



## NOTES

### CRANE INTEREST GROUP OPEN MEETING

held at  
**Nuthurst Grange Hotel,  
Hockley Heath  
Warwickshire  
B94 5NL**

on Tuesday 23<sup>rd</sup> September 2008

**1: Chairman's introduction**

Bill Frost welcomed the Members and speakers to the Open Meeting. 53 Members were in attendance, representing 36 companies.

**2: Thorough Examination and Testing of Cranes**

Tim Watson explained that there was a need to clarify best practice on the role of tests in the thorough examination of mobile cranes. The Lifting Operations and Lifting Equipment Regulations 1998 ("LOLER") stated that a competent person should determine whether tests were required as part of the thorough examination, what tests should be carried out, and at what frequency. The guidance on LOLER stated that advice should be taken from the crane manufacturer to determine a suitable test regime.

Under the previous regulations, a 25% overload test was common. This was relevant to cranes which were very strong, and for which stability would be the critical factor. Modern cranes were more likely to have strength as a critical factor.

However, some customers still want to see a 25% overload test certificate. A further advantage is that when the test is carried out, a crane is more likely to be subject to a full thorough examination. Overload tests may also be useful for second-hand cranes with no history.

There are a number of problems with overload testing: some manufacturers do not recommend it except in exceptional circumstances, the test may not show fatigue cracks, and repeat application may cause deterioration of the crane. In addition, testing is expensive and can be hazardous.

Tim Watson recommended that the way forward was to produce a CPA Best Practice Guide on Maintenance, Inspection and Thorough Examination of Cranes, which would be endorsed by HSE, and supported by contractors' organisations, inspection bodies, and insurance organisations. Once adopted by HSE, this would then be used by them when visiting sites and advising duty-holders.

The Best Practice Guide would echo the work done for tower cranes, and would include guidance on the level of competence required of the Competent Person, and the degree of independence required for persons carrying out in house Thorough Examinations. It would also be written so as to be applicable and usable in small companies.

The Chairman endorsed the proposal for a Best Practice Guide, and Tim Watson confirmed that it would be included in the CPA work programme.

**3: Revision of BS 7121 Part 4 - Lorry Loaders, and BS 7121 Part 2 – Inspection, Testing & Examination of Cranes.**

Ian Simpson (HSE) explained that the current British Standard had been written before the LOLER regulations had taken effect, and consequently was in need of revision. The revision would align the standard with Part 1 of BS 7121, and would take a risk-based approach to the subject. This would mean that the degree of planning required for a lift would be proportional to the risk. Lifting with lorry loaders would then be aligned with similar lifts with mobile cranes.

The proposed revision would divide lifts into three classes: basic, standard and complex, depending on the number and nature of hazards present. Modern working practices – such as lifting roof trusses directly from the lorry to roof height – would be taken into account.

Work had already started on the revision with lorry loader manufacturers and others; a Draft for Public Comment was expected in May 2009, with publication anticipated in November 2009.

Concerning BS 7121 Part 2 – Inspection, Testing and Examination, work was planned to start in January 2009, with an ultimate publication date of November 2010. A discussion then took place about the perceived lack of proper standards employed by some lorry loader users, and the extent to which HSE enforced the LOLER requirements. Ian Simpson explained that lorry loader operations were covered by LOLER, and that the planning and supervision aspects would be treated the same as for an equivalent lift with a mobile crane. The production of the CPA Best Practice Guide on Maintenance, Inspection and Thorough Examination of Cranes would be as useful tool for inspectors to improve standards of lorry loaders. The discussion also addressed the significance of ground conditions in assessing whether a lorry loader operation was a basic lift, and the view was expressed that a basic lift may never occur on a building site.

#### 4: Review of the CPA Best Practice Guide for Crane Hire and Contract Lifting

Wayne Crumpton (HSE) explained that in November 2007, about 40 crane hire companies had met in the North West of England at an open forum to discuss recent incidents in that region. Some companies had been uncertain as to what their duties were under LOLER, so a working group of 8 companies was formed to produce a flow chart to help the crane hire company, and the customer, distinguish between a crane hire and a contract lift.

It had been suggested that in the case of a crane hire, the hire company could ask for evidence that the customer's Appointed Person ("AP") was competent. This could be done, for example, by asking for a copy of the AP's CPCS card. If there was general agreement to this approach, then the principles would be endorsed by HSE as "reasonably practicable" steps for the hire company to take. This would then become acceptable to contractor's organisations.

A discussion followed, in which it was noted that the basic principles of this arrangement had been laid down by the CPA some six years ago, at the request of the HSE. It was confirmed at that time, by the HSE, that it was the responsibility of the customer to ensure the competence of his personnel on a straight crane hire, and not that of the crane rental company..

It was agreed that the training of hire desk personnel was important, and it was suggested that a training course should be created, with a certificate given for successful completion. CPA could develop a training course for this. The crane driver should also be able to rely on support from his head office, if he determined on site that the lift should not go ahead without further evidence of the AP's competence, or sight of a suitable and sufficient risk assessment and method statement.

Concerns were expressed that, as possession of a CPCS card or other evidence of competence was not compulsory, the customer may be competent to plan the lift but be unable to provide straightforward written evidence of this. Similarly, a large company may have many APs, and not be able to identify which one would be responsible for a particular lift. In these circumstances, the crane hire company should assure itself by whatever evidence was available, including general knowledge about the customer's company and the anticipated competence of its APs.

Although many Members supported the basic principles of the existing CPA guidance, many were unwilling to commit to a course of action as suggested by the group of companies in the North West.

The Chairman concluded the discussion by stating that any guidance should allow the hire company sensible discretion in how they assured themselves of the competence of the customers' personnel

***(Secretary's note:- Further communication has taken place between the CPA and the HSE on this issue. There will be a Crane Interest Group Steering Committee meeting (not an Open meeting) held before Christmas to determine the best way of resolving this issue.)***

**5: Update on the GLA Best Practice Guide (Olympic and high profile sites)**

Kevin Minton explained that, if implemented, the GLA Best Practice Guide would require diesel engines over 37kW to be fitted with particulate filters. CPA had continued to oppose the scheme, and had written to Boris Johnson, Mayor of London about this. Although the Mayor had replied and promised a meeting, that meeting had not taken place. The GLA Implementation Group had also not met since April.

The GLA had clarified that vehicles which were exempt from the London Low Emission Zones (such as cranes) would not be automatically exempted from the requirements of the Best Practice Guide. This statement had reversed an earlier understanding.

CPA had also been in contact with the Olympic Delivery Authority (ODA) to discuss any requirement for filters on ODA sites. Further meetings were planned, at which CPA would stress the considerable practical difficulties in fitting filters, and the clear requirement for plant hire companies to be paid for the cost of fitting and maintaining filters.

Letters had also been written to Ministers at DfT and DEFRA to argue against the promotion of the London Best Practice Guide in other local authorities.

CPA would continue to oppose a general requirement to fit Diesel Particulate Filters under the Best Practice Guide, and would keep members informed of the outcomes.

**6: Proposed revision of the Working Time Directive (WTD)**

Colin Wood explained that CPA had been approached by the Institute of Directors (IOD) to provide information to help the IOD maintain the current ability for UK employees to opt-out from some of their rights under the Working Time Directive. Currently Members' operators can work a maximum of 78 hours per week provided the operators have signed the Opt-Out.

The new recommendations, if approved by the European Parliament, suggest that operators will only be allowed to work 60 hours per week averaged over a 13 week period. It is possible that the MEPs may push for the opt-out to be removed completely; thereby limiting operators to an average of 48 hours per week averaged over 17 weeks. A survey amongst members was underway to find out current working practices, and the potential costs of compliance.

Early results showed that companies will need to employ additional personnel if they were compelled to reduce working hours. Smaller companies may need to increase the number of operators by 50% or more. Larger companies would be affected less. In addition, more plant (especially cranes) would be needed.

IOD will use this information, and data from other industry sectors, when representing the UK view in the European Parliament throughout October.

**7: Update on CPCS scheme (including the de-regulation of training)**

Peter Brown of ConstructionSkills gave a brief overview of the recent review of the CPCS scheme. As a result of feedback from users, the Intermediate Certificate test had been removed, and greater flexibility in training had been introduced. The Health and Safety test, S/NVQs, and the log book had all been retained, while test centres, a technical test, and a theory test for renewal had all been introduced.

Testers would be allied to at least one test centre, but trainers would not be linked to any centre, and monitoring would now be applied to testing, rather than training. Renewal routes had been revised, and the logbook had also been updated. Grant aid would continue to be made available from ConstructionSkills, either through the Short Duration training scheme, or through the Training and Development Plan route.

The new scheme had come into effect on 1 August 2008. Transition arrangements allowed for existing trainers, and in house assessors to continue to 31 October 2008. Validators could continue to 31 December 2008.

A question was raised from the floor about the removal of the fitment of fly jibs from the CPCS qualification. Peter Brown stated that this had been suggested in the feedback, and had been discussed and agreed by the crane group earlier. However, Members were concerned that this was a serious and potentially hazardous process, and consideration should be given to re-instating it in the CPCS syllabus.

A discussion took place about training for Appointed Persons. Colin Wood explained that the industry wanted Appointed Person training courses to be a fixed at the previously agreed length, but under this new regime, this was not possible.. Arrangements had therefore been made for monitoring of AP testing to take place. Discussions also took place about the practicality of arranging theory and practical tests on the same day, to minimise time away from work.

## **8: Chairman's closing remarks**

Bill Frost asked if there were any other issues that Members wanted to discuss, or any questions for the speakers. As there were none, the Chairman thanked Peter Brown, Wayne Crumpton, Ian Simpson and the other speakers. He thanked the Members for attending and closed the meeting.