



# AVRO News

*Association of Vehicle Recovery Operators*

Issue 52

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## Shopping around for cheaper insurance

Everyone running a business is understandably keen to save money wherever they can. Insurance can be a significant expense and that's why most businesses regularly look for alternative quotes.

But some recovery operators are put off from asking a new insurance broker to quote because they think it's going to take up valuable time answering questions about their business and insurance requirements.

In fact, there can be considerable benefits in asking a new broker to quote:

- It's quite common for a new insurance broker finding trading activities that are simply not insured because the firm wasn't doing that type of work when insurance needs were last reviewed
- It can sometimes become apparent that sums insured are hopelessly understated because they haven't been thoroughly reviewed for many years. That could cause a major problem in the event of a claim
- Issues can be discovered with business interruption cover where the cover that has been arranged simply wouldn't be sufficient to cater for a catastrophic event causing severe disruption to a business
- Types of cover such as cyber insurance that simply weren't talked about just a few years ago, yet are regarded as essential today, may not have been considered

So if AVRO's preferred insurance provider, Towergate Insurance Brokers, ring you to talk about recovery contractor motor trade insurance, keep in mind the benefits that could result - a free review of your current insurance needs and your existing cover arrangements and perhaps significant premium savings too.

By setting aside this time to meet face-to-face, not only may you save money; a day may come further down the line when you discover that if it hadn't been for that meeting and for the cover improvements that resulted, your business might have struggled to survive in the event of a serious claim.

To find out more, call Towergate Insurance today: **0344 346 0917**



## The AA confirms sponsorship of the Jack Ovenden Award for a 6th year

The AA has confirmed it will once again be sponsoring the Jack Ovenden Award for 'Outstanding Student of the Year' and trainers are now being invited to nominate students for this prestigious industry award.

The award is administered by the Rescue and Recovery Trainers Association (RRTA), on behalf of the IVR, but trainers do not have to be a member of the association in order to nominate one of their students. However the criteria remains the same as in previous years and trainers are asked to submit the name and details of the student they are nominating and give a brief overview of why they feel they deserve to be considered. All submissions will be reviewed by the RRTA and thanks to the award sponsors finalists will receive a complimentary overnight stay with tickets to the Gala Dinner, for themselves and their spouse or partner, on Saturday 3 March at the Crowne Plaza, Stratford-upon-Avon.



On the Saturday afternoon of the 3rd, following the AGM, the students will be asked to attend an interview with a panel from RRTA where they will be asked a series of questions and 2018 winner will be decided.

The award presentation at the Gala Dinner will be carried out by IVR president Nick Ovenden FIVR, who introduced the award twelve years ago in memory of his father Jack.

Trainers are asked to not only consider those students who excelled in training but also consider those who are good ambassadors and potential role models for those looking to enter the industry.

For more information and confirmation of the closing date please contact Sean Buckley MIVR, chairman of RRTA, at [sean.buckley@themansfieldgroup.com](mailto:sean.buckley@themansfieldgroup.com)



## Emissions fraud: over 100 operators under investigation

Since August 2017, the DVSA examiners have been checking for emissions cheat devices on lorries at various sites across Great Britain.



Between August and November 2017, they found nearly 300 devices fitted to lorries. They're investigating the operators of those vehicles.

Find out more about what they found and what they're doing to deal with operators who are damaging our air quality at <https://www.gov.uk/government/news/more-than-100-lorry-operators-caught-deliberately-damaging-air-quality>

 Driver & Vehicle Standards Agency

## £100 Fine for drivers who ignore red Xs on smart motorways

Drivers who ignore smart motorway lane closures face £100 fine and three penalty points on their licence from March.



The Telegraph reports that Highways England believes ignoring red X signs on overhead gantries is “dangerous” and expects penalties to be introduced in the spring.

The report adds that it has issued around 80,000 warning letters to drivers who have broken smart motorway rules since December 2016, with around a third relating to driving in closed lanes.

Road-side cameras which automatically detect lane violations are “currently being tested by the Home Office”, the government-owned company wrote in a document seen by the Press Association.

“We would expect enforcement of red X offences to commence from spring 2018,” it added.

Incidents could be treated like passing through a red traffic light, which carries a fixed penalty of £100 and three penalty points.

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## Specialised heavy vehicles: Exemptions from annual testing

AVRO are currently working with manufacturers of recovery vehicles and the DVSA in an effort to better clarify their interpretations of which recovery vehicles are exempt and which have been presented for roadworthiness or are used under STGO which, after May 2018 could be very restrictive.

One of the statements from DVSA is that less than 10% of vehicles that could run under exemption attend an annual roadworthiness test, we believe that the majority of Police contractors are required to present recovery vehicles that could run under exemption have a roadworthiness test, which probably means that the vehicles voluntarily tested is much higher.

We wish to provide some figures to the DVSA as to how many vehicles have the roadworthiness test as it is not recorded electronically at the DVSA.

Please can you reply to the AVRO office with a simple statement such as 6 vehicles that could run exempt, 5 vehicles are presented for an annual roadworthiness test.

This information is required as a matter of urgency as there is a meeting with the DVSA later in the month.

Your help would be greatly appreciated, but if you have any questions please call Sara on 01788 572850.



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In the meantime, you can contact Anthony using the details below.

[anthonyh@lilycomms.co.uk](mailto:anthonyh@lilycomms.co.uk)

01274 214614



Debraj De  
Project Manager  
Smart Motorways Programme  
Highways England  
5 St Philips Place  
Colmore Row  
Birmingham  
B3 2PW

8 January 2018

### Smart Motorways Programme M1 Junctions 13 - 16: Notification of advance works

Highways England is progressing plans for a smart motorway scheme on the M1 between junctions 13 to 16, which is part of the overall improvements to the M1 junctions 13 to 19 corridor. As part of our ongoing information sharing with key stakeholders, I am writing to inform you that advance works for the scheme will start on 22 January 2018.

These advance works include some vegetation and tree clearance work between Junction 13, near Brogborough, and Tathall End, to the north of Junction 14, in various locations over a 3 month period until the end of March 2018.

Advance works are integral to preparing the motorway for the construction phase of the scheme. The vegetation and tree clearance is being undertaken so that the main construction and structures needed to upgrade the motorway can be accommodated. Wherever possible, existing vegetation will be protected and retained but where tree removal is unavoidable, a comprehensive replanting scheme will be implemented in order to mitigate visual impacts.

Appropriate controls have been put in place for the sustainable management of vegetation clearance. This includes chipping of any vegetation we need to remove, which will be part re-used on site to encourage natural wildlife habitation. The remainder will be removed from site for other uses. This will ensure there will be no waste arising from the vegetation and tree clearance work.

Highways England and our contractors are aware of the sensitive nature of the work as it is likely to be noisy. We have therefore developed detailed plans for construction and traffic management to ensure disruption is kept to a minimum wherever possible. This vegetation and tree clearance work will be undertaken during daytime hours with night time working used as a last resort where absolutely necessary. Where it is necessary, we will aim to carry out noisy operations before midnight.

To ensure safety during the advance works, lengths of the hard shoulder will be closed during the daytime on each side of the carriageway with occasional lane closures on the motorway between 22:00 and 06:00 at night.

The main construction works for the scheme are planned to start in May 2018 with completion expected in March 2022. We will write to you with more details about the main construction works before they begin.

If you would like further information about construction, or the scheme in general, please look through the dedicated website for the scheme at: <http://roads.highways.gov.uk/projects/m1-junction-13-to-junction-16-smart-motorway/>

I would like to thank you in advance for your patience and apologise for any disturbance that our work may cause.

Yours sincerely  
Debraj De, Project Manager



Jim O'Sullivan  
Highways England  
Bridge House  
1 Walnut Tree Close  
Guildford  
GU1 4LZ

9 January 2017

Lillian Greenwood MP  
Chair of the Transport Select Committee  
House of Commons  
SW1A 0AA

Dear *Lillian*,

It was good to meet you in September and useful to talk to you about Highways England's work and future priorities. One of the issues we discussed was smart motorways and I want to share with you the headlines of the All Lane Running (ALR) review work we have recently undertaken.

The aim of the work was to continue to deliver All Lane Running in a way that maintains the high-levels of safety we see on traditional motorways and that reassures those that travel and work on our roads.

The headlines of the review work are:

#### Safety

Evidence demonstrates that ALR delivers comparable levels of safety to traditional motorways—including a significant improvement on the M25.

#### Spacing of Emergency Areas

On operational ALR schemes we will undertake a targeted programme to install a small number of additional emergency areas in locations with the highest levels of potential live lane stops.

On future ALR schemes we will be reducing the spacing from the current maximum of 1.5 miles to a new lower maximum of 1 mile where practicable, in order to provide greater reassurance to road users.

#### Visibility of Emergency Areas

We have trialled visibility improvements using new signs and orange surfacing to increase customer confidence in knowing where they can stop in an emergency. We will roll these out across appropriate parts of the ALR network.

#### Size and operation of Emergency Areas

In collaboration with the roadside recovery industry we concluded that the size of Emergency Areas is sufficient for safe vehicle recovery. We have also improved the layout design within Emergency Areas in line with feedback from recovery organisations.

#### Stopped Vehicle Detection

A prototype system to automatically detect stopped vehicles is already operational on the M25 J5-7 and will become operation on Junctions 23-27 by Spring 2018. We intend to commence a programme of development and national roll-out from next year.

#### Compliance and enforcement

We have reduced levels of non-compliance with red-x signals to around 8%, working with the police and road safety partnerships to issue warning letters to motorists. We continue to work on this and will also issue

Continued on next page

warning letters to address any misuse of Emergency Areas. There has also been extensive publicity about future enforcement action that will help to further improve future compliance levels.

#### Communication and stakeholder engagement

We have delivered extensive engagement campaigns to increase customer awareness of ALR motorways and we will continue to listen to the views of our customers and undertake ongoing research to continue to improve our road network and ALR motorways in particular.

We will continue our engagement with the emergency services, recovery operators and other operational stakeholders to maintain safe, effective procedures and a consistent approach to incident management. Working in partnership with the industry, we recently published updated guidance on vehicle recovery. We have also launched some training for commercial users of ALR motorways alongside the Freight Transport Association.

I would be pleased to meet you to discuss the key findings of the report and to ensure that we keep you informed as we continue with the delivery of our ALR motorway programme.

Yours sincerely

*Jim O'Sullivan*

Jim O'Sullivan

This letter is also available on the Transport Committee website

<http://www.parliament.uk/business/committees/committees-a-z/commons-select/transport-committee/>



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### **Recovery operator insurance for AVRO members**

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## General Data Protection Regulations Introduction Date: 25 May 2018



# Recovery Industry Engineering Standards

1 Bath Street Rugby CV21 3JF

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

### General Information

All current Vehicle Recovery Operators will already be fully compliant with the requirements of the current Data Protection Act and its potential impact for customers and employees.

The main concept of the GDPR is broadly similar to the current system.

There are however, some new elements and significant enhancements which will need to be addressed, for example, the GDPR places greater emphasis on the documentation that data controllers must keep to prove their accountability.

There are also new requirements for transparency and individual's rights.

These could prove to be a significant impact on large, complex organisations.

It is envisaged that the changes required will be easily achievable in the small family businesses operating as Vehicle Recovery Operators.

However, organisations will need to review their approach to how they manage data protection in their business.

And, it will be necessary to review all current arrangements for sharing data with other organisations, such as motoring clubs.

### Legal :

Organisations must be able to show the lawful basis for holding and processing a persons data.

At present this hold few practical implications.

But GDPR, while being broadly similar to the current DPA, introduces some new rights for individuals, for example, the right to have data deleted.

The organisation should therefore compile some form of Privacy Procedure which can be given as explanation to individuals.

### Information :

The company should record all data it holds, where you got it and more importantly, who you share it with.

**You should begin to work on producing effective policies and procedures to document your security, which are appropriate for your business.**

You may need to include this in your audits and reviews and make changes as required.

You may already have a way that you inform people you collect their personal data from, who you are, the reason you need their data, how you keep it safe and who you share it with.

This is expanded by GDPR as you will now have to give details on how you process their data and how long you retain it.

Individuals may complain if they believe they are being treated unfairly.

### Individuals Rights :

All organisations must ensure that individuals rights are protected.

These basic rights are:

- the right to be informed;
- the right of access;
- the right to rectification;
- the right to erasure;
- the right to restrict processing;
- the right to data portability;
- the right to object; and
- the right not to be subject to automated decision-making including profiling.

In all normal circumstances dealt with by Vehicle Recovery Operators, the individuals rights will be similar to the protections offered by the current

## General Data Protection Regulations Introduction Date: 25 May 2018

Data Protection Act but with a few enhancements.

What is new is the right to data portability.

It only applies:

- to personal data an individual has provided to a controller;
- where the processing is based on the individual's consent or for the performance of a contract; and
- when processing is carried out by automated means.

It is unlikely that this will impact on the small Vehicle Recovery Operator.

### Access to Information :

Operators will need to consider how to handle requests regarding data it holds about an individual.

- In most cases there can be no charge.
- You will have a month to comply, rather than the current 40 days.
- You can refuse to accept a request, or impose a charge for requests that are manifestly unfounded or excessive.
- If you refuse a request, you must tell the Individual why and that they have the right to complain. This must be done immediately or in any case within one month.

It is unlikely that this will impact on the small Vehicle Recovery Operator.

### Consent :

Organisations must review how they obtain Information about individuals.

All consent must be positively and openly agreed and freely given by the individual and cannot be inferred by some circumstances.

Consent can be withdrawn by the individual at any time without reason.

Where Vehicle Recovery Operators rely on clear and unambiguous agreements with their customers and employees regarding the use of their data, this should be sufficient for GDPR.

### Breaches of Data Security :

Organisations have a duty of care to protect all forms of personal information and will have procedures in place to ensure this.

They will also have in place a set of procedures to identify, report and investigate breaches.

It may be that some Vehicle Recovery Operators, depending on their size and complexity are already registered with the Office of the Information Commissioner and will report any breaches to them.

Reporting of breaches must be made immediately to the individual and to the Information Commissioners Office where information is compromised which may affect the rights of an individual exposing him to potential personal danger, damage to reputation, financial loss, confidentiality, economic or social disadvantage.

Fines will be imposed for breaches and failure to report.

### Data Protection by Design & Privacy Impact Assessment :

Depending on the size and complexity of the organisation, it may be that specific design policies and procedures are followed to ensure safety of data.

This is required where huge quantities of data is being processed and there is a high risk of breaches or errors.

A Privacy Impact Assessment in these circumstances is required.

It is unlikely that this will impact on the small Vehicle Recovery Operator.

### Data Protection Officers :

Vehicle Recovery Operators, depending on their size and complexity should allocate GDPR responsibility. In small businesses, it will be sufficient to have one person, with someone to deputise. Responsibilities will include identification of areas of greater risk and general compliance.

There are some other issues concerning Children and International Trade which will have little or no impact on Vehicle Recovery Operators.



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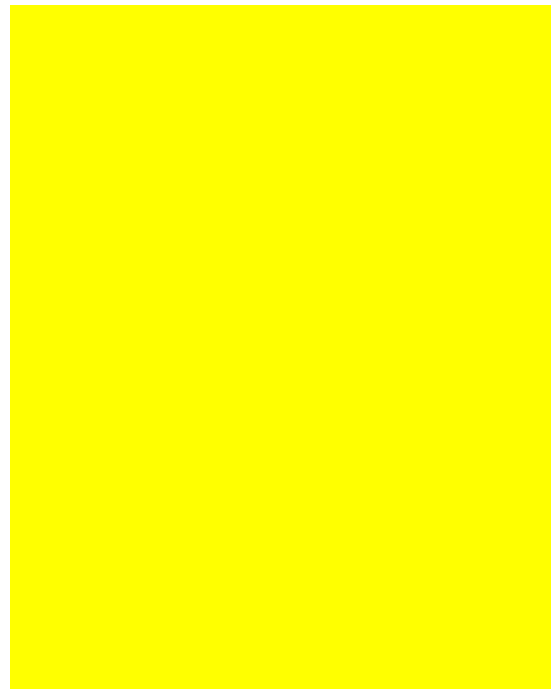
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Operators*

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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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## **Complaints regarding use of beacons and hazard lights**

RIES have received a number of complaints in relation to the use of beacons and hazard warning lights. Basically operators are using leaving beacons on when moving along the road at a speed which does not constitute a risk to other traffic, i.e. slow moving. For example a tilt and slide with a vehicle on the bed and travelling at the legal speed for that vehicle and having flashing beacons on.

Let's be clear about this, beacons should only be used when stationary or when slow moving and posing a danger to other traffic. To use them in any other way degrades the proper use meaning.

Secondly it seems to be more and more prevalent that vehicles being towed on a spec lift have hazard warning lights left on instead of attaching either a trailer board or magnetic

lights being used. Operators who have a PAS standard or who are working for motoring groups know what is required when a lift and tow operation is used. One might ask the question, "if hazard warning lights are used, how does a following motorist know which way the vehicle is turning when a junction is reached?"

RIES would ask all operatives to visit this issue and ensure your company applies professional standards.

