

*The following letter was received from Phil Allan of Allan Access, following a news article and several readers letters regarding the administration and re-emergence of the business in the last issue of Cranes&Access.*

Dear Leigh

I would like to respond to the very negative and adverse press that myself personally and my company has been faced with over recent articles and letters received by your magazine and address some of the unfair comments being made to stop this feeling of any premeditated actions and adverse actions on my behalf, and to put the matter straight before any further damage is caused.

In these very uncertain financial times I do believe that banks and various financial institutions should not be allowed to behave in such disgraceful ways that do not give us the smaller businesses the chance to work through extremely difficult times, and simultaneously feather their own nests accordingly. The actions of the factoring company involved with Allan Access Ltd to carry out premeditated actions to appoint an administrator is such an example of an unregulated financial body that should be checked and brought to task.

This factoring company appointed an administrator over the company ahead of the company banker primary debenture (and against the wishes of what was a supporting bank to the company who actually objected to the appointment) and to make matters worse the factoring company had the chance to be fully paid out by an alternative finance company but refused and frustrated them being paid in full, choosing instead to earn substantially more extra fees by the actions of the administration. Couple this with a shared interest and representatives with the administrator team and you wonder who was really being represented, it certainly was not the interests of the company, its shareholders or its creditors.

This of course left me personally with everything taken away and not only did the creditors suffer but a substantial financial damage personally was also incurred. Having then to effectively purchase back the assets of what was my own hard built business in fact added insult to injury, and not any planned action as being intimidated of taking anything away from the creditors. Using a pre-registered company Allan Access Hire Ltd which was in the process of being set up to move the rental business away from the manufacturing business was nothing more than an expedient. Selling off any assets purchased post administration which are not earning the new business any income or indeed are costing the business should be seen as a sensible business approach to raise much needed working capital in the business, and not anything sinister or suspicious.

I therefore do believe that the recent press comments and how it has been portrayed has not been balanced and the headline statistics took out of context to who has actually benefited from this sad series of events. The financial institutions have not lost anything only gained by the actions leaving everyone else including myself financially hurt.

Leigh I do hope that the balanced view of the events can be published to put the record straight

Yours sincerely

Phil Allan

Allan Access Hire Ltd



*We ran a report on [www.vertikal.net](http://www.vertikal.net) regarding a number of 'counterfeit' Tadano truck cranes that turned up in Dubai. The following letter highlighted that these units are turning up all over.*

Dear Leigh,

The same type of cranes have found their way to Australia as well. We know of at least three in Western Australia and another two have just arrived in South Australia. We circulated your story to our CraneSafe Assessors and received the following message;

Thanks for the info on the fake Tadano cranes, as we have two of these units just arrived from China and to be quite honest even a blind man could tell how bad these actually are, they make a crane from India look like a Rolls Royce. I am sending you a disc of photo's so you can see. And when you look at this you will not believe what you are actually seeing but these have not been modified to scare you. As you noted they even have a Kato MS10 computer in them and writing on the boom, also the factory where they have been built does not believe in grinders as the oxy marks are still there, right to the slag still on the metal. As I said seeing is believing and I still do not believe that someone would actually buy these as I think they would be very expensive snapper wrecks. Have a look at the photo's and come back to me.

## Vertikal Polls

Testing and certification of operators should be mandatory

The November/December poll on Vertikal.Net asked:

"Should the testing and certification of operators for cranes, aerial lifts and telehandlers be mandatory?"

The results were:

**Total votes = 491**

**Yes - 92.1%**

**No - 7.9%**

*This is by far the largest majority we have ever had on any poll we have run, and is surprising, given the worldwide readership we would have expected the result to have been closer to 70/30 and would not have been surprised if it had been 60/40.  
Regulators take note!  
Ed*

Angela Eagle MP  
 Exchequer Secretary,  
 HM Treasury  
 1 Horse Guards Road,  
 London SW1A 2HQ

*The following is an open letter from Colin Wood of the CPA regarding the quiet escalation of fuel duty on the rebated red diesel used in cranes, aerial lifts and telehandlers*

22nd December 2008

**Dear Minister**

Re: Fuel Duty

We are writing to you on behalf of the 1,580 Member companies within our trade association who are concerned with the current level of fuel duty.

Our Members range from small independent companies to large multi-national organisations that together generate over £4 billion-a-year turnover, in normal times. They hire out different types of construction equipment including: bulldozers, telehandlers, excavators, mobile cranes, dumpers and back-hoe loaders; which can be frequently seen on construction sites, including the Olympics.

Each business is heavily reliant on both Derv (White Diesel) for delivering this equipment to site and Rebated Gas Oil (Red Diesel) which is used for the equipment's day-to-day activities. We are very concerned at the year-on-year increases in fuel duty since 1997, in line with the fuel duty escalator. In that time there has been a disproportionate increase in fuel duty between Derv, which has increased by 142% and Rebated Gas Oil which has increased by over 400%! (Please see attached schedule.)

These measures have seen the gradual erosion of the duty differential between these two fuels. If these disproportional increases continue unabated, within 20 years Rebated Gas Oil will have a higher fuel duty than Derv. This will severely damage the Construction Plant industry.

In December 2004, the Government consulted with industry regarding possible changes to the Hydrocarbon Oils Duties Act. CPA held lengthy discussions with representatives of both Her Majesty's Treasury and Revenue and Customs. These discussions resulted in the agreement that most construction plant vehicles could continue to operate on Rebated Gas Oil; thereby helping to maintain the viability of our Industry. We are questioning why Government appears to be undermining this agreement by imposing disproportionate fuel duty increases to Rebated Gas Oil, particularly since September 2004.

To assist our industry, in these extremely difficult times, we are asking Government to consider imposing a moratorium on all fuel duty increases for the next two years; and thereafter any increases to the fuel duty for both Rebated Gas Oil and Derv should be kept in line with inflation and the differential between Rebated Gas Oil and Derv should be maintained.

I look forward to hearing from you on both of these issues.

Yours sincerely

**COLIN WOOD**  
 Chief Executive

# Readers Letters

Dear Leigh,

Like so many of your readers, I enjoy reading your magazine because in addition to the wide range of news it carries about what is happening in the powered access and crane industry, you are prepared to publish controversial items which other magazines tend to shy away from.

Here is an issue that has really annoyed me and I know is repeated in business, almost daily, where a company seeks a service - begs for instant action to help get their business out of a difficult situation, and then after all the hard work is done they refuse or rather don't bother to pay.

We experienced such a problem in May 2008 when Messrs Gallo SpA of Via Salaria 1531, 00138 Roma, Italy. The company faxed us in a panic, desperately seeking help to resolve a problem they had with the Italian Safety authorities, who had misunderstood an EC certificate issued in 1997 for a large telescopic boom lift. Gallo was advised that the boom was not covered by the certificate and was prohibited from using or renting it until the matter was resolved.

In light of the machine's age and date of the certificate we advised that several hours work would be required and that there would be a charge but agreed that it would not exceed £250. We also advised that our terms are payment before delivery of the documentation, but on assurances in writing from Ing Luca Schenetti, head of procurement, we agreed to undertake the work forthwith.

We were able to confirm that the machine had been properly certificated and that the confusion had arisen due to a change in colour scheme and model nomenclature. Copies of the original certification were dispatched along with copies of the original brochures and a confirmation form from the manufacturer that we specifically obtained to support the certification. The Italian authorities duly accepted the new certification and we had a happy customer.

However, over eight months down the line we are one very unsatisfied 'Angel of Mercy'. In spite of numerous statements, emails and requests for payment all we have received are further assurances that payment will be forthcoming. The £250 remains unpaid.

I hope that you will find the space to publish this letter and warn your readers that if approached by this company they should ensure that they receive cleared funds before undertaking any work.

Yours Sincerely,

**Paul Adorian.**  
 Managing  
 director

*Letter edited for length, Mr Adorian also supplied clear proof of his claims, and we asked Gallo if they had anything to add. We include this letter here with some trepidation, we most certainly are not keen to become any form of middleman in payment disputes, although in this case it appears to be more crass ignorance than a dispute. We are though keen to hear your comments on such cases and whether there should be some form of EU small claims court to help smaller - or for that matter large companies to take action in such cases easily and inexpensively. After all if we are to have a true single market then it needs to be as easy to take action against a company in another country as in your own.*

**Letters to the editor:**

Please send letters to the editor: Cranes&Access: PO Box 6998, Brackley NN13 5WY, UK. We reserve the right to edit letters for length. We also point out that letters are the personal views of our readers and not necessarily the views of the Vertical Press Ltd or its staff.



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