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# ANNUAL REVIEW 2023

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Construction Plant-hire Association  
[www.cpa.uk.net](http://www.cpa.uk.net)







# WELCOME TO OUR ANNUAL REVIEW 2023

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## OFFICE BEARERS

At the AGM on 10th October 2023, the following Council members were elected and confirmed for the period 2023–2024.

<b>PRESIDENT</b> <b>BRIAN JONES</b>	<b>IMMEDIATE PAST PRESIDENT</b> <b>BOB COLLINS</b>	<b>CHAIR</b> <b>STEVE MULHOLLAND</b>	<b>VICE CHAIR</b> <b>SIÔN MORGAN JONES</b>
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**COUNCIL MEMBERS**

South West	Darren Blackburn	Plantforce Rentals Ltd
South East	Warren Wilkinson	Explore Plant & Transport Solutions
South Eastern Counties	Kirsty Archbold-Laming	Southern Hoist Services
Southern Counties	Phil Leahy	Sunbelt Rentals UK
Greater London	Kevin Smith	SCCS Survey Equipment Ltd
West Midlands	Aaron Davis	P. Flannery Plant Hire (Oval) Ltd
East Midlands	David Simmons	Sinbad Plant Ltd
East Anglia	Bernie Chapman	W R Chapman & Son
North West	Daniel Thompson	Speedy Hire Plc
Yorkshire	David Holder	HTC Wolffkran Ltd
Northern Counties	Mark Anderson	GAP Group
Scotland	Steven Mulholland	Thomas Plant Hire (Chair)
Wales	Siôn Morgan Jones	ACOP Group Ltd (Vice Chair)

**CO-OPTED**

Nadine Clark	
Ian Gordon	
Chris Gill	L Lynch Plant Hire & Haulage
Steve Wright	Sir Robert McAlpine
Garry Orr	Synergy Hire Ltd

**LIFE MEMBERS**

Colin Wood, Bill Law, Denis Morgan
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**CHIEF EXECUTIVE**

Stu McInroy	CPA Chief Executive (Appointed June 2023)
Kevin Minton	CPA Chief Executive (Stood down June 2023)

## PRESIDENT'S MESSAGE TO MEMBERS



**This is the sixth year that I have the privilege of addressing you as President of the CPA, having been elected to post in October 2017 following six years as CPA Chairman.**

**Firstly, I would like to thank our current Chair Steven Mulholland for the work he has put in through the year, together with all members of CPA Council. The Chair and Council Members are volunteers from within the CPA membership, and it shows considerable dedication and loyalty to the Association that they have been willing to give up their time to attend meetings and make contributions to Council matters. I also thank those Member companies that have supported their Council Members in this work. I also wish to thank Bob Collins – my predecessor as President – for his support throughout this year as Immediate Past President.**

### **MEMBERSHIP**

Following the trend of previous years, CPA membership has continued to grow steadily, although we remain cautious about the effects of supply chain disruption and rapid increases in energy prices and the cost of doing business. Membership stood at 1874 at December 2023. This is a net increase of 28 Members over the previous year. We did lose some Members during the period, mainly due to retirements, acquisitions and unfortunately some receiverships. However, the number of new entrants more than offset those losses, and we welcome all of these new Members to CPA.

### **SKILLS AND TRAINING**

The Association continued to work with the Construction Industry Training Board (CITB), to get the best forms of support and grant aid for our Members and the wider plant sector. CITB itself continues to restructure its grant

aid programmes, and CPA has contributed significantly to this work. The last CITB consensus process in 2021 resulted in CPA returning a response that CPA Members agree that the Levy proposals are necessary to encourage adequate training in the construction industry. Members will be voting again in 2025, and we will be able to discover whether that overall view remains valid.

CPA continued work leading the operation and development of the Plant Sector Representative Organisation (PSRO), which is a cooperative project involving seven employers' associations, including the Scottish Plant Owners Association, CECA, Build UK and others. This project is helping to align training and assessment schemes for a future supply of skilled operatives, in line with Construction Leadership Council requirements. PSRO also sets out to encourage transparency and efficiency amongst schemes.

PSRO is now an independent company, registered at Companies House, and has its own website with information about its activities and relevant plant card schemes. It has published a Competency Framework, and has been referenced by CSCS as the Sector Representative Organisation for plant.

All plant-related card schemes who wish to carry the CSCS logo will be required to demonstrate compliance with the PSRO Competency Framework. There is a Memorandum of Understanding which clarifies the relationship between PSRO and CITB; and CPA has also significantly supported joint work between PSRO and the



CPA CONTINUES TO TAKE A **CRUCIAL ROLE IN LEADING, COORDINATING AND SUPPORTING** WORK ON **DEVELOPING** NEW APPRENTICESHIPS FOR OUR SECTOR.

## CPA STARS OF THE FUTURE

Our 'Stars of the Future' apprentice awards event for 2023 took place near Coventry. This was the eleventh running of the event, which was first held in 2013 at Plantworx. Over 100 nominations were received for the 2023 awards, the highest ever entry figure, and almost 350 people attended the event.

A total of 11 industry judges were drawn from the CPA team, CPA Council, Members, external companies and independent judges - I thank them all for the considerable amount of time they each put into assessing the numerous entries. Reflecting the growing status of the event and the cooperative, mutually supportive philosophy that has underpinned it from inception, a number of companies agreed that they should jointly and equally support the event as event sponsors, rather than having one lead sponsor.

Stars of the Future 2023 was held in association with event sponsors CRJ Services, Flannery Plant Hire, GAP Group, L Lynch Plant Hire & Haulage and Sunbelt Rentals, and award sponsors ACOP Group, Liebherr, M O'Brien Plant Hire, NOCN Group, Plant Planet, Southern Hoist Services, Tower Staff Construction and Wolffkran.

I thank all of these companies - without their willingness to support the event and work together, we would not be able to recognise and reward the apprentices and learners in such a high profile way. I congratulate all the winners and participants, and wish them well in their future careers.

Supply Chain Sustainability School in producing an eco-operations training delivery framework.

Since 2019, we had represented our Members' interests at the highest level within NOCN Job Cards, as well as in practical terms in working groups. This reflected the fact that many CPA Members will have employees who hold a CPCS card, and nearly all of the machinery owned by Members will be operated at some point by an operator who holds a CPCS card.

In December 2022, CPA Council agreed that there was no longer a requirement for CPA to hold board level positions at NOCN Job Cards. Trevor Gamble, who is a member of CPA Council and who has served for many years as Chairman of the CPCS Management Committee, and Kevin Minton, the CPA Chief Executive, therefore resigned from the NOCN Job Cards

Board. We retain a good working relationship with NOCN, and have representation on the industry liaison group and the technical group, which have replaced the former CPCS Management Committee. I thank Trevor and our other CPA representatives for their work and commitment to the scheme.

CPA continues to take a crucial role in leading, coordinating and supporting work on developing new apprenticeships for our sector. These new standards-based apprenticeships are an essential part of our ability to compete for the best talent with other sectors, and an essential component of allowing employers a choice of routes and methods of recruitment, training and development. I thank the CPA Members who have given their time and expertise to this important work.

## CPA CONFERENCE 2023

The CPA Conference was hosted near Coventry in November. The theme of the Conference was 'Facing the Challenges in the Plant-hire Sector' and there were panel sessions on the core issues of most importance to our members right now, such as fuels of the future and theft and fraud within our industry.

With around 200 attendees, almost 20 speakers and 20 exhibitors, the CPA Conference 2023 was our biggest yet. You can read more about the CPA Conference later in this Annual Review.

## POLICY AND GOVERNMENT

The CPA continues to work closely with government and other key stakeholders, on the future of the industry and its route to decarbonisation. The industry recognises its role in transitioning to alternative fuels, however, this has to happen in a way which does not penalise the industry, is fair, and proportionate. Profit margins and pressures on business investment remain acute.

A survey of CPA members in October, found continued worries around the current economic climate and willingness to invest in new equipment. The Super Deduction Allowance was replaced with the Full Expensing Allowance, at Budget 2023. The government sees Full Expensing as a tool to boost business investment. However, like Super Deduction, the hire and leasing industries are currently excluded from claiming the Full Expensing Allowance. Following CPA lobbying, we are now members of a Treasury led working group looking at the

technical aspects, and legislation needed, to extend Full Expensing to the plant-hire industry. We hope further information and details will be available across 2024 as the industry continues its steps towards a diesel alternative – with government supporting, not penalising, the industry.

## SPECIAL INTEREST GROUPS

The CPA Special Interest Groups have continued to work hard, despite the challenging conditions and the many other pressures on the Chairs' time and the members' time. I thank all of the Chairs and the members of all of our groups for their time and willingness to contribute their expertise in creating the industry leading authoritative technical guidance. That guidance is the hallmark of the Special Interest Groups and adds considerable value and influence in the industry. I also thank the companies from across the industry that allow their staff the time to contribute to this vitally important work.

Many of the groups have valuable input from the Health and Safety Executive (HSE). We are very grateful for this liaison, as it helps add authority to our work, and also of course supports HSE's aims. This liaison is also crucial to the work of the Plant Safety Group, which is led and administered by CPA. There is more detailed information on the work of these groups later in this Annual Review.

## CPA MANAGED GROUPS

The CPA-led Construction Industry Plant Safety Group (formerly known as the Strategic Forum PSG) continues to work with other industry stakeholders to bring

about a continuous reduction in the rate of injuries and ill-health caused through the operation and installation of plant in the construction industry by the development and production of specific guidance documents, including a major revision of guidance on avoiding trapping and crushing injuries when working at height in MEWPs.

CPA is also providing a support service to the Industry Lead Lifting AP Group, which brings experts from the lifting sector together to share good practice and make lifting operations safer.

## RAIL PLANT ASSOCIATION LIMITED (RPA)

I thank Paul Helks who ably and expertly led the RPA Management Committee. I also thank all of the members of the RPA Management Committee for their expertise and support over the year. The RPA continues to work to create the highest possible safety standards in the rail industry.

The RPA took a major step forward in late 2022 by engaging Steve Featherstone on a consultancy basis to represent RPA Members' interests with Network Rail and other stakeholders. As a former Director of IP Track at Network Rail, Steve is well placed to understand the principles of engagement and underlying economic and technical arguments that RPA needs to make in order to secure a better business environment in future.





THE CPA CONTINUES TO HAVE A **STRONG STAFF TEAM,**  
**WITH PROFESSIONAL SUPPORT** FROM OUR  
 EXTERNAL CONSULTANTS AND ADVISORS.

### THE CPA TEAM

In Spring of 2023, we were very pleased to welcome a new member of staff to the team: Katie Kelleher joined us as Technical and Development Officer. Katie is a high profile social media figure within our sector and has brought a wealth of practical knowledge, as well as a wide range of industry experience.

Stu McInroy joined the Association as Chief Executive in June 2023, however the CPA Council accepted his resignation in December and this will come into effect on 8th March 2024. On behalf of the CPA Council and the CPA team, we would like to thank Stu for his service to the CPA and wish him well in his future endeavours. We will announce further news about the position of CPA Chief Executive in due course.

The CPA continues to have a strong staff team, with professional support from our external consultants and advisors. CPA Council brings experience and authority to our decision and policy making, and the Special Interest Groups and other working groups are the vital engines that produce much of the output from CPA. But the most important part of this team are the Members. We can work together to help individual businesses and to improve the plant-hire sector collectively.

Your contribution is welcome, and I, together with the CPA team, look forward to supporting your businesses and working with you.

**Thank you for your valued membership of the Association.**



*B Jones*

**Brian Jones**  
 CPA President



### EXTENDING THE FULL EXPENSING ALLOWANCE TO THE PLANT-HIRE INDUSTRY

Building on our work in lobbying the Treasury to extend the now expired Super Deduction Allowance (SDA) to the plant-hire sector, the CPA took part in a series of working group meetings with officials from the Treasury and HMRC, to discuss options and ways to boost business investment amongst CPA members. Following our submission to the Treasury ahead of the March 2023 Budget, the CPA was invited by the Treasury to explore how the successor to the SDA, the Full Expensing Allowance, could be extended to construction plant-hire companies. The new allowance, like the SDA, currently excludes hire and leasing companies due to HMRC concerns around historic issues based on a fundamental misunderstanding on how the hire

industry works and who is claiming the allowance – the hirer or the company owning the equipment.

Throughout the year, the CPA has met with Treasury and HMRC officials to showcase and outline how the modern plant-hire industry works, and why in order to boost business investment in new, more environmentally friendly equipment, Full Expensing should be extended to our sector. This has included a survey of members on their current investment intentions and what, in an economically uncertain environment, is holding up investment decisions, as well as demonstrating to Treasury, the differences between the hire and leasing industries.

While a final decision has yet to be made at the time of writing, we are hopeful as part of this year's Autumn Statement, this work has





THE CPA IS A MEMBER OF TWO SEPARATE WORKING GROUPS LOOKING AT THE EVOLUTION AND MOVE TOWARDS **ZERO DIESEL USAGE** AND WHAT STEPS THE CONSTRUCTION SECTOR IS TAKING TO REDUCE THE USE OF DIESEL ON SITE.



highlighted the discrepancies and inconsistencies in the approach of the Treasury, and why fundamentally, it is right that the Full Expensing Allowance is enhanced and modified, allowing the plant-hire sector to apply for it.

### DECARBONISATION AND NET-ZERO

Throughout the course of the year, the CPA has worked closely with members and key stakeholders across government and within the industry, on the impact of decarbonisation and the move towards the fuels of the future. While diesel will still be used widely across the construction sector, increasingly the market and sector are increasing efforts to explore and source alternative fuels.

As part of this work, the CPA has met with officials from both the Department of Transport and the Department for Energy Security and Net Zero to discuss our concerns on the Government's approach to the NRMM sector and the continued delays with the final publication of the Low Carbon Fuels Strategy, a report which the CPA responded to in Spring 2022.

While fuel prices remain high and the switch from red diesel to white and the removal of the rebate continues to be felt, in submissions to the Treasury, we have called for the Government to reinstate on a temporary basis, the rebate for biofuels such as HVO. We have also called for clarity and leadership from Government in the switch to alternative fuels for the NRMM sector.

Working with the Construction Leadership Council, the CPA is a member of two separate working groups looking at the evolution and

move towards zero diesel usage and what steps the construction sector is taking to reduce the use of diesel on site. The CPA has consistently called for Government, stakeholders, and the industry to work together in achieving this aim, helping companies meet the targets set by Government, while also remaining competitive.

As part of our submission to the Air Quality Strategy by Defra, we highlighted the need to avoid penalising companies who are unable to invest in new equipment, while dealing with misguided attempts by government or local authorities, to impose clean air zones or offer preferential contracts and treatment to companies with zero emission construction plant. This work will continue in the coming year with the formulation of a new CPA Future Fuels and Decarbonisation working group which will bring together members and stakeholders from the wider construction industry in taking and understanding further, the impact and opportunities available to the plant-hire sector.

### **ENGAGING WITH STAKEHOLDERS ACROSS THE INDUSTRY**

The CPA continues to engage with key industry bodies and stakeholders from across construction, allowing us to influence decision makers and showcase the work of the construction plant-hire sector. As a CITB Prescribed Organisation (POs), the CPA sits on the CITB Prescribed Organisation Leaders Forum, giving us the opportunity to work closely with the CITB as it prepares for the next round of levy orders and the CITB Consensus which is planned in 2025.

As part of this work, the CPA attends a series of regular meetings with the CITB and other POs to discuss upcoming CITB strategies and workplans, and what opportunities there are for members to take full advantage of the CITB's programme and workshops.

As a member of the Construction Industries Coronavirus Industries Forum, the CPA has engaged extensively with colleagues in Scotland on the pressures facing the Scottish construction industry, especially around the continued issues they face around supply chain vulnerabilities, the wider economic outlook and access to skills.

With Logistics UK, the CPA is a member of the Greater London and Southeast Freight Councils, and the Environmental Working Group. We have worked closely with Logistics UK in developing our position on the Direct Vision Standard and have written to Transport for London (TfL) expressing our concerns on the need for a proportionate and measured response to proposed changes to the current specifications of the standard. This work remains ongoing.

As a member of the CBI's Trade Association Council, we have worked on developments of the EU Retained Law Bill and looked to mitigate the impact of the Bill on health and safety and the regulatory environment around the construction sector. Internationally, we are taking forwards our membership of the European Rental Association (ERA) and its work on promoting the hire sector and the wider sustainability

agenda. We have also continued our membership of ESTA, the trade association for mobile cranes and abnormal loads transport.



THROUGHOUT THE YEAR, THE CPA HAS MET WITH TREASURY AND HMRC OFFICIALS TO **SHOWCASE AND OUTLINE HOW THE MODERN PLANT-HIRE INDUSTRY WORKS**, AND WHY IN ORDER TO BOOST BUSINESS INVESTMENT IN NEW, MORE ENVIRONMENTALLY FRIENDLY EQUIPMENT, FULL EXPENSING SHOULD BE EXTENDED TO OUR SECTOR.

AS PART OF OUR SUBMISSION TO THE AIR QUALITY STRATEGY BY DEFRA, WE HIGHLIGHTED THE NEED TO **AVOID PENALISING COMPANIES** WHO ARE UNABLE TO INVEST IN NEW EQUIPMENT.

THE CPA CONTINUES TO ENGAGE WITH KEY INDUSTRY BODIES AND STAKEHOLDERS FROM ACROSS CONSTRUCTION, **ALLOWING US TO INFLUENCE DECISION MAKERS** AND SHOWCASE THE WORK OF THE CONSTRUCTION PLANT-HIRE SECTOR.





**The UK's most promising apprentices and trainees in the construction plant sector were announced at the Stars of the Future Awards 2023.**

Just under 100 nominations were received for the CPA Stars of the Future Awards 2023 – an increase of more than 30% on the previous highest ever total. The awards scheme has been running for over 10 years and identifies some of the industry's brightest up-and-coming talent.

Almost 350 people attended the awards ceremony which was hosted at the Heart of England Conference and Events Centre in Fillongley, near Coventry, by former TV newsreader, presenter and journalist Merryn Myatt. The 11 CPA and industry judges involved described the competition this year as the 'most fiercely contested' awards yet, after the record number of entries. Due to the very high quality of nominations, additional sub-categories and special awards were subsequently introduced to recognise the exceptional talent and commitment of the nominees.

The awards ceremony was held in association with event sponsors CRJ Services, Flannery Plant Hire, GAP Group, L Lynch Plant Hire & Haulage and Sunbelt Rentals, and award sponsors ACOP Group, Liebherr, M O'Brien Plant Hire, NOCN Group, Plant Planet, Southern Hoist Services, Tower Staff Construction and Wolffkran.

On the day, the winners of each national category were as follows:

- **National Plant Mechanic of the Year (Level 2)** – John Murray of John Maciver & Sons and National Construction College Scotland
- **National Plant Technician of the Year (Level 3)** – Bradley Baker of GGR Group and The Growth Company
- **Hire Controller of the Year** – Teah Stapleton of Kilnbridge Construction Services

- **Young Plant Operatives of the Year** – Joint Winners Chloe Jones of Flannery Plant Hire and Harnoorpreet Singh Gill of L Lynch Plant Hire & Haulage
- **Plant Operative of the Year** – Roksana Przybylska of L Lynch Plant Hire & Haulage
- **Plant Installer of the Year** – Spencer Bond of Wolffkran
- **Lifting Technician of the Year** – Lee Tanner of Wolffkran
- **Individual Apprentice Mentor of the Year** – Dean Duru of Boels Rental
- **Group Apprentice Mentor of the Year** – Gez Bonner of L Lynch Plant Hire & Haulage
- **Best Personal Statement Award** – Shannon Bristow of Speedy Services and Askham Bryan College
- **Judges' Special Award** – Sean Palmer of Gorrel Equipment Solutions and Bridgend College

Stars of the Future was originally introduced to recognise outstanding Apprentice Plant Mechanics and Plant Technicians, but the scope of the event has been extended in recent years to reward further job roles in the construction plant sector and recognise new apprenticeships. Nationally, approximately 900 apprentices span the main plant-based occupations and the 2023 awards saw the introduction of two new awards categories at Stars of the Future – Young Plant Operative of the Year and Apprentice Mentor of the Year.

In 2023 Stars of the Future had a two-tier judging process – the CPA selection panel and a panel of external judges who decided the eventual winners of each category. The external judging panel included Arran Willis of Liebherr-GB, Siôn Morgan Jones of ACOP Group, Kirsty Archbold-Laming of Southern Hoist Services, Leigh Sparrow of Vertikal Press, Graham Black of Earthmovers Magazine, Tim Brownbridge of BAM Nuttall and independent judge Rob Allen.



Award winners received some fabulous prizes, including tool kits, training courses, iPads and an overseas trip to visit a Liebherr crane manufacturing plant in Germany, and we would like to congratulate all nominees and winners. The complete list of Stars of the Future 2023 category winners and those who were highly commended is on the CPA website, as well as in a special Stars of the Future commemorative brochure.



# A BIG THANK YOU

TO OUR SPONSORS AND SUPPORTERS OF CPA STARS OF THE FUTURE 2023

## Event Sponsors



FLANNERY



Sponsor of the Plant Mechanic of the Year Award



Sponsor of the Plant Technician of the Year Award



Joint Sponsors of the Lifting Technician of the Year Award



Sponsor of the Hire Controller of the Year Award



Joint Sponsors of the Plant Operative of the Year Award



Joint Sponsors of the Young Plant Operative of the Year Award



Provider of Additional Plant Operative Prizes



Sponsor of the College of the Year Award



Sponsor of the Apprentice Mentor of the Year Award



Sponsor of the Best Personal Statement Award



Sponsor of the Judges' Special Award



## CPA CONFERENCE 2023

**The many challenges facing the plant-hire industry at a time of ongoing political and economic uncertainty were discussed at the CPA's Annual Conference held on 9th November 2023 at the Heart of England Conference and Events Centre near Coventry.**

This was the CPA's eighth annual Conference and the best attended yet with more than 200 delegates and 20 sponsoring exhibitors.

More importantly, solutions and strategies to address these issues were also suggested in four panel discussions during the event, chaired by former BBC news presenter Merryn Myatt.

The first session addressed current issues facing 'The Plant-hire Sector in 2023' with four panellists: Asif Latief, most recently MD of Boels Rental UK who spent 17 years with Sunbelt Rentals (formerly A-Plant) and who became Chief Commercial Officer at Speedy Services in January; Chris Gill, Director of L Lynch Plant Hire & Haulage; James Atkinson, Vice President UK & Europe with industry data analyst Rouse Services; and Mark Anderson, MD North with GAP Group.

Speakers agreed that challenges also brought opportunities owing to the cyclical nature of construction and the ability of hirers to respond quickly to new market requirements. Hirers had to ensure their fleets still matched customer needs in terms of profile and quantity and that they embraced benefits offered by digitalisation and artificial intelligence (AI). And a common sentiment was that government should listen more to construction's needs and interests.

Five industry professionals participated in the second panel discussion entitled 'Fuelling the Future' and focused on the challenges of transitioning away from diesel: Adam Nicholson and Jim Haigh, respectively MD and Chairman/CEO of Eagle Platforms; Alasdair Reisner, Chief Executive of the Civil Engineering Contractors Association (CECA), Matt O'Hara, Head of Sales for Clean Energy with Sunbelt Rentals UK & Ireland; and Paul Mabey, National Account Sales Manager with JCB.

Panellists agreed that different energy sources, such as batteries, solar and hydrogen, suited different



machines and applications. Site managers and hirers should work together to devise the optimum solution while recognising that, in certain cases, clean diesel machines with Stage V engines would remain a sensible solution for some time.

Session three explored challenges identified by some of the CPA's Special Interest Groups, with participants comprising: Kirsty Archbold-Laming, Director of Southern Hoist Services and Chair of CHIG (Construction Hoist Interest Group); Peter Gibbs, Chief Operating Officer for Ainscough Crane Hire and Chair of the Crane Interest Group (CIG) for Mobile and Crawler Cranes; and Steve Featherstone, MD of Sachle Consultants who works as a consultant to the Rail Plant Association (RPA).





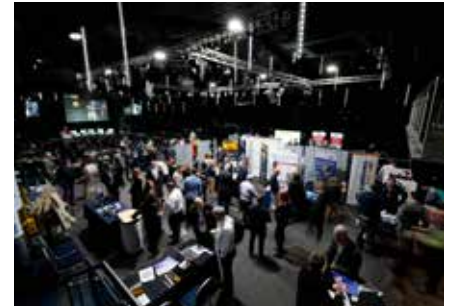
All agreed that the Special Interest Groups played a key role in representing member interests and needs, especially at times of challenge and change – but individuals had to make their views known and get involved in a spirit of collaboration.

The final session topic was 'Combatting Plant Theft and Fraud', with panellists including Superintendent Andy Huddleston, Head of the National Rural Crime Unit; Ian Elliott, Group Head of Security with Clancy Group who previously had 30 years' service with the Metropolitan Police; Joel Babb, Cyber Security Evaluator with Falanx Cyber; and Kevin Howells, CEO/MD of the CESAR Scheme from Datatag ID Ltd.

Speakers agreed that both plant theft and cybercrime were increasing sharply, especially following the ban on equipment sales to Russia after its invasion of Ukraine, which has led to a thriving black market. Hire companies and site managers had to take preventative measures, from recording equipment serial numbers and securely marking equipment, to ensuring computer systems are robust.

At the event tribute was paid to the companies who supported the Conference by exhibiting at the event. They included: Headline Sponsor Point of Rental Software, BigChange, Capja, CESAR Scheme from Datatag ID, CITB (Construction Industry Training Board), NOCN/CPCS (Construction Plant Competence Scheme), Equipment & Machinery Supply (EMS) Ltd, Genquip Groundhog, Go Plant Fleet Services Ltd, MHM Group, National Highways, Nexus Vehicle Rental, Plant Planet, Prolectric, Rouse Services, SQA (Scottish Qualifications Authority), Spartan Solutions, Thomas Group, Tobin Plant and VIN CHIP.

Trevor Lovell, Business Development Manager with Point of Rental Software, said: ***"It was an obvious move for Point of Rental Software to be Headline Sponsor because we have a passion about hire and play a big part in it. Attending the Conference enabled us to hear about the challenges hire companies face and the solutions that businesses like ours can provide by enabling them to make better informed decisions."***



<p>Headline Sponsor</p> 			
			
			
			
			 <p>The best by a distance</p>

# LEGAL ISSUES, TAXATION, INSURANCE, INDUSTRIAL RELATIONS AND PLANT THEFT

## LEGAL ISSUES

### ADJUDICATION

In the last twelve months, there has been five occasions where a member has had to contact the CPA to assist with the appointment of an adjudicator to deal with a dispute. We believe that this confirms that the updated CPA Model Conditions, together with the other conditions continue to clearly define the obligations and responsibilities of both parties. However, some disputes do instead go straight to court.

### LEGAL ADVICE

The CPA continues to advise and assist the membership on their day-to-day issues predominately on employment issues, road transport matters, contractual issues - particularly the CPA Terms and Conditions, insurance, taxation and plant theft.

### RPA TERMS & CONDITIONS 2023

In an effort to simplify and streamline the contractual relationship between RPA Members and their customers, it was proposed that a single contract was developed which addressed the various services that members offered to their clients: the supply of plant (and personnel), and/or services on behalf of their customer (under the POS Conditions).

This resulted in drawing certain clauses from the CPA's Model Conditions, the RPA Supplementary Conditions, and the RPA's POS Conditions into a single amalgamated document.

Throughout 2023, David Smith - CPA Legal Manager, Steve Featherstone - RPA Consultant



and Adam Godwin - CPA Communications Manager, collated all of the feedback which had been received from the RPA members into a draft document, which was then subsequently reviewed by Gately Legal LLP.

We are pleased to report that in October 2023, a few months ahead of schedule, the RPA circulated the new **Rail Plant Association (RPA) Terms & Conditions 2023** to the membership.

### CE MARKING ON PLANT AND EQUIPMENT EXTENDED

The government had announced that the CE Marking scheme placed on construction plant and equipment will continue to be valid until 30th June 2025. Previously, the government had indicated that the mark would cease being valid on 1st January 2023.

The government has published guidance documents relating to the supply of products to the Great

British (GB) market, with a separate document specifically aimed for the Northern Ireland market.

Both documents can be found at [www.gov.uk/guidance/construction-products-regulation-in-great-britain](http://www.gov.uk/guidance/construction-products-regulation-in-great-britain) and [www.gov.uk/guidance/construction-products-regulation-in-northern-ireland](http://www.gov.uk/guidance/construction-products-regulation-in-northern-ireland)

### LONDON ULEZ EXPANSION IN 2023

The Mayor of London had announced that the London Ultra-Low Emission Zone (ULEZ) will be expanded to cover the whole of Greater London from 29th August 2023.

The expansion requires all vehicles, including vans and private cars, to meet the ULEZ standard (Euro VI/6 for diesel and Euro IV/4 for petrol) to enter the capital or pay a daily charge.

Heavy Goods Vehicles (HGVs) over 3.5 tonnes have had to meet tougher London-wide Low Emission Zone standards since March 2021.

The announcement included the removal of the £10 per vehicle Auto Pay registration fee from 30th January 2023, and an increase of £20 in the penalty charge for non-payment of the ULEZ and Congestion Charge.

A £110m scrappage scheme had been set up for Londoners on low income and disabled Londoners, charities, micro businesses and sole traders to scrap or retrofit their non-compliant vehicles.

### NEW SENTENCING FOR DRIVING OFFENCES

As a result of the Police, Crime, Sentencing and Courts Act 2022 (PCSC Act), sentencing guidelines which the courts will impose on offenders convicted of motoring offences in England and Wales had been published by the independent Sentencing Council.

The Council had revised six of its existing guidelines to take into account new maximum sentences introduced for some offences under the PCSC Act.

Offences which resulted in a fatality as a result of dangerous driving, or as a result of careless driving when under the influence of alcohol or drugs, would now receive a life sentence. This was an increase from the pre-existing maximum sentence of 14 years.

The Council had also developed guidelines for offences which resulted from: causing serious injury by dangerous driving, causing serious injury by driving

while disqualified, and the recently introduced offence of causing serious injury by careless driving. Subject to which offence the individual was convicted of, the maximum sentence would be from two to five years imprisonment. Other new guidelines include causing injury by 'wanton or furious driving', which would apply when a cyclist causes death or injury; and driving or attempting to drive with a specified drug above the specified limit.

The courts would be able to impose these new maximum sentences from 1st July 2023.

### THE ROAD VEHICLES (AUTHORISED WEIGHT) (AMENDMENT) REGULATIONS 2023

In January 2023, the government published a draft Statutory Instrument (SI) regarding the Road Vehicles (Authorised Weight) (Amendment) Regulations 2023, which focused on Zero Emission Vehicles (ZEVs) and Alternatively Fuelled Vehicles (AFVs).

With all vehicles limited to a gross weight limit for that class of vehicle, ZEVs and AFVs were deemed placed at a disadvantage - due to their heavier sources of power, e.g., batteries - when compared to a standard Internal Combustion Engine (ICE) fitted with a petrol/diesel fuel tank. This disadvantage was then reflected with ZEVs/AFVs having a smaller cargo capacity to ensure that the vehicle's gross weight and/or its axle weights were not exceeded.

To compensate for the smaller cargo carrying capacity, the SI provided for a weight limit

increase of a flat two tonnes for certain ZEVs and up to one tonne for certain AFVs; however, no additional weight allowance for ZEVs or AFVs would apply over the existing maximum of 44 tonnes, and the maximum weight limits for individual axles would remain unchanged.

This subject was debated by the Grand Committee (secondary debating chamber) within the House of Lords on 23rd June 2023. Nothing further had been reported.

### HEAVY GOODS VEHICLE (HGV) LEVY

The Heavy Goods Vehicle (HGV) levy was introduced by the government to charge for any damage or 'wear' to British roads which were caused by vehicles which weigh over 12 tonnes.

The levy was suspended for UK-registered HGVs during the Covid pandemic, and further extended until August 2022, but was removed in August 2023.



## TAXATION AND INSURANCE

### NEW VAT PENALTIES FROM HMRC

On 1st January 2023, HM Revenue and Customs (HMRC) introduced a new penalty point scheme for those organisations that submit a late VAT return – even if it is a ‘nil’ balance, or a late VAT payment. This new scheme replaced the VAT default surcharge and took effect for accounting periods after that date. Changes have also been made on how interest is calculated.

**The changes to VAT penalties and interest payments are:**

#### LATE SUBMISSION PENALTIES

A business will receive one point for each late return and will receive a £200 penalty once they have reached their threshold. [Each businesses’ threshold will be dependent on the frequency the business normally submits a return to HMRC – for monthly returns (5 points = 5 late returns), quarterly (4 points = 4 late returns), or annually (2 points = 2 late returns).

#### LATE PAYMENT PENALTIES

Should a VAT payment be more than 15 days overdue, then the business would incur a first late payment penalty at 2% of the ‘debt’ at day 15; however, should the payment be more than 30 days overdue, then a second 2% penalty arises – i.e., 4% total from day 31.

HMRC have stated that they would not charge businesses a first late payment penalty, if the business either paid in full, or, have an agreed payment plan in place [with HMRC] within 30 days of the payment’s due date.

### PAYMENT PLANS

Where a business cannot genuinely pay their VAT bill in full, then the business may be able to set-up a business plan – subject to HMRC approval – to pay the money by instalments.

Should a business propose a payment plan to HMRC – and this is agreed by them – within 15 days of a payment being due, then the business will not be charged a late payment penalty, provided that the business continues to honour the requirements of the payment plan. However, late payment penalties may apply where proposals are made after the first 15 days, but the agreement of the payment plan by HMRC can prevent any penalties from increasing.

### INTEREST CALCULATIONS

HMRC has introduced both late payment and repayment interest, which replaced the previous VAT interest rules, and brought the new regime into line with the calculation method used for other taxes.



WHERE A BUSINESS **CANNOT GENUINELY PAY THEIR VAT BILL IN FULL**, THEN THE BUSINESS MAY BE ABLE TO SET-UP A BUSINESS PLAN – SUBJECT TO HMRC APPROVAL – TO PAY THE MONEY BY INSTALMENTS.



## INDUSTRIAL RELATIONS

### STATUTORY PAY ENTITLEMENTS

The weekly rate for Statutory Maternity Pay (SMP), Statutory Paternity Pay (SPP), Statutory Adoption Pay (SAP), and Statutory Shared Parental Pay (SSPP) increased to £172.48 and took effect on 2nd April.

The Statutory Sick Pay (SSP) rate increased to £109.40 per week and took effect on 6th April.

The various National Minimum and Living rates increased on 1st April:



Worker's Age	1st April 2022	1st April 2023
23 and over	£9.50	£10.42
21 – 22	£9.18	£10.18
18 – 20	£6.83	£7.49
16 – 17	£4.81	£5.28
Apprentice	£4.81	£5.28

### REDUNDANCY PAYMENTS

From 6th April, the Government had increased the maximum redundancy payment for a 'week's pay' from £571 to £643. The higher than normal increase, as compared to previous years, was due to the government reference to the Retail Price Index (RPI), which determined what the new year's rate would be.

### TRAVELLING AND SUBSISTENCE LETTER

There were no changes to HMRC's mileage allowance announced in the Chancellor's Budget, and HMRC had not announced any changes to the Subsistence rate.

A letter confirming this unchanged position can be found on the CPA's website at [www.cpa.uk.net/legal-insurance-plant-theft/legal-employment](http://www.cpa.uk.net/legal-insurance-plant-theft/legal-employment)

### CPA'S EMPLOYMENT REFERENCE DOCUMENT (ERD)

The latest version of the CPA's Employment Reference Document (ERD) - April 2023 - can be found on the website at [www.cpa.uk.net/legal-insurance-plant-theft/legal-employment](http://www.cpa.uk.net/legal-insurance-plant-theft/legal-employment)

### ADDITIONAL BANK HOLIDAY

The Government announced an additional bank holiday in 2023 to mark the coronation of King Charles III. The coronation took place on Monday 8th May.



## PLANT THEFT

### NEW POLICE OPERATIONAL UNIT

A new police 'operational' unit called the 'National Construction and Agri Theft Team (NCATT)', is led by Superintendent Andrew Huddleston of Northumbria Police, who is the national lead for theft of agricultural and construction machinery and equipment. The unit's national priority will be on machinery and equipment theft.

Two specialist investigation officers from the National Vehicle Crime Intelligence Service (NaVCIS) have as of January now moved over to NCATT, but Superintendent Huddleston has said the links with NaVCIS are key and joint operations at Ports for example will continue.

Since its launch, Supt. Huddleston has begun making representations to industry to help fund this unit due to no long-term funding being available from government. He had made it clear that he wishes to expand the coverage of what the team already does across further across UK and ideally have a dedicated 'fraudulent hire to steal' investigative officer.

### EQUIPMENT THEFT (PREVENTION) BILL

Through a Private Members' Bill, which was introduced earlier in the year in parliament, the proposed legislation was in two parts.

The first related to the mandatory fitment of immobilisers, and the forensic marking registration to new quad bikes and All-Terrain Vehicles (ATV's) and the forensic marking and registration of agricultural GPS equipment.

The second part of the legislation referred to the potential for mandatory forensic marking and registration of industrial power tools beyond a certain price threshold.

The Bill has completed the parliamentary and House of Lords process, together with a 'call for evidence' from interested stakeholders. The Bill received Royal Assent on 20th July to become the Equipment Theft (Prevention) Act 2023.



**Plant theft and fraud remain a significant issue in the plant-hire sector and in recognition of this, the CPA has agreed to make a significant financial commitment over the next three years to support the work of the National Rural Crime Unit (NRCU) and the National Construction and Agriculture Theft Team (NCATT).**

**We recognise that theft and fraud have a significant and increasingly damaging effect on our members' businesses and our financial contribution to the work of the NRCU and NCATT will bring immediate, tangible benefit in preventing and detecting criminal activity and the recovery of illegally obtained plant-hire equipment. The CPA is collaborating with the Construction Equipment Association (CEA) and insurance companies that together are contributing to fight machinery theft across the UK.**

## MEMBERS REPORTING THEFTS AND FRAUDS

Below is a table detailing the thefts and frauds reported by members between 1st January 2023 and 15th December 2023, showing a comparison to the previous calendar year.

Region	Number of Frauds/ Attempted Frauds		Number of Thefts	
	2022	2023	2022	2023
Bedfordshire		1		
Berkshire				1
Buckinghamshire		6		
Cambridgeshire				1
Cheshire			1	1
Cumbria				1
Derbyshire		1		1
Devon				
Dorset				
Essex	1	3	1	
Hampshire			2	
Hertfordshire			1	
Kent	2			2
Lancashire	2	8	1	5
Lincolnshire		1		1
London			1	1
Norfolk			1	
Northamptonshire		1	2	
Northern Ireland		1		
Nottinghamshire		1		
Oxfordshire			1	
Scotland			1	
Shropshire			1	2
Somerset				1
Staffordshire			1	
Suffolk	1			1
Surrey			1	2
Wales		2	1	1
Warwickshire			1	
Wiltshire		1	1	1
Worcestershire		1	1	
Yorkshire		6	2	2
<b>Total</b>	<b>6</b>	<b>33</b>	<b>21</b>	<b>24</b>

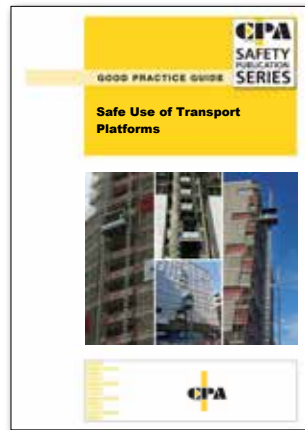
## SPECIAL INTEREST GROUPS



### BRITISH CONCRETE PUMPING GROUP (BCPG)

The British Concrete Pumping Group (BCPG) has held an Open Meeting during this reporting period with the meeting focusing on the following topics:

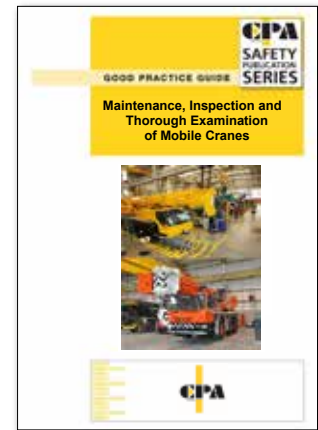
- VSO Update and Review
- Driving Licence Requirements
- Safe Use of Concrete Pumps - Review
- CPA Model and Supplementary Conditions Review



### CONSTRUCTION HOIST INTEREST GROUP (CHIG)

The Construction Hoist Interest Group (CHIG) has held Steering Committee and Open Meetings during this reporting period with the meetings focusing on the following topics:

- CHIG 1101 Maintenance and Thorough Examination of Hoists
- CHIG 0801 Work at Height on Construction Hoists
- CHIG 0401 Safeguarding of Landing Gates (Goods Only)
- CHIG 1901 Guidance on Tying Construction Hoists and Mast Climbing Work Platforms to Supporting Structures
- CHIG 0201 Safe Use of Transport Platforms
- CHIG 0501 Transporting Scaffolding in Construction Hoists
- Revision of BS 7212
- NASC SG26 Transporting of Scaffold in Hoists Update
- EN12158-1 and EN12159 Revision
- MHE6 Update and Future Plans
- IPAF Hoist Operator Course
- CAP Course
- MCWP/Hoists for Managers Course
- Hoist Installer Course
- CHIG Levy



### CRANE INTEREST GROUP (CIG)

The Crane Interest Group (CIG) has held Steering Committee and Open Meetings during this reporting period with the meetings focusing on the following topics:

- TIN and Publications Review
- CPA Voluntary Roadworthiness Scheme
- CAP 1096
- CPA Model and Supplementary Conditions Review
- Industry Use of Alternative Low Carbon Fuels
- ESTA Update
- Lifting of Spandrel Panels with Pre-Fitted Slings
- Drop Prevention and Engineered Solutions
- Alternative Energy Solutions
- CPA Guidance for the Procurement of a Mobile Crane
- Routing Authorities and Compliance





### SHORING TECHNOLOGY INTEREST GROUP (STIG)

The Shoring Technology Interest Group (STIG) has held Technical and Steering Committee Meetings during this reporting period with the meetings focusing on the following topics:

- Recent Safety Issues
- Election of the new Group Chair
- CITB Update
- STIG Guidance Documents and TINs Review Update



### TOWER CRANE INTEREST GROUP (TCIG)

The Tower Crane Interest Group (TCIG) has held an Open Meeting during this reporting period with the meeting focusing on the following topics:

- CAA CAP 1096 Update
- Drop Prevention and Engineered Solutions
- Alternative Energy Solutions
- Routing Authorities and Compliance



### SUCTION AND VACUUM EXCAVATOR INTEREST GROUP (SAVE)

The Suction and Vacuum Excavator Interest Group (SAVE) has not held any meetings during this reporting period.



## TECHNICAL AND TRAINING

### NEW CPA APPOINTMENT

#### TECHNICAL AND DEVELOPMENT SUPPORT

The guidance and advice on technical, training and safety subjects forms a key part of CPA services to the membership, along with the production and maintenance of a large array of safety and technical publications. There are also ongoing requests for CPA technical participation on an increasing number of industry-led initiative working groups, as well as on development and production of new publications, particularly for the CPA interest groups.

Through a combination of increased CPA responsibilities e.g. PSRO, Plant Safety Group, etc. it was identified that additional full-time technical support would be required in order to maintain and improve CPA services to the membership, as well as helping to take the association to the next level.

The job role is – in essence – unique in that the individual not only needs technical capabilities and industry experience, but also requires customer-facing attributes and the personality to engage effectively with members, other organisations, official bodies, etc.

The role of CPA Technical and Development Officer was filled in April 2023 by Katie Kelleher, known by many within the construction sector. Katie joined CPA from Select Plant Hire where she worked initially as a Crawler Crane Operative before becoming a Deputy Appointed Person role on a number of high-profile infrastructure projects.

Katie started her construction career on the pilot Lifting Technician Apprenticeship, but prior to that had a number of customer-facing and recruitment roles. She is well known throughout the industry for being a champion for women and young people in construction and is a confident and engaging speaker on skills and apprenticeships. She has been a panellist at the CPA Conference, a judge for Stars of the Future for several years and she sits on many industry panels up to Government level.

She has already won many accolades in her career so far. In 2021 she was declared one of the Top 100 Women in Construction and she has been selected as a 'LinkedIn Top Voice'. In 2019 she was in the 'Construction News 15 People to Watch' list. Katie is warmly welcomed to the CPA team.



KATIE KELLEHER, KNOWN BY MANY WITHIN THE CONSTRUCTION SECTOR. SHE HAS ALREADY **WON MANY ACCOLADES** IN HER CAREER SO FAR.

SHE HAS BEEN A PANELLIST AT THE CPA CONFERENCE, A JUDGE FOR STARS OF THE FUTURE FOR SEVERAL YEARS AND **SHE SITS ON MANY INDUSTRY PANELS UP TO GOVERNMENT LEVEL.**



## CONSTRUCTION INDUSTRY PLANT SAFETY GROUP PUBLICATIONS

### Safe Use of Dumpers - Cabbed Types

The Construction Industry Plant Safety Group (PSG), chaired by CPA produced a safe use guidance for dumpers, published in 2019. One key issue however was that despite the proliferation of cabbed dumpers, the operator staying seated in the cab during loading could not be endorsed due to the non-availability of a cab-strike strength standard, if hit by the loading machine. A separate working group was set up to produce an industry-derived and funded Publicly Acceptable Industry Standard (PAIS) for dumper cabs 'strike-strength', which is now complete. The manufacturers are currently in the process of providing evidence to their customers and users on which of their cabs meets the PAIS specification.

To describe cabs that meet the PAIS specification, the PSG have defined the use of the term 'Operator Protection System' (OPS). This indicates that a cab designated as OPS-compliant by the manufacturer means that the operator can remain within the cab during loading and is indicated through the identification of an OPS logo.

The style and design the logo that can be affixed to OPS-compliant cabs has been determined by the PSG; being hexagon-shaped, 170mm x 150mm in size, having a green background with a black border and the letters 'OPS' prominent in the centre. This allows easy identification of an OPS cab by both site supervisors and well as the operators themselves. A logo-placing specification on the cab has also been devised for which the logo should:

- Be prominent when viewed at ground level (allowing others e.g. supervisory staff, loading machine operator to ascertain that the operator may remain in the cab during the loading activity)
- That if affixed to the cab glass, it is in a location that does not impair any external vision from the operator's station
- Visible to the machine operator at all entry points to the machine's cab (allowing them to ascertain that they can remain seated during the loading activity).

The agreed OPS specification states that the logo will only be affixed to a compliant cab by the relevant manufacturer or their appointed dealer or other manufacturer-approved organisations. For the retro-fitting of the logo to compliant cabs already in the marketplace, the logo may be applied by the machine owner following approval by the manufacturer for that model and cab type, with a record kept of that approval by the owner. Manufacturers have been encouraged to provide easily-accessible information to others e.g. users on which cab/machine types are OPS compliant to discount false application on non-compliant types.

Work is now underway by CPA technical staff to update the safe use publication incorporating the designation of OPS cabs and procedures for the loading of dumper skips, along with the insertion of a chart that indicates typical sizing of loading excavators relevant to the size of dumper being loaded.

### MEWPs Crushing/Trapping

The Plant Safety Group's (PSG) for MEWPs, co-chaired by CPA and IPAF, have updated the guidance on Reducing Trapping/Crushing Injuries to People in MEWPs. This document provides guidance as to how to reduce the risks of trapping and crushing hazards when using MEWPs and sets out to inform users, managers and training providers about the measures that can be used to reduce the risk and number of entrapment incidents. The publication includes guidance on planning, risk assessment, MEWP selection, operator training, familiarisation and rescue, with emphasis placed on the practical measures that MEWP users can take to avoid entrapment.

The first version of the guidance was originally published in 2010 and has now undergone significant revision in this latest version and has been restructured to improve readability and understanding of the topic. The content reflects and builds upon findings from the recently published Health & Safety Executive Research Report (HSE RR1180:2022) which examined the effectiveness of secondary guarding when employed in a range of different entrapment scenarios.

## INDUSTRY LIFTING LEAD AP GROUP

### CPA Support

Initially formed back in 2015, the Industry Lifting Lead AP Group (ILLAPG) was set up by Dave Borley of Skanska as a way to bring together Appointed Persons from lead contractors to share lifting-related information and operational issues, address training and carding requirements and develop a series of additional training modules to support the base AP category on plant-based cards. Their prime aim is to make lifting operations within the industry much more consistent and of a higher standard.

The CPA are members of the group and are working with them to provide an increased level of support and are to provide assistance in order to further develop the group and increase their profile across industry. The group since its conception has grown rapidly, gathering more and more industry interest with a wider membership that includes those from contractors, manufacturers (crane and lifting accessories), crane companies, trainers and card schemes, as well as AP's from all levels of the industry.

CPA provides a secretariat-level role and adds further structure through the development and provision of a terms of reference, which will include membership terms and clarify the scope and profile of the group. This support role will also coordinate work within the group as well as CPA interest groups, such as the Crane and Tower Crane Interest Groups' work.

On the 14th September, CPA also attended and supported the Group's annual open day, hosted by CPA members, the GGR Group, with the event very well attended with around 200 people in attendance. There were talks from a range of speakers from industry, as well as product demonstrations throughout the day.

## SCHEDULE OF COMMON LIFTS

The ILLAPG have produced a Schedule of Common Lifts publication, which has been produced to provide guidance on lifting methods for a number of loads frequently lifted on construction sites.

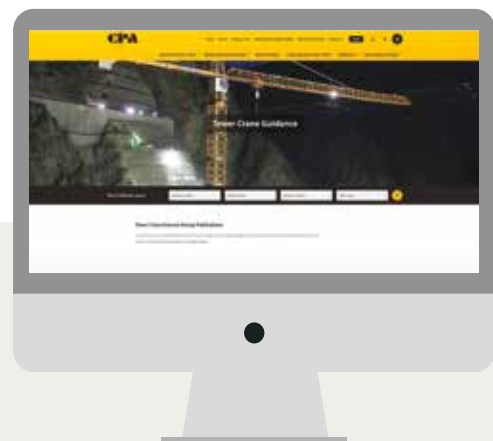
The schedule, published by NOCN, is designed to support both the training of lift planners on dedicated courses and further to provide additional guidance for the competent person planning or responsible for a lifting operation, supplement the information contained within a lift plan.

The group are keen to stress however that the publication highlights good practice but is not, and nor is it intended to be, a substitute for appropriate lift planning by a competent person and reminds the industry that all lifting operations must be carried out in compliance with LOLER 1998 and the relevant standards e.g. BS 7121. The Schedule for Common Lifts publication can be downloaded free of charge from the CPA website.

Other publications and training aids, such as a video on personnel and load interface, are being produced through CPA support by the group.



**As a reminder, all CPA publications are available as a free of charge download at [www.cpa.uk.net](http://www.cpa.uk.net)**



## SPECIAL INTEREST GROUP PUBLICATIONS

CPA Special Interest Groups continue to review and where required, update their large range of good practice guides and technical information notes (TIN) for accuracy and relevancy, supported by the CPA Technical Manager and Officer.

### CRANE INTEREST GROUP PUBLICATIONS

**CIG 2308 - Tendering, Management and Operations of Mobile Cranes:** Produced by the Crane Interest Group and with input from the Industry Lifting Lead AP Group, this publication provides good practice and advice on the expected standard of duties and responsibilities for both operators and crane users when mobile cranes are hired out. The content includes a series of checklists within three sections that include; Information to be supplied by crane providers; Additional information for contract lifting; Information to be supplied when the crane arrives at site. The publication also covers legal requirements and directs readers to further relevant guidance material, with the prime aim to raise standards and encourage the sourcing of equipment and expertise from responsible mobile crane suppliers.

### TOWER CRANE INTEREST GROUP PUBLICATIONS

**TCIG TIN 054 - Installation of Cameras on Tower Cranes:** The latest publication produced by the Tower Crane Interest Group is a new TIN on the installation of camera systems which are increasingly being fitted to tower crane hook blocks, trolleys or jibs to improve visibility of the load to the operator. Cameras are also being fitted within crane cabs to record the view available to the operator, how the controls are used and record audio and visual communications to and from the cab. The TIN also provides guidance on the relevant regulations, mounting positions, maintenance and inspections, installation and factors on recording.

## TCIG TECHNICAL INFORMATION NOTES (TIN) UPDATES

The range of TCIG TINs have been under review during 2022 and 2023 including:

**TCIG TIN 026 - Lifting of Loads Using Fabric Bag,** and;

**TCIG TIN 049 - Lifting of Pre-slung Loads,** both of which have had minor updates. They are also applicable to mobile crane operations.

**TCIG 030 - Tower Crane Erection Team Composition** is being amended to update qualifications and carding due to revisions around industry carding requirements.

### MOBILE AND CRAWLER CRANE DAILY/WEEKLY CHECK BOOKS

The only technical publications that CPA now retails to both members and non-members are the Daily and Weekly Checks Books for Mobile Wheeled and Crawler Cranes. With production and delivery costs rising fast and to utilise latest technology we are working on a digital version for the completion of crane checks. Working with a digital design company, a prototype app has now been developed and undergoing user trials.

In essence, using a phone, tablet etc. the operator will scan a QR-code - which will be placed on each machine - and from which opens the digital form listing all of the relevant checks that need to be carried out. Once completed, the form is then forwarded to a cloud-based file which, with the various permissions can be accessed by the crane owner, maintenance team, crane user, site management, etc. There is also potential scope to add additional features and the aim is eventually to encompass other types of plant.

Once the trial is complete with any amendments made based on user feedback, CPA needs to determine, if any or what charging model could be utilised for both members and non-members and a number of options are currently being considered.

## STANDARDS-BASED APPRENTICESHIPS

CPA has been at the forefront of developing plant-based apprenticeships including Construction Plant Operative, Hire Controller and Construction Equipment Maintenance Mechanic and is currently developing the apprenticeship for Construction Equipment Maintenance Technicians. CPA also led the technical development for the Lifting Technician trailblazer. The latest official figures (September 2023) for these apprenticeships indicates that the annual registration figures remain healthy.

### Plant Operative:

There are currently 449 official registrations for this apprenticeship, far exceeding the original estimate of 140 registrations, along with 14 listed training providers and 3 end point assessment organisations (EPAOs).

### Hire Controller:

There are currently 37 official registrations, less than last year as those who were originally registered and now completed their apprenticeships. with a listed 3 training providers and 3 EPAOs.

### Lifting Technician:

There are currently 3 official registrations and due to the low number, only 2 training providers are offering this apprenticeship along with 2 EPAOs.

### Plant Mechanic:

Despite the early setbacks, there are now 24 current registrations for this apprenticeship along with 2 approved providers and 1 EPAO.



### CONSTRUCTION PLANT MAINTENANCE TECHNICIAN

A working group of employers, managed by CPA are developing an apprenticeship for the occupation of Construction Equipment Maintenance Technician (CEMT). This is intended as a 36-month learning programme, with much of the learning content focussed on new technologies such as battery and alternative-fuelled equipment, along with a higher level of diagnostic skills.

The group submitted their proposal to develop this Level 3 apprenticeship in mid-January 2023. A key part of the submission were lengthy narratives on why other maintenance-type apprenticeships could not be used – particularly the land-based version, the heavy vehicle version and the lift truck and access version. This comparison also included a new apprenticeship being developed at level 3 for a Mechatronics Maintenance Technician, which is a 42-month programme.

The submission was subjected to a three-stage approval process, including an interview with the CEMT Chair by the Institute for Apprenticeships and Technical Education's (IfATE) Engineering and Manufacturing Employer Route Panel. Formal approval was received in April from IfATE to develop and launch the apprenticeship from which the working group have devised the required knowledge, skills and behaviours (KSBs) and are determining the assessment methodologies and content for the end point assessment. It is hoped that the apprenticeship should be ready for delivery by mid-2024.



### LIFTING TECHNICIAN

This apprenticeship was the first plant-based trailblazer, launched in 2017 and led by Laing O'Rourke, with technical content provided by CPA. This is a 24-month learning programme and has three options of crawler crane, tower crane and mobile crane. The apprenticeship is currently under its 5 year-required review by a dedicated steering group of employers, training providers and CPA staff to bring it into line with current apprenticeship requirements.

### CONSTRUCTION PLANT OPERATIVE

The content of learning for this apprenticeship, launched in early 2020, covers four items of plant – forklift, 360 excavator, dumper or dump truck and ride on roller. Following requests from employers, the steering group for this occupation is now expanding the scope of this apprenticeship to encompass a wider range of common plant e.g. 180 excavator, dozer, etc. or introduce specialist plant such as concrete pumps, suction/vacuum excavators and rail plant. It is envisaged that following the required IfATE approval process, that the revised apprenticeship should be ready by mid-2024.

## CITB PLANT OPERATIONS SHORT COURSE DURATION TRAINING STANDARDS

The Construction Industry Training Board (CITB) are developing and introducing a set of short-duration training standards for the operation of plant categories and from which grant payments will be subsequently based. CPA technical staff have been providing comprehensive advice to CITB on how the development programme should be arranged, which plant categories they should prioritise and have further been assisting in writing the draft standards for each of the working groups to review.

### CITB has now launched the first set of new standards for the categories of:

- Excavator 360, above 10 tonnes (tracked)
- Forward tipping dumper (wheeled)
- Rear tipping dumper/dump truck: articulated chassis (all sizes)
- Ride on roller
- Telescopic handler: all sizes excluding 360 slew
- Industrial forklift
- Plant and Vehicle Marshaller
- Slinger, Signaller: all types, all duties.

They have been developed in collaboration with industry working groups, made up of employers, providers and federations, with the various working groups chaired by CPA staff or members. The new standards are made up of learning outcomes that encompass the technical content

and assessment criteria, as well as specifying training durations for both novice operators and those with some experience. These new standards are intended to provide consistency to plant training and testing requirements across the construction industry. The next tranche of standards will include the other variations of the listed categories, as well as a range of new categories.

The grant rates for these new standards has further been changed, where a single, combined grant will be available for all CITB registered employers, replacing the three smaller grants that were available for practical test, theory test and short course training, which employers could apply in different ways. There are now two sets of grant per standard for novice learners and experienced operators. The grant which was available for testing for a CPCS card has been removed for these new standards.

For employers to be able to claim grant, training will need to meet the technical and assessment content of the standard, be delivered by a CITB-Approved Training Organisations (ATO) and lead to a plant card that carries the CPCS logo (currently CPCS and NPORS). Employers seeking grant will need to provide their CITB registration number to an ATO, who will apply

for the grant on their behalf. Any other plant training that is separate from the new standards will remain eligible for the original grant claim process.



### PSRO WEBINAR

A webinar was organised by CPA on behalf of the Plant Sector Representative Organisation (PSRO) in mid-May 2023 with the aim of allowing delegates to get an update on the PSRO and work carried out to-date as well as providing information about the recent update to the Construction Leadership Council (CLC) Skills Strategy and its potential impact on the plant sector.

The webinar was opened by Kevin Minton, acting chair of the PSRO before undertaking a presentation on why the PSRO came into being, how it was formed and by whom, what the current structure is and what the long term aims and objectives are. This was followed by a presentation from Alasdair Reisner, CEO of the Civil Engineers Contractors Association (CECA) and a PSRO Board Member, who gave an update on the



THESE NEW STANDARDS ARE INTENDED TO **PROVIDE CONSISTENCY TO PLANT TRAINING** AND TESTING REQUIREMENTS ACROSS THE CONSTRUCTION INDUSTRY.



Construction Leadership Council's (CLC) 2023/2024 skills strategy and covered the topics of culture change, routes into industry, competence, and skills for a modern industry.

Alasdair's session was subsequently followed by a panel discussion with members of the PSRO Technical Review Group and included Aaron Davis of Flannery Plant Hire, Kevin Fairholm of the GGR Group and the CPA Secretariat – Peter Brown and Nick Gooderson. The group answered a series of questions posed by the PSRO Chair before receiving and answering questions from delegates. The webinar lasted for approximately two hours and subsequent feedback was positive.

### ECO-OPERATIONS NATIONAL TRAINING DELIVERY FRAMEWORK

The PSRO and the Supply Chain Sustainability School's (SCSS) Plant Group have worked together to develop a new Eco-operations National Training Delivery Framework. This is in support of the construction plant sector's initiatives and solutions for the country's path to Net Zero, with machine usage identified as a contributor to carbon-based emissions. The long-term aim of the sector is to replace all carbon-emitting equipment with zero or low emission-powered versions. However in the short-term, the aim is to reduce as far as practicable, engine-derived emissions through both minimising engine-run time and efficient use of that equipment.

This requires an education programme for both owners,

operators and users of such equipment and from which eco-operation courses, either in-house with an employer or through externally certified courses from established awarding organisations, are bringing vital learning for this subject. To ensure industry's approach in meeting its obligations, there is a need for an overarching criteria that promotes consistency and standardisation for eco-operations, therefore the PSRO and the SCSS Plant Group worked collaboratively to develop and launch a training delivery framework. It sets out the parameters for consistent delivery and identifies and provides guidance on areas such as core and optional learning outcomes, delivery content and methodologies, assessment strategies and course durations.

As the learning content can vary for a number of occupations, the framework further identifies individual course content and delivery factors for Plant Operatives, Supervisors, Plant and Site Managers, Planners,

Plant Procurers, Maintenance Personnel, etc. The aim is that on completion of a course based on the framework, delegates should have attained a required level of understanding on the principles of reducing machine-based carbon emissions, enabling them to recognise and apply learnt reduction techniques, operational processes and emerging machine technologies with a desired outcome that each delegate takes personal ownership of the need to reduce emissions.

The framework is divided into three parts with part 1 outlining the aims and principles of the framework, part 2 identifying the delivery aspects for the relevant occupations and part 3 specifying the learning outcomes and training specification.

**All PSRO publications and slides used in the webinar can be downloaded free of charge from [www.psro.org.uk](http://www.psro.org.uk)**





## RAIL PLANT ASSOCIATION



### RPA MANAGEMENT COMMITTEE CHAIR'S REPORT

The past 12 months has seen the Rail Plant Sector go through the now normal cycle of work bank peaks and troughs which continues to be the bane of the Supply Chain. In addition to this, the continued war in the Ukraine, further impacted global energy prices, rail strikes/industrial action and consistent interest rate rises continue to put the OTP supply chain under considerable pressure.

### RPA CONSULTANT

Following discussions with the RPA Members, in August 2022, a Working Group of RPA members started the process of looking to engage the services of a rail industry professional, who ideally had the necessary experience and industry contacts to reinvigorate the RPA's lobbying capabilities and effectively represent the Association's concerns within the highest levels of Network Rail/GBR and to lobby Government departments.

A shortlist of potential candidates was drawn up and after a number of meetings, the Working Group collectively agreed that Steve Featherstone of Sachle Consultants Ltd (Steve previously worked as Network Rail's Director of IP Track) should be approached to see if he could support the RPA in its objective of influencing and driving the changes necessary to address the following issues which still affect the sector:

- Network Rail/Tier 1 Contractor terms and conditions that negatively affect the Rail Plant Sector and Supply Chain.

- Implementation and adoption of late Cancellation Charges/T4 Lockdowns
- Transparency of the NWR/GBR Work-bank pipeline to enable Members to make practical investment decisions
- Lack of collaboration/inflationary considerations
- Industry skills drain and employee retention
- Christmas shift allowances

From the start Steve Featherstone set to work on some the immediate challenges such as the Christmas Shift Allowances, which due to Network Rail not recognising Christmas Day, Boxing Day, New Year's Eve and New Year's Day as bank holidays, meant that the supply chain companies would not be able to reclaim the appropriate allowances for these shifts and incur further significant costs on their businesses to be able to deliver the plant and services required during this critical period.

### MACHINE OPERATOR RESOURCES

Steve also highlighted the rail plant communities concerns to Network Rail regarding the provision of operator resources for the peak demand at Christmas. Network Rail responded by making machine operators and machine controllers into named resources as part of their Delivering Work Within Possessions (DWWP) process, bringing them into line with overhead line resources and signal testers. However, in the event this all proved to be an unnecessary exercise, as the RMT strike action caused so much of the planned Christmas work-bank



to be cancelled that the pressure was taken out of the market for contingent resources to such an extent that the sector ended up with a significant surplus of both plant and resources to operate them.

### **RMT INDUSTRIAL STRIKE ACTIONS**

Since the start of the RMT strike action back in the Summer 2022, over £20million of work for the plant supply chain has been cancelled at short notice. Under the terms of the plant hire contracts, responsibility for short notice cancellations sits with the supply chain unless it is cancelled within a day of the booked shift when responsibility moves to the client. Of course, clients are smart and they know exactly when they need to cancel the resources so that they minimise their own liabilities.

The fiscal impact of the RMT strike action is now greater than when Carillion went into administration. However, because of its drip, drip nature it has not attracted the same level of industry interest. It has however clearly shown that the current plant hire terms and conditions needed to be updated

to ensure that they remain fit for purpose. The unseen damage to the RPA members and wider supply chain is significant. To sustain a reliable and dependable supply chain, changes to the current terms of engagement was crucial.

### **RPA TERMS & CONDITIONS 2023**

Even without the impact of the RMT strike action, the RPA standard terms and conditions were due a complete refresh to make them into a stand-alone document which can be easily adopted and agreed contractually by both clients and plant providers. The potential savings in commercial and legal fees going forward would make this a very worthwhile exercise for the whole railway community.

In early 2023 the RPA established an Industry Stakeholder Working Group to review and rewrite the RPA standard terms and conditions. The target was to have the definitive version of the new standard terms and conditions (which would become an amalgamation and updating of the existing CPA Model, RPA Supplementary and RPA POS conditions) ready for sign off at the

RPA AGM in early 2024. Throughout 2023, David Smith – CPA Legal Manager, Steve Featherstone – RPA Consultant and Adam Godwin – CPA Communications Manager, collated all of the feedback which had been received from the Industry Stakeholder Working Group and RPA Members into a draft document, which was then subsequently reviewed by Gately Legal LLP.

We are pleased to report that in October 2023, and a few months ahead of schedule, the RPA published and circulated the new Rail Plant Association (RPA) Terms & Conditions 2023 to the membership. We plan to carry out a 12-month review of the new RPA Terms & Conditions in October and we welcome any feedback on the adoption and application of the Terms & Conditions from the RPA Membership.

### **PRODUCT ACCEPTANCE CERTIFICATES FOR OLDER PLANT AND EQUIPMENT**

Throughout 2023, Steve Featherstone has also been supporting the work of the RPA Management Committee to seek to address the ongoing PAB issues regarding Product Acceptance Certificates (PAC) for older plant and equipment with Jordan Skey, Network Rail's Professional Head of Plant. This issue has impacted many RPA members in certain regional areas, as older plant and equipment is being ordered and then subsequently turned away from site or cancelled at short notice due to it not having Product Acceptance Certificates.

## RPA MANAGEMENT COMMITTEE

The RPA Management Committee continues to hold regular 'hybrid' meetings, to discuss the problems that are being faced by the member companies. The committee are all senior within their organisations and bring with them a wealth of diversity, experience, and knowledge. As Chairman I wish to acknowledge with sincere thanks, the huge amount of time and energy the Management Committee spends trying to improve the conditions for all our members.

Members of the committee currently represent the RPA on various industry working groups. We are privileged to have seats on the:

- Infrastructure Safety Leadership Group (ISLG)
- Mechanical & Electrical Engineering (M&EE) Networking Group
- Network Rail HSE Collaboration Group
- Network Rail's Capability Development Group (CDG)
- Network Rail's Fatigue Risk Management Working Group
- Railway Infrastructure Supplier Qualification Scheme (RISQS) Group
- Ballast Dust Working Group (BDWG)

## AND FINALLY...

It remains in all of the industry stakeholder's interests to continue to work more collaboratively and critical that the supply chain has a long-term visibility of the work-bank pipeline. As all businesses face unprecedented inflationary pressures and cost increases across the board, full visibility of the long-term work-bank would give suppliers more confidence to make correct capital investment on which plant and machinery will be required going forward. This is the key to developing and maintaining a supply chain that is sustainable, robust, adequately staffed with the right skillsets, innovative and ultimately fit for purpose, to meet the challenges of Control Period 7 and beyond.

**There remains very little that is clear cut in our sector, but the RPA and its members remain fully committed to delivering a first class service to the railway infrastructure managers as always, and I have every confidence that the sector will continually rise to the challenges that the future may hold.**



**Paul Helks**  
Chair of the RPA  
Management Committee



**THE FISCAL IMPACT OF THE RMT STRIKE ACTION IS NOW GREATER THAN WHEN CARILLION WENT INTO ADMINISTRATION.**

HOWEVER, BECAUSE OF ITS DRIP, DRIP NATURE IT HAS NOT ATTRACTED THE SAME LEVEL OF INDUSTRY INTEREST.



# CPA STARS OF THE FUTURE



National winners from the CPA Stars of the Future Awards 2023



**Construction Plant-hire Association**

27/28 Newbury Street, Barbican, London EC1A 7HU

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**Web:** www.cpa.uk.net



# NOMINATE YOUR PLANT APPRENTICES AND TRAINEES FOR THE CPA STARS OF THE FUTURE AWARDS



## Now open for entries:

- ★ Plant Mechanic of the Year (Level 2)
- ★ Plant Technician of the Year (Level 3)
- ★ Young Plant Operative of the Year
- ★ Plant Operative of the Year
- ★ Lifting Technician of the Year
- ★ Hire Controller of the Year
- ★ Plant Installer of the Year

## Award for employers:

- ★ Apprentice Mentor of the Year

A range of additional special awards are available for all nominees.

## WHAT IS STARS OF THE FUTURE?

Stars of the Future is an awards scheme for apprentices and trainees in the construction plant sector, first set up by the CPA over 10 years ago. It's a great way to reward and recognise apprentices who you see as being the industry's future leaders. Winners receive national recognition and have the chance of receiving some fantastic prizes, such as overseas trips to Germany.

**Download the nomination forms and watch last year's event at [www.cpa.uk.net/skills-training/stars-of-the-future](http://www.cpa.uk.net/skills-training/stars-of-the-future)**



## ACT NOW!

Nominations need to be in by 22nd March 2024

## SAVE THE DATE:

Awards ceremony on 11th July 2024





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