor working group, where we will both work to improve relations and

work closer with the RAC for our members. We also have meetings diarised with Britannia Rescue, Call Assist and are about to engage with others."

"We are now looking to provide membership bolt-ons, in the first instance legal services in the form of a Law Plan product and contract of employment services and advice, a member's shop with direct access via members own login through the AVRO website."

All of this and more is taking up much of Firminger's time, with this in mind he has taken the decision to step back from ROLS. Firminger says: "I've been a big supporter for recovery licensing for our industry, it will place all operators on a level playing field and providing it manages compliance at the correct level, it gives the opportunity to engage with the likes of TfL and should receive the concessions and discounts to ULEZ and Bus Lanes, something our industry deserves." Once this is tried and tested in London these same concessions could be made available to other UK cities. "Unfortunately I am no longer in a position to afford the time required to take ROLS to the next level, I will however continue to support the ERRI Standards & Regulatory Group wherever possible. I would like to take this opportunity to thank the group for the support they have given me and with John every success taking ROLS forward."

*Derek Firminger*  
AVRO CEO



**AVRO AGM SATURDAY 1<sup>st</sup> JULY**

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## Revision to the Driver CPC directive

The Driver CPC directive is currently being revised by the European Commission.

The proposals which largely affect periodic training, are to:

- Prevent a repeat of training courses during a periodic training cycle
- Include road safety in at least one periodic training session

- Allow other elements of training to be included, such as disability awareness, dangerous goods transportation and animal transportation

You have an opportunity to find out more about the directive and have your say by Tuesday 28th February, by going to <http://www.smartsurvey.co.uk/s/DriverCPCChange/s/>



Driver & Vehicle Standards Agency

## New TV series to focus on traffic officers

The work needed to keep England's traffic moving in the depths of winter is about to be acknowledged in a new television series.



Three traffic officers from the North West, Jason Williamson (above, left), Mike Caffrey (above, right) and Barry Connolly, will be the stars of a new Channel 5 series called *Winter Road Rescue*.

Mr Williamson, 48, from Macclesfield, who has been a traffic officer for seven years, says: "I was pleased

that we were asked to get involved with *Winter Road Rescue* as we were able to show some of the work we do to keep the roads moving.

"Drivers often only see us when we've finished dealing with an incident and the road's reopened. They don't see us helping drivers, moving badly-damaged vehicles or clearing up spillages that would otherwise cause hours of delays, so I hope some of that comes across in the programme."

The series includes several shifts with Highways England traffic officers this winter, following the incidents they respond to on some of England's busiest stretches of motorway.

Highways England has over 1,000 traffic officers who respond to over 200,000 incidents every year. The three officers featured are based at Highways England's North West regional control centre in Newton-le-Willows, which also features in the series.

Article courtesy of *Highways Magazine*  
[www.highwaysmagazine.co.uk](http://www.highwaysmagazine.co.uk)

**HIGHWAYS**

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## Prices from Fuelmate



### W/C

Esso	: 98.21 ppl Excl VAT
BP Bunker	: 98.23 ppl Excl VAT
Shell	: 99.27 ppl Excl VAT
Texaco	: 98.21 ppl Excl VAT
UK Fuels	: 97.33 ppl Excl VAT
Keyfuels	: 97.86 ppl Excl VAT

### W/C

Esso	: 98.40 ppl Excl VAT
BP Bunker	: 98.44 ppl Excl VAT
Shell	: 99.47 ppl Excl VAT
Texaco	: 98.41 ppl Excl VAT
UK Fuels	: 97.77 ppl Excl VAT
Keyfuels	: 98.28 ppl Excl VAT

For further details, or to obtain a fuel card please contact:

Tracey Easton  
 T: 01482 387777  
 F: 01482 338591  
 E: tracey.easton@fuelmate.co.uk  
 W: www.fuelmate.co.uk  
 Witham House, 45 Spyvee Street,  
 Hull HU8 7JR

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## Emergency Refuge Area—Recovery Demonstration Workshop

AVRO's CEO Derek Firminger and Chairman Steve Shinnick recently attended the Emergency Refuge Area—Recovery Demonstration Workshop held at the Fire Service College, Moreton-in-Marsh, Gloucestershire. The demonstration covered a number of scenarios recovery operators will encounter on all lanes running on smart motorways. The event was organised by Highways England in coordination with the IVR. Derek said that the industry can take some comfort that Highways England are giving safety top priority and involving the industry in a consultative way. A video of the event will be made available within the next couple of

months and ongoing dialogue between Highways England and the industry will continue.



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## Kwik Fit charges for unnecessary work in undercover sting

National fast fit shamed following an investigation, promoted by company whistle-blower.

Kwik Fit has been encouraging customers to pay for expensive repairs and has changed them for parts



*Kwik Fit, Mansfield. Image: Google Street View*

that were never changed, an undercover investigation by The Mail on Sunday has found.

Reporters posing as customers took cars to a number of Kwik Fit centres for a full service.

In Nottingham, the reporter was charged £49.95 for a wheel-alignment adjustment but the wheels had already been aligned at an independent garage beforehand.

A Kwik Fit staff member told the reporter: “We have adjusted it for you.

“Now we’ve set it back dead straight.

“It has gone from being over to smack down the middle.”

In Birmingham, a reporter was warned that in the ‘worst case scenario’ her wheel might come off if she didn’t spend £151.60 on a new bearing when it did not need changing.

A staff member told her: “Like I says madam, I don’t want to scare you because we’re not in the game to scare you but in the worst case scenario they can actually dry up and they get hot, basically, and then dry up and it could actually collapse.”

When asked whether the wheel could come off, he replied: “The worst case scenario, yes.”

### Parts never fitted

Technicians also charged her for four new spark plugs as part of the £195.95 service package—but they were never fitted.

A Kwik Fit spokesman said: “We cannot accept that the centre’s diagnosis of a faulty wheel bearing is incorrect without re-examining the car.

“However, our own investigation confirmed that the spark plugs were not changed in this case and we fully apologise for that.”

### Leaking oil

In Mansfield, a one-year-old Mini was allowed to be driven away with a leaking oil filter.

Staff told the reporter that “everything is fine” and that the car was ready but on arrival, she was told that the garage was unable to replace the oil filter because they didn’t have the correct part.

When asked what would happen if she did not get the oil filter changed, a Kwik Fit employee said: “Nothing.

“You can leave it until your next service, but you’ve paid for it so if you nip into town or anything at the weekend you can drop it in and we’ll put a new one in.”

In Derby, an examination of a car serviced by Kwik Fit staff found the screen-wash container did not contain sufficient anti-freeze additive.

The reporter was also quoted £189 for other work, which was necessary.

Each of the vehicles had an MOT at an independent garage, overseen by forensic vehicle examiner Mark Brown, a member of the Institute of Automotive Engineer Assessors.

The cars were then transported to a nearby Kwik Fit branch on a flat-bed truck to avoid any possible damage.

The national fast fit franchise made a £25 million profit last year.

*Article courtesy of Garage Wire  
www.garagewire.co.uk*



## Operator loses appeal against HMRC's self-employed driver ruling

An aggregates haulier has lost its legal challenge against HMRC's finding that its drivers should be classed as employed, rather than self-employed.

The First-Tier Tribunal found that partnership RS Dhillon and GP Dhillon, which trades as London Goods Transport, should have treated its drivers as employees and should have been paying PAYE and National Insurance contributions.

It said that despite there being no written contracts



between the Iver, Buckinghamshire-based operator and its drivers, managing partner Resham Dhillon was "very much the boss in the relationship".

A hearing in July was told that the operator provided the drivers with vehicles in its customers' liveries, but drivers were expected to provide their own personal protective equipment (PPE) and swap shifts with other drivers if they ran out of hours or could not complete the work.

Drivers were paid a fixed amount per shift and received no other pay, other than occasional discretionary bonuses. Dhillon told the hearing that the pool of drivers it used could refuse work at any time and could work for other operators if they so wished, however the Tribunal found some continued to work for the business for four or more years with limited evidence of them working for other firms.

HMRC argued that the arrangement required the drivers to carry out the work given to them in person; gave the partnership sufficient control over the drivers; that drivers did not have sufficient financial risk to suggest they were self-employed; and that the overall picture was one where the drivers were integrated into the operation.

The First-Tier Tribunal found that a contract was formed each time a driver accepted an offer from the business, agreeing they would carry out a specific delivery using a specific vehicle, and conform with the requirement to wear PPE and follow customers' health and safety rules.

HMRC said the business had exerted control over the drivers and found there was no evidence that the drivers were running their own businesses. It also stressed that some drivers were paid over £25,000 a year by the operator and received regular work from it, in contrast with a self-employed person who would likely work for multiple businesses.

In his decision last month, judge Zachary Citron said: "The drivers were engaged on unwritten, short term contracts, on standard terms largely dictated by the appellant."

He said the drivers were largely "day labourers" engaged on terms that were unwritten, uncomplicated and non-negotiable.

"Mr Dhillon, the managing partner of the appellant, was, in our perception, very much the "boss" in this relationship; and it is this, combined with the near-total absence of evidence that the drivers were running their own businesses, that leads us to decide that the drivers were employees of the appellant rather than self-employed contractors," the judge said.

*Article courtesy of Commercial Motor  
www.commercialmotor.com*

**Commercial Motor**

## Panic as mechanic gets dragged off truck by runaway car

Technician does all he can to stop a Honda Jazz from rolling off his recovery truck.



This is the amusing moment that a mechanic realised he didn't properly secure a customer's vehicle that he was recovering from the roadside.

This is a video issued by Garage Wire, thought to have been filmed in Scotland, which shows the car suddenly begin to roll back off the truck.

The mechanic's instinct is to grab the front of the Jazz with one hand but soon realises it's not enough to stop the car from rolling.

Panicking, he tries to hold on to the truck with his other hand but gets dragged along with the vehicle which only comes to a halt once it's off the truck.

The man then gets up and has a quick look around as he casually fetches the winch again.

Article courtesy of Garage Wire  
[www.garagewire.co.uk](http://www.garagewire.co.uk)



## From Wednesday 1st March ...



**ALL motorists**, in England, Scotland and Wales found using a handheld mobile phone will get six points on their licence and face a £200 fine.

Motorists who are caught for the first time using their phone illegally, will no longer be able to choose to take a remedial course instead of receiving points on their licence. Drivers caught breaking the law for a second time are potentially facing a £1,000 fine and a six-month driving ban.

Newly qualified motorists face revocation of their driving licence the first time they are caught using a mobile phone behind the wheel.

If you require any further information, please call 01254 828300 and ask to speak to a member of the regulatory team or email [enquiries@backhouses.co.uk](mailto:enquiries@backhouses.co.uk) to request a telephone call back.

**BACKHOUSE**  
solicitors **JONES**



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## Piloting the earned recognition concept

### What earned recognition means

Earned recognition will recognise operators who show high standards of compliance. It will be a voluntary scheme.



It is known that roadside checks cost operators time and money. So that's why the DVSA want to make sure that compliant businesses aren't targeted unnecessarily.

This will make sure that the DVSA can focus their resources on the operators who pose the biggest risk to road safety.

### Piloting the concept

Over the last year, the DVSA has been working with IT

and audit providers to get them ready to test the concept.

They'll be running a pilot this spring which will last for around 6 months. It'll test how the earned recognition concept works. They'll look at everything, from how you apply, to how we monitor compliance standards.

They will announce more information about what you'll need to do and how to apply soon.

### What you can do now

If you have an electronic compliance monitoring system in place already, speak to your IT supplier to see if they're interested in taking part.

If you think your IT supplier would like to take part, or if you're an IT supplier and want more information, email

[remote.compliance@vosa.gsi.gov.uk](mailto:remote.compliance@vosa.gsi.gov.uk).



Driver & Vehicle Standards Agency

## Statutory charge review

AVRO, along with other industry representatives on the APPG have formed a working group chaired by Rob Ffello. This group has secured a fresh Statutory

Charge Review. Part of this review will include the disbursement of management charges. A full report will be provided over the coming months.



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# Get **ADR** Trained with **AVRO**

Association of Vehicle Recovery Operators

More Info

## Become ADR trained with AVRO

20th – 25th March 2017



Places available for 15 delegates, early booking recommended

Do Recovery Vehicles require ADR When a vehicle carrying dangerous goods breaks down or is involved in an RTC?

When a vehicle carrying dangerous goods breaks down or is involved in an RTC, it may have to be recovered by a towing vehicle. If the vehicle is supervised by the emergency services (usually the police), ADR exemption 1.1.3.1 (d) applies.

Otherwise, a new "transport unit" will be formed, and the regulations will apply conventionally. The towing vehicle or low loader should carry the front orange plate and the driver be appropriately trained (though it would be acceptable for the original driver to travel where that is possible).

If those conditions cannot be met the vehicle should be moved the minimum distance to a safe place pending proper arrangements being made. This could be as directed or supervised by a police officer.

Carriers seeking to arrange recovery of their own vehicles should ensure that the recovery agent has suitably qualified staff to recover vehicles carrying dangerous goods.



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### Becoming ADR trained with AVRO

#### Venue:-

AVRO House 1 Bath Street Rugby CV21 3JF

All Enquires to Sara Needham

**Office:** 01788 572850

**Email:** sara@avrouk.com

20th – 25th March 2017

Places available for 15 delegates, early booking recommended.

The cost of the course is **£400 + VAT** per delegate plus Exam Fees at **£120 (no VAT)**. Driver CPC can also be included at **£37.50 + VAT** plus an upload fee of **£35 for 28 hours**.

All course literature will be included.



**FREE** Course Handouts

**FREE** Telephone support with our Consultants

**FREE** Drivers Wallet

It is with great sadness that we announce the passing of Chris Cox, Managing Director of C&S Motors, London who passed away on Thursday 16th February.

C&S Motors were former members of AVRO, so our thoughts are with Chris's family at this sad time.



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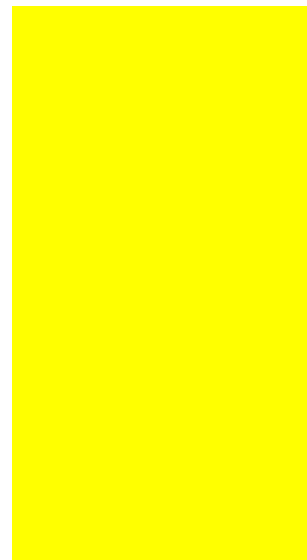
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Operators*

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1 Bath Street  
Rugby  
Warwickshire  
CV21 3QH

Phone: 01788 572850  
Fax: 01788 567320  
E-mail: sara@avrouk.com

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## Industry needs 'clear view' of policy changes, MPs told

The haulage industry needs to have a clear view of what legislative changes need to be made before post-Brexit deals are struck, according to Rob Ffello MP. His warning came after Ian Jones, solicitor at transport law firm Backhouse Jones, told the All-Party Parliamentary Group (APPG) on freight transport that the industry expects the O-licensing regime and the AETR rules on drivers' hours and tachographs, which have the same requirements as EU drivers' hours rules, to remain in their current form when the UK leaves the EU.



Most of the existing transport legislation is unlikely to be watered-down post-Brexit, Jones said, and any changes are expected to be gradual. However, he warned EU employment laws, such as the Working Time Directive and Tupe regulations, may be subject to eventual review.

Former UK Border Force head Tony Smith and consultancy Accenture's lead for global border services, Jim Canham, both told MPs that investment will be needed in the UK's border control systems to speed up cross-border movements and identify potential threats from criminals or terrorists.

Smith and Canham warned Brexit could result in a mixture of complex border controls being put into place for hauliers that operate overseas if there is a lack of collaboration between EU members in negotiations with the UK.

Ffello, chairman of the APPG on freight transport, said: "Listening to today's speakers brings home how much government needs to ensure the details of Brexit are not lost between the cracks of 'big policy'. It is vital for the sector to have a clear view of what it needs from any deal and to make those needs crystal clear to government in good time. If the right voices aren't heard now, we could be saddled with changes that damage our freight sector irrevocably."

*Article courtesy of Commercial Motor  
[www.commercialmotor.com](http://www.commercialmotor.com)*

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