



# AVRO News

*Association of Vehicle Recovery Operators*

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## New 'supercabs' to tackle dangerous driving on England's motorways

Three new HGV 'supercabs' are to take to the roads as part of a unique initiative to tackle dangerous driving on England's motorways and major A roads.

Highways England has announced plans to fund three new unmarked HGV cabs after a single one used by police forces across the country was used to help catch over 4,000 dangerous drivers in its first two years.

The three new cabs will patrol motorways and main trunk roads, and have been fitted with wide-angle cameras to capture unsafe driving behaviour. They also have a derestricted speed limiter which means they can travel at speeds up to the national speed limit, and flashing lights have been installed for use by police forces in an emergency.

The cabs allow police officers to film evidence of unsafe driving behaviour by pulling up alongside vehicles. Drivers are then pulled over by police cars following behind.

Richard Leonard, Highways England's Head of Road Safety, said:

Highways England has been funding a single cab for the past couple of years and we've been impressed with the impact it's had on improving safety. Over 4,000 dangerous drivers have been pulled over, with police action ranging from verbal warnings to prosecutions.

We've found that the vast majority of drivers are sensible behind the wheel but a few have got into bad habits, or are simply ignoring the law and putting themselves and others at risk.

We've therefore decided to fund two extra unmarked HGV cabs to continue to target dangerous driving on England's motorways and major A roads, improving safety for everyone.

In total, 28 police forces have taken part in the HGV cab safety initiative since it began in April 2015, pulling over 4,176 drivers in relation to 5,039 offences in its first two years.

Nearly two thirds of the drivers who were stopped were illegally using a mobile phone while driving, despite the latest statistics showing that mobile phone use is a factor in an average of two deaths on the roads every month.

Offences have included a driver being pulled over by Devon and Cornwall Police who was found to have sent 10 replies to 10 texts within one hour; a driver in Surrey who was seen trying to put toothpaste on a toothbrush; and a driver in the East Midlands who was spotted steering with his knees while he ate his lunch and used his mobile phone.

The three new unmarked HGV cabs are being supplied as part of a three-year contract with Dawsonrentals, which will also be responsible for maintaining the vehicles.

Last year, the government doubled the penalty for drivers caught using their phones at the wheel. Motorists now receive 6 points on their licence and a £200 fine - up from the previous 3 points and £100 fine.

More details about the law on mobile phone use are available on this guidance page (<https://www.gov.uk/using-mobile-phones-when-driving-the-law>).



## IVR confirms Chairman's Charity 2018 is Prostate Cancer UK

The Institute of Vehicle Recovery (IVR) confirmed at a meeting of the IVR Council in January the Chairman's Charity 2018 would be Prostate Cancer UK and throughout the AGM weekend various fundraising activities will aim to raise funds for the charity.

This was followed by the announcement in February from Prostate Cancer UK that the number of men dying from prostate cancer has overtaken female deaths from breast cancer for the first time in the UK. The charity said advances in the diagnosis and treatment of breast cancer are paying off, and increased funding could benefit prostate cancer.

Angela Culhane, chief executive of the charity Prostate Cancer UK, said the disease currently received half the funding and half the research that is devoted to breast cancer and an ageing population means more men are developing and dying from the disease.

She said developing better diagnostic tests that could be used as part of a nationwide screening programme would be a priority. At present, there is no single, reliable test for prostate cancer - the PSA test, biopsies and physical examinations are all used.

What are the symptoms?

There can be few symptoms of prostate cancer in the early stages, and because of its location most symptoms are linked to urination:

- needing to urinate more often, especially at night
- needing to run to the toilet
- difficulty in starting to urinate
- weak urine flow or taking a long time while urinating
- feeling your bladder has not emptied fully

Men with male relatives who have had prostate cancer, black men and men over 50 are at higher risk of getting the disease.

What is the PSA test?

The PSA is a blood test that measures the amount of prostate specific antigen (PSA) in your blood. PSA is a protein produced by normal cells in the prostate and also by prostate cancer cells. It's normal to have a certain amount of PSA in your blood, and the amount rises as you get older and your prostate gets bigger. A raised PSA level may suggest you have a problem with your prostate, but not necessarily cancer. You can have a PSA test at your GP surgery, you will need to discuss it with your GP first. At some GP surgeries you can discuss the test with the practice nurse, and they can do test if you decide you want one..

Who can have a PSA test?

You can have a PSA test if you are over 50 and you've talked through the advantages and disadvantages with your GP or practice nurse. If you are over 45 and have a higher risk of prostate cancer, for example if you're black or you have a family history of it, you might want to talk to your GP about having a PSA test.

The biggest cancer killers in the UK remain lung and bowel cancer, with prostate now in third place.

For more information and guidance go to [www.prostatecanceruk.org](http://www.prostatecanceruk.org)

*Article courtesy of the IVR  
[www.theivrgroup.co.uk](http://www.theivrgroup.co.uk)*





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### **Company update – February 2018 – Apex appoints JP Dekker as their new CEO and majority shareholder**

Since its founding in 2005, Apex Networks has built a suite of software products for the recovery industry. With its ANS and RMS products, the company provides both the leading B2B communications platform for the Rescue and Recovery industry, as well as the most advanced recovery management system in the market for both large and small businesses.

Over the past years, Apex has shown strong growth in its customer base and we now work with over 500 customers in the industry, who are able to benefit from seamless communication between industry participants and easy to use software to manage all aspects of the recovery job.

For some time, we have been developing a succession plan for the company, with Steve Williams' impending retirement. We are now delighted to announce a successful conclusion to this process. Apex Networks has a new majority owner and managing director, JP Dekker, who comes with a background in managing software companies in multiple industry sectors. JP has acquired the shares of the retiring and external shareholders, with several of the current employees choosing to maintain their stake in the company.

David Brinklow, Commercial Director, said: "After looking at several alternatives, we decided to work with JP Dekker, as he has the right vision for the company and will ensure continuity for both employees and customers. The business is in good health and enjoys a strong and expanding customer base. We are grateful for the support of the rescue and recovery community to help us create Apex Networks, of which we are very proud. In JP we believe we have found someone who will continue to develop the existing business and who will work closely with customers to service them in the best possible way. It is very much business as usual and I look forward to working closely with JP."

"I am very excited to join the Apex team to lead the business through the next phase of evolution" said JP Dekker. "Steve Williams, outgoing CEO, has built a great team and a great culture, which form a strong platform on which we can continue building. Apex will continue to work closely with its customers to provide the best possible service to the rescue and recovery industry."

For more information about Apex Networks, please visit our website [www.apex-networks.com](http://www.apex-networks.com) or contact us on [sales@apex-networks.com](mailto:sales@apex-networks.com)



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## Are you GDPR ready?

There are only 4 months left until the EU General Data Protection Rules ("GDPR") come into force on 25 May 2018 - the biggest and most radical shake-up of data protection law in several years. Are you ready for the changes ahead?

The article below sets out headline changes and obligations employers must comply with. For further specific details - of which there are many, reviews of your employment documents and tailored training to get you GDPR ready, please contact us on 01254 828 300.

### Background

There has been some confusion concerning the status of the GDPR in light of Brexit where questions hovered over whether or not the new regulations would apply in the event the UK left Europe.

However, the ICO ("Information Commissioner's Office") has indicated that the regulations will apply and as of 25 May 2018, the current Data Protection Act 1998 ("DPA") will be replaced with the GDPR.

Whilst the regulations are much longer in content than the DPA and more prescriptive, the aim is to streamline current data protection laws.

### Why does it affect my organisation?

The new regulations will have an impact on employee and recruitment data. If your organisation processes any form of personal data then the GDPR will apply.

### What are the headline significant changes?

**Accountability** - there are more obligations on data controllers to demonstrate compliance. This includes amending existing data protection policies or introducing a new data privacy notice setting out information letting the employee/candidate know that they can withdraw consent to their data being processed; that they can lodge complaints with the ICO; have access to and the erasure of data; and automated decision making (i.e. profiling as part of a recruitment process).

**Consent** - most organisations rely on consent from their staff to justify data processing. However, the advice from the ICO is that this should be avoided and instead organisations should rely on the other processing conditions set out in the GDPR such as 'performance of the contract' or 'compliance with a legal obligation' as a legal basis for data processing. If an organisation does rely on consent, it must be freely given, specific, informed and unambiguous. Consent cannot be construed from silence, a pre-ticked box or inactivity.

**Subject Access Requests** - the 40 day response period for employers is reduced to 1 month. This can be extended based on the complexity of the case. There is no more fee payable unless the request is manifestly unfounded or is a repeated request in which case a charge can be levied but also the request can actually be refused.

**Reporting breaches** - Employers will need to put in place mechanisms which allow for breaches to be reported to the ICO no later than 72 hours after it becomes aware of the breach, unless the employer can demonstrate the breach will pose no risk to the data subject.

**Data Protection Officers** - if your organisation does not have one already, you will need to appoint one or bring in an external consultant.

### Failure to comply

Currently, the maximum fine for breaches of the DPA is £500,000. The new regime will mean that you could be fined up to 20 million euros or 4% of your group worldwide turnover - whichever is higher.

Some action points

- Get your organisation on board with the changes - they are happening and any breaches will result in serious fines.
- Appoint a Data Protection Officer if you do not have one. If you do, make sure they are aware of the changes and their responsibilities.
- Review your contracts and policies, including websites, so that they are GDPR compliant.
- Start documenting what personal data you hold, where it came from, why you hold it and who you share it with.
- Get mechanisms in place so that you can detect and report a personal data breach within the mandatory 72 hour deadline.
- Review your subject access request policy and implement changes.

*Article courtesy of Backhouse Jones Solicitors  
www.backhousejones.co.uk*

## BACKing Your Business - GDPR Training

25 May will soon be here - Feeling GDPR compliant? Why not book onto one of Backhouse Jones' GDPR training sessions.

Their training on GDPR is geared towards operators and their HR teams, with emphasis being placed on the key relevant provisions of the legislation for PCV and HGV businesses and how to implement the same.

Thursday 8 March - Clitheroe  
Wednesday 14 March - London  
Tuesday 20 March - Darlington

Tuesday 10 April - London  
Thursday 12 April - Clitheroe

Places will be filled on a first come first served basis and cost £275 (plus VAT) per person for half a day 9.30am - 12.00pm. BACKup members receive a 20% discount.

E-mail [chloe.west@backhouses.co.uk](mailto:chloe.west@backhouses.co.uk) to book your place

**BACKHOUSE**  
solicitors **JONES**

## Drivers' hours fines: changes from 5 March 2018

From Monday 5 March 2018, DVSA traffic examiners will start issuing on-the-spot fines for any drivers hours offences committed in the last 28 days.



Traffic examiners will issue fines for up to 5 drivers' hours offences in a single check.

The change was first announced in September 2017, and we're now able to confirm the start date.

Find out more about the changes to drivers' hours fines at

<https://www.gov.uk/government/news/drivers->



Driver & Vehicle Standards Agency



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## Survey: brake testing for commercial vehicles

The DVSA are carrying out a survey to help them see if you saw their recent information on brake testing and whether the information helped you.



The survey will ask you a few quick questions on:

- whether you received any information about brake performance testing

- where you received brake testing information from
- whether you've taken any actions as a result of the information

To take part in the survey, go to

<https://www.smartsurvey.co.uk/s/braketest/> - it'll close on 12 March 2018.

 Driver & Vehicle Standards Agency

## AVRO 10,000 Mile Rally 2018

AVRO would like to wish every success to Eamon Kelly, Derek Beahan, Alan Sherwood, Jim O'Sullivan and the rest of the team who are embarking on a 10,000 mile run from Dublin to Mongolia in Mazda Bongos on Sunday 18th March.



This run will be nothing like what they have done before in Budapest as there will be no support team in any shape or form, they are all on their own with everyone having to pull their weight.

All money raised from this run will go to the AVRO Benevolent Fund.

They will be updating their Facebook page "AVRO 10,000 MILE RALLY 2018" throughout their journey for anyone that wants to follow them.

Huge thanks go to the following people who have sponsored them for this trip:

P C Commercials, Derek Beahan Ltd, J & S Motors, Midhurst Engineering, RIES, M8 Recovery, AVRO Ltd to name a few.



*Association of Vehicle Recovery  
Operators*

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**Welcome to our new members:  
DRS Kent Ltd, Crayford, Region 11  
Romford Recovery, Region 10**

**Welcome to our new Associate member:  
WMS Rescue & Recovery, Thame - Breakdown cover  
for paid members**

## **Authorised testing facility (ATF) bulletin 02-18: removal of plating and testing exemption**

Certain specialist vehicles, based on a HGV chassis are losing their exemption from annual testing following a consultation by the DfT (<https://www.gov.uk/government/consultations/hgv-periodic-testing-and-inspections-exemptions>).

These vehicles will be included in the existing HGV testing service.

Depending on the type of vehicle, it needs to be tested for the first time by either:

- 20 May 2018
- 20 May 2019 or the date its vehicle tax needs to be renewed (whichever is the earlier)

### **2. Vehicles that need testing before 20 May 2018**

These are:

- volumetric concrete mixers
- fast tractors (covered by ATF service bulletin 01/18 (<https://www.gov.uk/government/publications/authorised-testing-facility-atf-bulletin-0118-fast-tractor-annual-testing/authorised-testing-facility-atf-service-bulletin-0118-fast-tractor-annual-testing>))
- trailers losing the exemption
- vehicles used on international journeys

### **3. Vehicles that need testing before 20 May 2019**

There will be a phased approach up to 20 May 2019 for some vehicle types, to make sure that industry has more flexibility to balance out the testing of their fleet over a longer period.

However, the vehicle must have passed an annual test by the time its tax needs to be renewed for the first time after 20 May 2018.

### **4. What you need to know when accepting bookings for test**

As an authorised testing facility (ATF), you should treat these vehicles exactly the same as an HGV for billing and booking purposes, using the current fee structure

(<https://www.gov.uk/government/publications/hgv-first-test-application-form-vtg1>) before their vehicle can be tested. This will generate a technical record and a plating certificate (if appropriate), which is required to allow the test to go ahead.

#### **4.1 Make sure the first test application is complete**

This will be a new process for these vehicle owners, so when you take bookings for these vehicles, check they've completed the first test application process. This will stop any unnecessary 'refusals to test'.

Refer them to the application form if they haven't done this.



**Driver & Vehicle Standards Agency**

The Technical team at AVRO are working on achievable solutions and in the interim it would be prudent to tax your vehicles that may be losing their exemption for 12 months to ensure we have time to iron out teething problems involved in applying for a plating certificate for trucks that are currently exempt but you may have a roadworthiness certificate in place