



# AVRO News

*Association of Vehicle Recovery Operators*

**Issue 50**

**November 2017**

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## Consultation opens on new HGV Safety Permit as part of the Mayor's Direct Vision Standard

Londoners and stakeholders have been invited to give their feedback on a proposed safety standard permit scheme for HGVs as part of the Mayor and Transport for London's (TfL's) work to reduce danger on the capital's roads.

The proposed HGV Safety Permit Scheme would require all HGVs over 12 tonnes to hold a safety permit to operate in London from 2020. The specifics of the permit will be developed next year, following this consultation, but could include specific safety systems such as sensors, visual warnings and comprehensive driver training. The permit would evolve over time to set increasingly ambitious requirements as technology advances.



The development of the proposed permit scheme forms part of the Mayor and TfL's Vision Zero approach to eliminating all deaths and serious injuries from London's roads by 2041. Research by TfL shows that in 2015, HGVs were involved in disproportionately high numbers of fatal collisions with cyclists (78%) and pedestrians (20%) on London's streets, despite only making up 4% of the overall miles driven in the capital.

Alex Williams, TfL's director of City Planning, said: "The number of deaths each year involving HGVs is a tragedy and we are committed to changing this. We welcome feedback from the industry and all other road users on our latest proposals for the HGV Safety Permit Scheme, as we work together to improve vehicle safety."

The HGV Safety Permit Scheme widens TfL's approach beyond direct vision as it helps to address a broader range of road danger risks. The forthcoming Direct Vision Standard will be the first initiative of its kind to categorise HGVs depending on the level of a driver's direct vision from a cab. HGVs will be given a rating between 'zero-star' (lowest) and 'five-star' (highest), with only those vehicles rated 'three-star' and above, or which have an advanced safety system allowed on London's streets by 2024.

The expertise of both industry experts and vulnerable road user representatives has helped shape the proposals for the new HGV Safety Permit and they will continue to be an important part of developing plans for this. The details of the

*Continued on next page*

## Continued from previous page

Method for rating vehicles against the Direct Vision Standard will be included in this consultation. Confirmed star ratings will subsequently be published following feedback from the consultation.

Alongside developing the Direct Vision Standard and the proposed Safety Permit Scheme, TfL has also been lobbying the EC for changes in international vehicle safety and design regulations to push for long term improvements to future HGV fleets. As a result of this lobbying, MEPs recently

voted overwhelmingly in support of having standards of 'direct vision', which will be proposed by the EC when it overhauls vehicle safety rules early next year.

*The consultation is open until the 24 January 2018. Visit [tfl.gov.uk/direct-vision-standard](http://tfl.gov.uk/direct-vision-standard) to have your say.*

*Article courtesy of Commercial Fleet*



## Two companies fined after worker crushed to death

A vehicle recovery company and a recovery vehicle manufacturer have been fined after a worker died of crush injuries.

Southwark Crown Court heard how, on 31 May 2013, John Wallace, an employee of Ontime Automotive Ltd, was jet washing a twin deck recovery vehicle at the company's base in Hayes, Middlesex when the upper deck collapsed spontaneously, trapping him between the upper and lower deck. He died of his injuries at the scene.

An investigation by the HSE found the vehicle recovery equipment was poorly designed by a company called J & J Conversions Ltd. The upper deck, which was designed to fold down onto the lower deck, was only stable in its raised position if it was secured by two powered locking pins. It was possible to lower the locking pins if a control was operated and another device (that was intended to detect the position of the upper deck) was incorrectly operated by hand. Correct design would have used a device that could not be operated by hand to detect the position of the upper deck. Ontime failed to control this unsafe practice, as a limited number of employees within the company knew how to operate this device.

J&J Conversions failed to take appropriate measures to remedy the problem even after the

upper deck had violently collapsed on a previous occasion when the vehicle was owned by a third party.

J&J Conversions Ltd of St Peter Street, Winchester pleaded guilty to breaching Section 6 (1) of the Health and Safety at Work etc. Act 1974 and was fined £100,000 and ordered to pay full costs of £9,490.

Ontime Automotive Ltd of Waterside Drive, Langley was found guilty of breaching Section 2 (1) of the Health and Safety at Work etc. Act 1974 and were fined £50,000 and ordered to pay costs of £50,000.

Speaking after the hearing, HSE inspector Stephen Kirton said: "This was a tragic and wholly avoidable incident caused by poor design and the failure to control unsafe practices. "Any company designing, manufacturing or supplying equipment for use at work must ensure that its safe operation is correctly considered and engineered in, and that foreseeable issues are properly considered. Companies should also ensure that employees are correctly trained to use workplace machinery. Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards."

*Article courtesy of Health and Safety Executive  
[www.hse.gov.uk](http://www.hse.gov.uk)*

## New roadworthiness legislation is coming

The Department for Transport (DfT) recently published the response to a consultation, setting out the HGV periodic testing and inspections exemptions.

This forms part of a wider package of legislation on roadworthiness-related changes, which will come into effect from 20 May 2018.

### What this means

A significant number of specialised heavy vehicles will now fall into the scope of annual testing. These vehicles were previously exempt.

Most of these vehicles will need to be plated before they are tested - to declare their weight and load.

### Phased approach

DVSA will implement a phased approach for most vehicle types affected which will extend the date for compliance, under certain circumstances, beyond 20 May 2018 and up to 20 May 2019 at the latest. It's based on the Vehicle Excise Duty renewal date for the relevant vehicles.

This will help to make sure the implementation is carried out in a way that gives industry more flexibility

to balance out the testing of their fleet over a longer period.

### Advice for vehicle owners and operators

To stay compliant you should:

- Establish whether your vehicle is no longer exempt from annual testing
- Assess whether the phased approach applies to your vehicle
- Make sure your vehicle's safety inspections are up to date if the phased approach applies to you and you intend to defer testing beyond 20 May 2018.
- Apply for your plates and book the vehicle's test in good time before your vehicle needs to be tested.
- Ensure your vehicle has a valid goods vehicle testing certificate in place by the point of Vehicle Excise Duty renewal after 19 May 2018.

To read more about the phased approach, please see page 4



Driver & Vehicle Standards Agency

Welcome to our new Associate members:  
AFF Holdings Ltd (Auto Fuel Fix) in Basingstoke  
mobile fuel drain - specialist service provider - national & 24/7

The Parts Alliance in Solihull  
distributors of car parts to garages/workshops

Welcome to our new members:  
Gallows Wood Recovery, Barnetby Le Wold, Region 3  
Autotowing Ltd, Limerick, Region 15  
Autocraft Recovery Ltd, Region 15  
Baltinglass Towing & Recovery, Region 15



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## Roll-out of testing for newly in-scope specialised heavy vehicles

Certain heavy vehicles, **based on an HGV chassis**, will lose their plating and testing exemption on the 20 May 2018.

These categories of vehicles are:

- mobile cranes
- breakdown vehicles
- engineering plant and plant, not being engineering plant, which is movable plant or equipment being a motor vehicle or trailer (not constructed primarily to carry a load) especially designed and constructed for the special purposes of engineering operations
- trailers being drying or mixing plant designed for the production of asphalt or of bituminous or tarmacadam
- tower wagons
- road construction vehicles (but not road rollers and other specialised equipment not based on an HGV chassis)
- electrically propelled motor vehicles first registered since 1 March 2015
- tractor units pulling exempt trailers
- motor tractors and heavy and light locomotives exempted under sections 185 and 186 (3) of the Road Traffic Act 1988, where these are based on an HGV chassis
- heavy goods vehicles and trailers on the Isle of Bute
- heavy goods vehicles and trailers on Arran, Great Cumbrae, Islay, Mull, Tiree or North Uist, which are used on mainland Great Britain

The DfT has decided to adopt a phased approach for vehicles coming into the scope of testing.

This approach will allow the phasing in of the new requirements beyond 20 May 2018 and up to 20 May 2019, for most of the vehicle types affected. However, **all** vehicles will require a Goods Vehicle Testing Certificate before their Vehicle Excise Duty

(VED) renewal date in the course of that year **at the latest**.

This approach will smooth out the annual profile of tests and give industry more flexibility to balance out the testing of their fleet over a longer period.

### Detail of approach to phasing in testing

#### Eligibility

The phased approach is only for motor vehicles that:

- 1) are not in the list of excluded vehicle types below
- 2) were first registered before 20 May 2017
- 3) are currently (until 20 May 2018) exempt from statutory roadworthiness testing (the change being effected by SI 2017 No. 849)

All other vehicles must have a valid Goods Vehicle Testing Certificate in line with the statutory requirements. For newly-in-scope vehicles, this applies from 20 May 2018.

The following vehicles types are excluded from the phased approach (all these vehicles must have a valid Goods Vehicle Testing Certificate from 20 May 2018):

- motor vehicles to be used in international traffic
- mobile concrete batching plant (also known as volumetric concrete mixers) (owing to other potential regulatory changes applicable to them)
- newly-in-scope tractors (i.e. those with a design speed over 40km/h used for non-agricultural haulage beyond a radius of 15 miles from their operating base)
- trailers, of all types

#### Phased approach

For this to apply to eligible vehicles, the following conditions must be met:

1. a valid Goods Vehicle Testing Certificate must be held at the time of the vehicle's first VED renewal date after 19 May 2018.

*continued on next page*



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## Roll-out of testing for newly in-scope specialised heavy vehicles Cont'd

2. for vehicles without a Goods Vehicle Testing Certificate after 19 May 2018, records of the date and outcomes of at least the most recent "safety inspection" (as opposed to general maintenance) must be available for inspection by enforcement authorities if required - the person undertaking the safety inspection must be technically competent and operationally aware of the safety standards that apply to the vehicles they examine
3. the safety inspection is required to be conducted in line with DVSA's published guidance within the Guide to Maintaining Roadworthiness Manual

4. vehicles must be in a roadworthy condition at all times

Providing the above conditions are met, enforcement authorities will not take enforcement action for not having a valid Goods Vehicle Testing Certificate in place after 20 May 2018 and prior to the VED renewal date.

Enforcement action may be taken if the vehicle is not in a roadworthy condition.



Driver & Vehicle Standards Agency



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

01274 214614

## Petition to create a law for road side safety when recovering vehicles

So, we've had some great news. The government have now accepted our slow down move over Petition. Let's get them 100,000 signatures. Together we can smash this and get a safer environment for everyone working on the roads, whether it be recovery, roadworks or any job that involves you being on the roadside. We need as many people to sign this as possible so please share/spread the word to family, friends and loved ones. Thanks in advance for your help. The

petition is live and active now, just go to <https://petition.parliament.uk/petitions/202302>. Together we CAN do this!

At 10,000 signatures, government will respond to this petition.

At 100,000 signatures, this petition will be considered for debate in Parliament

*Taken from a facebook post by Matt Westie*

## "Christmas recovery style" party in Tullamore raises a fantastic amount for AVRO Benevolent fund

WOW WOW WOW WHAT A NIGHT!!

A fantastic €6,000 made at the auction for the AVRO Benevolent Fund.

Items auctioned included:

A Tribant, a weekend in the Clink Hotel, a hotel voucher, a spa voucher and a camera.

A huge thank you to all who sponsored the prizes and donated raffle prizes.

Thanks to everybody who bought a raffle ticket (willing or not!).

Thanks to the Tullamore Court Hotel - the staff were awesome.

Thanks to all our friends from the UK who travelled from north and south to join in the festivities.

Thank you to the Trustees of the Benevolent Fund for all your unpaid work, without you, there would

be no Fund, and the amount of good that you have done is fantastic.

Thanks again one and all.

Money raised included:

€6,000 from Auction

€1,500 from Raffle

€1,150 from Donations

Giving a grand total for the AVRO Benevolent Fund of €8,650 - what a fantastic amount!

*Eamon Kelly*



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## Positive response to IVR return to Stratford upon Avon

Since the announcement the IVR would be returning to Stratford upon Avon for the Annual General Meeting (AGM) weekend, the feedback has been reassuring. Although the hotel had proved highly popular the Institute had considered changing the 2018 venue as following the extensive refurbishment the hotel had been upgraded from a Holiday Inn to a Crowne Plaza,



with the associated increase in prices. A comprehensive search for another hotel, which could accommodate the number of guests, showed that even with a change of location the accommodation packages, which have remained the same for four years, would have to increase. Therefore the decision was made to go back to Stratford upon Avon.

Bookings are now being taken for the event and the 2018 package costs are;

### Friday 2 / Saturday 3 March

Double or Twin room with breakfast (includes two tickets to the Gala Dinner) £325 inc VAT

Single room with breakfast (includes one ticket to the Gala Dinner) £245 inc VAT

### Saturday 3 March only

Double or Twin room with breakfast (includes two tickets to the Gala Dinner) £225 inc VAT

Single room with breakfast (includes one ticket to the Gala Dinner) £145 inc VAT

The format of the weekend is yet to be confirmed but the AGM will be held on Saturday 3 March, with only IVR members being eligible to attend. In the evening all are welcome to join the IVR Council at the Gala Dinner, which will include the presentation of the Jack Ovenden Award 2018 for 'Outstanding Student of the Year'.

For more information or to book your accommodation package please contact the IVR office at [mail@theivrgroup.com](mailto:mail@theivrgroup.com) or call 01895 436426.

To keep up to date with IVR and industry news, see an overview of IVR modules, find a trainer and much more go to the IVR's new website [www.theivrgroup.com](http://www.theivrgroup.com) or follow the Institute on



### Christmas closure

AVRO Head Office will be closed from 5 pm on Friday 22nd December 2017, reopening at 9 am on Tuesday 2nd January 2017. The telephones will be diverted during the break, so phone calls and e-mails will be answered.



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## Is your brake testing up to standard?



For most of you, regular brake testing is standard practice and shows that you're committed to running your fleet compliantly and protecting other road users.

But not all operators are so careful and the results can be devastating.

In our latest Moving On blog post, DVSA Enforcement Policy Manager Dave Wood tells you what you can do to make sure your vehicle's brakes are up to scratch. <https://movingon.blog.gov.uk/2017/11/07/is-your-brake-testing-up-to-standard/>



## Motorists warned of DVLA scam messages

Bogus emails and text messages are being sent by scammers posing as DVLA.



Motorists are being targeted by fraudsters pretending to be the DVLA in an attempt to pry information or money out of drivers.

One of the messages reads: "FINAL REQUEST: DVLA Swansea have been trying to contact you. Click below for more information" followed by a bogus URL address.

Another reads: "We would like to notify you that you still have an outstanding vehicle tax refund of £48.84 from an overpayment, despite our previous letters regarding your refund we are yet to receive your claim."

It continues: "Requests for refunds are time limited, please use the link below to complete your refund request" with a link below saying "Get Started."

The DVLA website advises: "Links to a website mocked up to look like a DVLA online service are sometimes included in the message.

"We don't send emails or text messages with links to websites asking you to confirm your personal details or payment information.

"We strongly advise anyone who receives such a request not to open the link and delete the item."

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



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## Overloading and drivers' hours issues cost Scorpion Engineering fleet increase

A Swindon-based recovery firm has been denied an increase in fleet authorisation until there is clear evidence that it has eradicated drivers' hours and overloading issues.



Scorpion Engineering was found to have operated an overweight vehicle on more than one occasion; allowed breaches of the drivers' hours regulations to take place; and allowed one driver to almost habitually create false tachograph records.

According to evidence presented by the DVSA at a public inquiry in Bristol last month, a driver was discovered to have exceeded the four-and-a-half hours driving limit on four separate occasions when he was stopped at Boston Spa weighbridge earlier this year.

A separate encounter at the same weighbridge found that another driver had exceeded 10 hours of driving and had taken insufficient daily rest within a 24-hour period. The 7.5-tonne truck was also overloaded by 500kg.

West of England traffic commissioner (TC) Kevin Rooney discovered that the company had no systems in place to identify such offences.

He found no evidence to suggest that director Nigel Hannon had pressurised drivers to commit hours offences, but did not accept Hannon's claim that the overloading was a miscalculation, as it happened again at a later date.

Issues with maintenance inspection documentation was also identified, including brake efficiencies and tyre tread depth not being recorded.

The TC also noted shortcomings with driver defect reporting. Defects were not signed off as rectified and often appeared on repeated inspection sheets.

Rooney said it would be disproportionate to put the firm out of business, as it had brought in a new transport manager, an external trainer/consultant and company secretary with background in systems and controls.

However, he refused to grant Scorpion Engineering permission for an additional three vehicles and four trailers until it put things right.

"Any future application to increase licence authority will be more likely to succeed if accompanied by a comprehensive third party audit of all compliance systems and with specific attention paid to journey scheduling, tachograph analysis, unaccounted driving and maintenance," Rooney said.

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

# Commercial Motor



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## London Freight Enforcement Partnership seizes more than 200 vehicles

The London Freight Enforcement Partnership (LFEP) has seized more than 200 vehicles and issued more than 9,000 fixed penalty notices and traffic offence reports during its first 2 years.

A joint partnership between TfL, City of London Police, DVSA and the Metropolitan Police Service, it targets dangerously non-compliant drivers, vehicles and operators on London's roads.



Since the launch, more than 33,000 freight vehicles have been stopped and checked, and 9,114 fixed penalty notices and traffic offence reports have been issued, acting as deterrents and forcing operators to improve their standards.

The multi-agency approach to road safety has led to 106 arrests, 221 vehicles sized and 12 operator licences being revoked, sending a clear message that dangerous freight practices will not be tolerated.

More than 5,600 mechanical prohibitions have been issued to operators with seriously defective vehicles that are deemed unsafe to travel on London's roads, in line with the Vision Zero approach to reduce road danger and eliminate death and serious injuries from collisions on London's roads by 2041.

In 2015, HGVs were involved in 20% of pedestrian fatalities and over 70% of cyclist fatalities despite only making up 4% of road mileage every year in London.

By sharing intelligence between partnership agencies, the Freight Compliance Unit is the UK's first multi-agency unit that uses its intelligence to coordinate

targeted checks on the routes where there is history of particularly bad practices by operators.

The partnership works towards 4 strategic aims, to improve air quality, to improve road safety, to reduce congestion and to promote fairness within the trade. All of LFEP's activities contribute to these aims and this is made clearer by the rigorous checking process that takes place at every compliance stop.

Leon Daniels, TfL's managing director of surface transport, said: "We are determined to rid London of dangerous freight operators who flout the rules and have no regard for safety.

"By sharing information between enforcement agencies the most unsafe operators are identified, targeted, prosecuted and referred to the independent traffic commissioners.

"We take our responsibility to reduce road danger extremely seriously and we are working across our organisation and with our partners to eliminate death and serious injuries from London's roads by 2041."

Russell Simmons, DVSA's traffic enforcement manager for the Industrial HGV Taskforce, said: "DVSA is committed to protecting you from unsafe drivers and vehicles.

"There's no excuse for driving while tired, with mechanical defects or with an overweight or unstable load. Those on London's roads who break the rules are putting themselves and others at risk.

"Working alongside our colleagues in the police and TfL, we'll crack down on rogue drivers and operators, making London's roads safer for all."

*Article courtesy of Commercial Fleet  
www.commercialfleet.org*



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## Vehicle Safety Recalls—September 2017

DVSA Reference number	Make and model	Issue
R/2017/238	Ford: Kuga, Focus, C-Max	B-pillar trim insulation too close to the seat belt pretensioner, which may cause a fire in the event of a crash
R/2017/241	Ford: Kuga, Focus, C-Max	Side and/or knee airbag may fail to deploy in a collision
R/2017/242	Mercedes-Benz Trucks: Actros, Antos, Arocs, Econic	Gearshift bolt may loosen
R/2017/169	Mercedes-Benz Trucks: Arocs	Rear axles may crack / fracture
R/2017/252	Mercedes-Benz Car: Smart ForTwo, Smart ForFour	Steering knuckle incorrectly manufactured and may fail
R/2017/255	Dacia: Duster	Incorrect wiring in horn system can cause one or more safety faults, possibly affecting airbag deployment
R/2017/256	Jeep: Compass, Patriot	The occupant restraint controller (ORC) may not operate as intended, affecting seat belt and airbag function
R/2017/259	Mercedes-Benz Trucks: Antos, Arocs	Rear axles may crack / fracture
R/2017/260	Mercedes-Benz Trucks: Atego 967, Atego II	Rear axles may crack / fracture
R/2017/261	Mercedes-Benz Trucks: Arocs 964, Atego 967, Atego II	Rear axles may crack / fracture
R/2017/263	Mercedes-Benz Trucks: Actros 963, Antos 963	Rear axles may crack / fracture
R/2017/264	Mercedes-Benz Trucks: Actros 963, Antos 963, Actros II III, Arocs 964, Axor II	Rear axles may crack / fracture
R/2017/267	Mercedes-Benz Car: GLE, GLE Coupe	Engine Control Unit has not been correctly programmed and may cause the engine to shut down incorrectly when braking
R/2017/271	Citroen: C4 Cactus	Bonnet striker may be insecure
R/2017/272	Dennis Eagle: Elite 2, Access	Steering arm may fracture
R/2017/273	Ford: Ranger	Rear driveshaft may become damaged resulting in loss of drive
RCOMP/2017/010	Ford: Transit RWD	Brake disc bolt holes have incorrect thread
RM/2017/029	Piaggio: Medley 125	Frame may crack
RM/2017/032	Suzuki Motorcycles: UK110	Poor soldering to ignition switch
RTW/2017/001	Continental: 245/45 R18 100Y XL Premium Contact 6	Tyres may develop an uneven shape in the tread area



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# BACKUP

your knowledge

- Keynote speaker Senior Traffic Commissioner Richard Turfitt will address a selection of current regulatory topics.
- Our multi-disciplinary team of solicitors and guest-speaker Senior Traffic Commissioner Richard Turfitt will deliver a panel discussion covering topical regulatory, employment and contract issues including reaction times to offences, the continuous management of employees, sub-contracting and the sharing of operator licences.
- Jonathon Backhouse will speak about the regulatory issues concerning fatal incidents.

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## FREE Compliance & Transport Law Seminar

for Business Owners,  
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**30 January 2018**

Imperial War Museum,  
Duxford, Cambridgeshire  
CB22 4QR

**09:00 - 13:00**

breakfast and lunch on the **HOUSE**

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[backhousejones.co.uk](http://backhousejones.co.uk)



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## For Sale

A recovery operator has a kitted out air cushion unit for sale.

Anyone interested please contact Head Office for full details of content. Photos available upon request.

## Free guide to safe, stress free driving over Christmas

Winter weather could hit at any point, so make sure you are prepared. Pack your vehicle with winter essentials in case you get stuck in the cold - warm clothes, blankets, some food and water, a torch, mobile phone and charger, and a travel snow shovel are all useful in wintery conditions.

The day before you travel, check the weather forecast to see if there is a risk of heavy rain, freezing temperatures or snow, and leave extra time if there is so you can take it easy and drive carefully without needing to rush.

For more great tips and advice, the free Christmas guide is the latest in the series of helpful advice guides from The Fuelcard People, our preferred fuel card supplier. And as it is Christmas, although the tips will be useful to you, the main aim is to put a smile on your face in time for your Christmas break. Download for free today at [www.discountfuelcards.co.uk/driving-home-christmas/](http://www.discountfuelcards.co.uk/driving-home-christmas/)

**Our Top Tips For Stress Free, Safer Journeys Over The Festive Period**

**Driving Home For Christmas**

*Merry Christmas!*  
from the   
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