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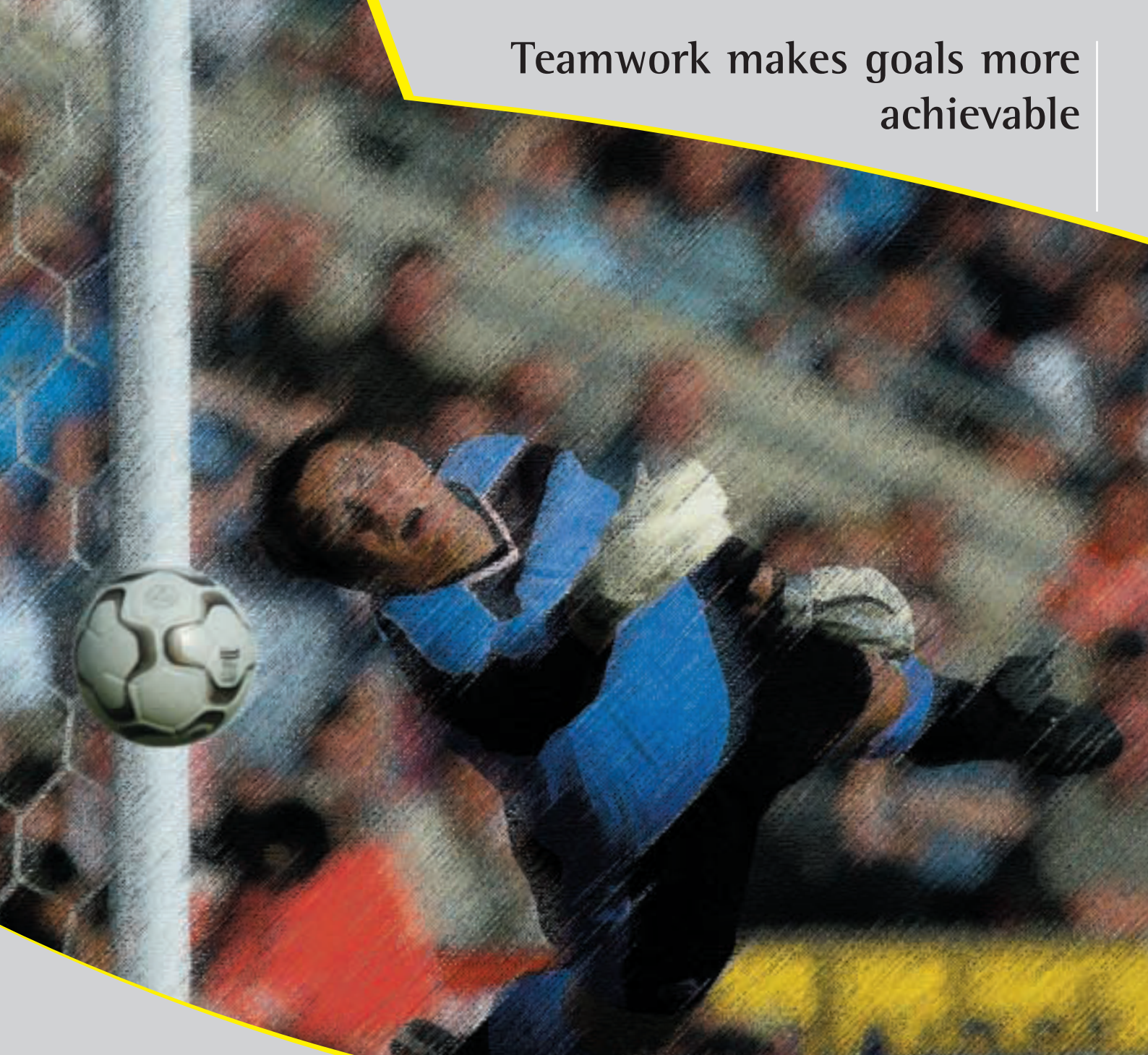
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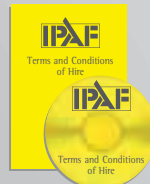
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Hewden considers court appeal

HEWDEN STUART faces estimated damages of up to £16.6 million following the collapse of a tower crane at Canary Wharf in May 2000 which killed three workers. Legal argument has focused on interpretation of the CPA's hire-contract conditions.

At the time of the accident the tower crane was on hire to steel firm Yarm Road from Hewden Tower Cranes, the tower crane division of Hewden Stuart, and under the Construction Plant-hire Association's (CPA) hire contract conditions. Hewden Tower Cranes has since been sold to concrete contractor PC Harrington and now operates as HTC Plant. The accident occurred when a specialist team from Hewden was increasing the height of the MAN Wolffkran Hydro 32BF tower crane through the process of "climbing" in order to continue work on the upper sections of the building. Following the accident, however, discrepancies arose when trying to establish which company was legally in control of the crane when the accident happened, and therefore responsible for the damages incurred.

A first instance decision given by Judge Richard Seymour QC at a November 4, 2002 hearing at the Technology and Construction Court placed the exclusive control of the crane during the "climbing process" with Hewden. The decision took into account clause 13 (c)(ii) of the CPA hire contract conditions, which states: "the Hirer shall not be responsible for damage, loss or injury due to or arising: during the erection and/or dismantling of any plant where such plant requires to be completely erected/dismantled on site, always provided that such erection/dismantling is under the exclusive control of the Owner or his Agent".

Hewden subsequently argued against the decision in a Court of Appeal questioning whether the "climbing" process actually fell within the boundaries of the erection and dismantling of a crane as described in the CPA conditions. This raised the issue of whether or not the company was in "exclusive control" of the crane during the climbing operation when the accident took place. Acting on behalf of Yarm Road, Adrian Williamson QC rejected that clause 13 (c)(ii) applied only when plant was being erected at the beginning of the hire period, implying that any intermediate heightening of the crane should fall under the term "erection" used in the clause and therefore suggesting that Hewden was in control of the crane at the time of the collapse.

Lord Justice Pill concluded that the "climbing" operation should indeed be considered as part of the erection process and that it cannot be said that the erection operation is completed during erection at the beginning of the hire period when up to 27 metres of additional crane sections are to be added to the height of the crane by subsequent "climbing" at a later date. In a July 2003 hearing, three court appeal judges agreed with Judge Seymour's original decision and Hewden's appeal was dismissed. Full responsibility for the collapse was placed upon the firm's shoulders. When C&A asked Hewden if it would be again appealing against the decision, the company declined to comment.

Walker Morris solicitors who represented Yarm Road said that Hewden is now obliged to give a full indemnity in respect of all losses incurred by Yarm Road and assignee of certain rights of Yarm Cleveland Bridge UK. The original claim against Hewden was initially pleaded at just under £8 million, but has since been estimated at double this sum.

Speaking to C&A, Colin Wood, chief executive of the Construction Plant-hire Association commented: "Subject to the final outcome, depending on whether Hewden appeal to the latest decision, the CPA would review the conditions to see whether any modifications need be made."

The Health and Safety Executive HSE launched an enquiry immediately after the accident and is, as yet, to reach any conclusion as to what caused the tower crane to collapse. The investigation into the accident also prompted the HSE to release a 'Discussion Paper on the safe design, manufacture, assembly, use and maintenance of climbing frames on tower cranes' in February this year. ■



First ever Palfinger platforms

PALFINGER LAUNCHED its first ever range of access platforms at Platformers' Days last month. The new van mounted platform line comprises a 13, 17 and 20 metre working height unit, dubbed the PA 13 T, PA 17 T and PA 20 T respectively, and is available for mounting on 3.5 tonne Mercedes, Nissan and Iveco chassis. The Austria-based company, primarily known for its knuckle boom cranes, said that it attached great importance to keeping the platform's dead weight to an absolute minimum, which it achieved by incorporating an aluminium arm system with one extension cylinder and chain drive into the platform's design.

Other features include an instantaneous overload protection system, an internally routed energy-conducting chain for damage protection, a master and slave cylinder controlled basket levelling system and under-arm mounting of the platform's extension cylinder. Palfinger also said that during testing the platforms were subjected to continuous loading tests of 10,000 working cycles and 20,000 load cycles within a single month. A damaged plastic bushing as a result has since been replaced by a higher quality component. The new line will be supported by the company's existing dealer and service network comprising 1500 centres worldwide. ■

IPAF teams up with CSCS

IPAF MANAGING director Paul Adorian has welcomed a move that will bring almost 100,000 trained platform operators holding its PAL card within the boundaries of the Construction Skills Certification Scheme (CSCS). The move will also see IPAF join the CPCS management board which, said CSCS chairman Tony Merricks, "will adopt the same standards and work proactively to ensure a common approach to plant training and health and safety matters in the UK."

Deeply rooted in the agreement is the recognition that platform operation is a completely different ball game to that of most other construction plant. Most CSCS card holders who operate Mobile Elevated Work Platform (MEWP) on construction sites, will have an entirely different basic trade or skill, such as steel operators and painters, and simply use MEWPs as an additional 'tool' to help get a job done safer and quicker. Under the agreement, additional IPAF qualification to operate the relevant type or types of platform will be added as an additional category on their existing CSCS card. On the other hand, those whose trade is 'platform operator' - often hired out with the equipment, will receive a CPCS card with the IPAF logo on the back.

Commenting on the move Paul Adorian said: "Whilst I've always understood the desire for a single operators' card, I've always been concerned that maintaining such a position might not prove entirely practicable. In coming together in this way with the CSCS, we actually have devised a solution that I believe will suit everyone. We keep, completely unchanged, our training scheme and PAL card as the well established, multi-industry and internationally recognised passport that allows trained platform operators access to areas in which they need to use platforms. The link up effectively gives operators a form of dual nationality in that when they qualify for a PAL card, their CSCS card will be upgraded to include their PAL card platform categories." ■



Intervect assists in UK landmark project

INTERVECT UK has supplied a total of seven Alimak construction hoists to Universal Building Supplies (UBS), under contract from Skanska Construction UK, for materials and site worker transportation at the City of London's major new landmark project, 30 St Mary Axe. By the end of the project, scheduled for completion by the end of the year, three Scando 28/37s, a Scando Mammoth, an Alimak 27/40, a Scando 20/30 and a Scando 20/32, along with two Comedil CTL 400 luffing jib tower cranes and a CTL 620, will have transported 13,500 steel elements with a total weight over 10,000 tonnes, 6,500 external glazing panels, and up to 500 workers a day on site.

In order to cope with materials and passenger logistics, Skanska opted for a centralised passenger and material hoist configuration based on a single UBS Common Tower, which allowed the attachment of the Alimak Scando hoists. Two UBS Common Towers were installed on site, with the main tower serving from ground level to level 31 of the 40-storey building. ■

LEEA launches Offshore Code of Practice

THE LIFTING Equipment Engineers Association (LEEA), in co-operation with the Health and Safety Executive's Offshore Division (HSE/OSD), has produced a Code of Practice for the safe use of hand chain blocks and lever hoists in offshore environments. The new publication was created in response to research by the HSE/OSD into a series of incidents involving hand chain blocks and lever hoist in the offshore industry.

Commenting on the launch of the Code, Derrick Bailes, chief executive of the LEEA said: "Selecting lifting equipment most suited to the environment can obviously mitigate some of the additional risks inherent in offshore applications. However, good maintenance, examination, inspection, transportation, storage and control procedures are equally important. The Code addresses all these areas. Alongside offshore applications, it may also be of value in other industries characterised by arduous operating environments." ■

Liebherr down in 2002

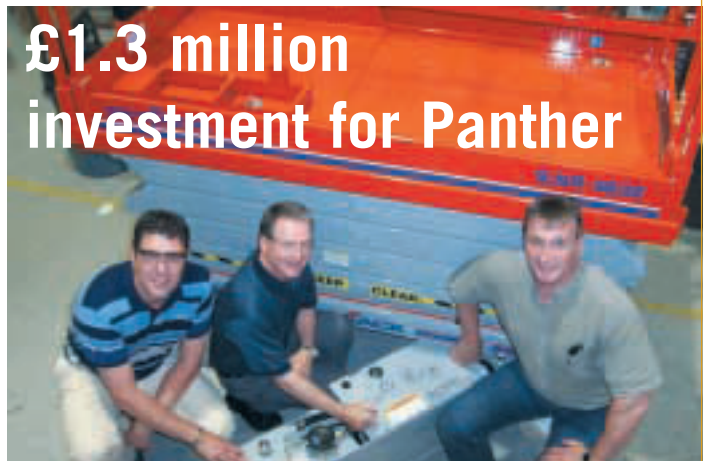
LIEBHERR HAS reported a slight drop in its mobile crane sales for the 2002 business year. The figures, taken from the company's recently published annual report, indicate a drop of €12.4 million (£8.61 million) from €919.3 million (£638.09 million) in 2001 to €906.9 million (£622.49) in 2002. Mobile crane sales contributed 22.3 per cent to Liebherr's total turnover of €4,069 million (£2,824.32 million), which itself was down by 1.5 per cent on 2001's figure.

Despite the fall, however, turnover in the Maritime Cranes division, comprising ship, offshore, container and mobile dock cranes, increased by just over 4 per cent on 2001's performance of €239 million (£169.89) to €248.6 million (£172.55 million) in 2002. The division was accountable for 6.1 per cent of the group's total turnover.

Although not listed separately, tower crane sales suffered during the 2002 period as highlighted in the report which says: 'The recessive market in Germany had a lasting impact on the tower crane industry.' A fall of 1.4 per cent to €316.1 million (£219.41 million) in 2002 for the Construction Cranes and Mixing Technology division, under which tower cranes are categorised, reiterates slow tower crane sales during the period as sales in the mixing technology sector actually increased significantly.

The report also says that the group's total turnover in the first half of 2003 also decreased slightly by €54 million (£37.48 million) to €1,870 million (£1,297.98 million), a fall of 2.8 per cent on 2001's performance. The company says that it doesn't expect to see moderate growth in the European construction sector until at least 2004, but the pattern of incoming orders in many of the group's product areas hints at a turnaround.

In 2002, Liebherr maintained a 40 per cent market share in the all terrain crane market, delivering in excess of 900 machines out of the 2,260 units that were sold around the world during the period. ■



POWERED ACCESS rental company, Panther Platforms, has invested £1.3 million in a range of scissor platforms and diesel and electronic booms. A large chunk of the order was taken up by 60 electric scissor lifts manufactured at Skyjack's factory in Ontario, Canada. Panther has already received part of the delivery and the remaining units will be distributed among Panther's Basingstoke, Birmingham and Kent branches during the next two months.

Orders were also placed with Genie, Haulotte and UpRight for the diesel and electronic booms which are now available from Panther. ■



LIEBHERR GREAT Britain UK director David Milne (left) hands over the keys to a new 100 tonne Liebherr LTM 1100/2 mobile crane to Commhoist's operations manager director Dave Carsley and national operations manager Steve Thatcher. The 5-axle unit is the 16th new Liebherr crane to be delivered to the company in 5 years and slots into the existing Liebherr fleet with capacities ranging from 40 to 100 tonnes. ■



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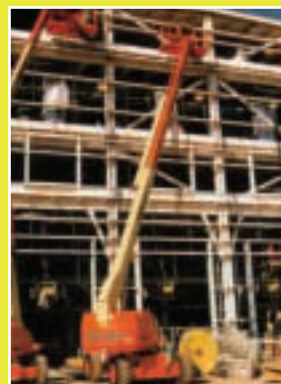


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BOOM 13.5M
WHT 1999**



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LIFTS (CHOICE OF
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SCISSOR LIFTS 8M
WHT 1999-2002**

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(D)
(CHOICE OF)
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Work begins on Liebherr's new UK HQ

FRENCH KIER, the eastern regional arm of Kier Group, has started work on a design-and-build project at Biggleswade which, when finished, will be the new UK headquarters of Liebherr Great Britain. On completion, the £11 million, 50-week contract will provide Liebherr with a three-storey headquarters building, 5,000 square metre service, repair, maintenance and equipment testing facilities and a high-tech spares warehouse. Liebherr will be moving to the new Stratton Business Park facility from its current base in Hatfield, Hertfordshire.

"We are delighted to have French Kier as main contractor," said Bruce Field, managing director of Liebherr Great Britain. "We already enjoy a long-

standing supplier-customer relationship with the Kier Group, to whom Liebherr has been providing cranes and construction equipment for many years."

Neil Meixner, managing director of French Kier commented: "This project marks a significant new chapter in the relationship between Liebherr and Kier, the biggest single user of Liebherr tower cranes in the UK." French Kier said that it will be using Liebherr plant wherever possible throughout the project.

On the official launch day of the project Field and Meixner were joined by Alistair Burt, parliamentary private secretary to Iain Duncan Smith, to break the ground. ■

Mobile cranes unsafe says SAFed

THE UK'S Safety Assessment Federation (SAFed) has warned that mobile cranes are by far the most potentially dangerous item of lifting equipment. The warning follows a survey undertaken by SAFed in which over 2.5 million items of lifting equipment were examined ranging from suspended access platforms to forklift trucks. According to SAFed, the survey found that year on year the highest rate of serious defect detection was amongst mobile cranes and that on average, serious defects are identified in just under 10 per cent of thorough examinations undertaken.

In total, an alarming 100,000 serious defects were discovered across the whole range of lifting equipment, which, said SAFed, had they not been identified, could have resulted in a significant number of potentially dangerous incidents. A SAFed spokesperson said: "All employers need to be aware of their obligations under the Lifting Operation and Lifting Equipment Regulations 1998 (LOLER). These require operators to ensure that all items of lifting equipment are thoroughly examined by a competent person either at prescribed intervals or in accordance with an examination scheme." ■

News highlights

GROVE WORLDWIDE'S Shady Grove manufacturing and service facility in the US has been certified to the ISO 9001:2000 Standard. Grove became the first crane manufacturer to be certified to the ISO 9001:1994 Standard back in 1994 and is now one of the first to be qualified under the new standard.

NATIONWIDE SKYLIFT has given powered access parts and service specialist Independent Parts & Service (IPS) the nod to handle the preparation of its truck mounted platform fleet, comprising 461 units ranging from 9 to 72 metres, prior to chain inspections. The agreement is driven by LOLER (1998) Regulations, which says that chain blocks within the boom sections of truck mounted lifts must be examined by an approved insurance inspector every four years. All preparation work and inspections will take place at IPS' central England facility.

MARTIN HENDER has been appointed as the new general manager of Hewden's Crane and Contract Lifting business. Hender was previously employed as business development director and latterly fuel director with Arval PHH Business Solutions.

SGB GROUP has named Steve Shine as the new managing director of its UK-based operating business. Shine will report directly to John Barrett, SGB's group operations director, and will have operational responsibility for SGB's branch network and its specialist subsidiaries SGB Formwork, SGB Rovacabin and SGB Youngman.

WIRE ROPE manufacturer for the lifting industry, Bridon, has re-opened a dedicated sales outlet in Aberdeen to boost its service to customers in the North Sea Oil and Gas industry. The new Bridon Sales unit shares the premises with its sister company Certex UK. Bridon will also operate the wire rope Service Centre at Inverbervie in the North East of Scotland.

TEREX CRANES has announced that its current Peiner tower crane manufacturing operations in Trier, Germany will be relocated 100 kilometres south to the Terex Demag facility in Zweibruecken. Terex Cranes president Fil Filipov said that production of the 315, 415 and 575 tower cranes and the 212 and 213 tower crane sections will commence at the Zweibruecken facility.

THE HEALTH and Safety Executive (HSE) has issued a report into the beneficial use of mobile elevated work platforms (MEWPS) for tree work. The report, prepared by Forest Research, an Agency of the Forestry Commission, is intended to promote awareness and understanding of MEWP capabilities for arboricultural operations, in response to the high number of accidents in the arboricultural industry.

Full story on www.Vertikal.net

HSE warning follows telehandler fatality

The Health and Safety Executive (HSE) has issued a warning about transport safety in the workplace after McLean Homes North West and Cheshire was found guilty of charges relating to death of an employee involving a JCB telehandler. The firm was fined £150,000 and ordered to pay costs of £56,017.

54-year-old construction site store worker Harold Moran was killed after being struck and run over by the materials handler while it was reversing out of a materials storage compound at a site at Ashton Downs in Kirby, Merseyside on September 2000. McLean Homes North West and Cheshire pleaded not guilty to a charge under Section 2(1) of the HSW Act, but was subsequently convicted at Liverpool Crown Court.

HSE inspector Neil Jamieson said: "On average around 70 people are killed and 1,200 seriously injured each year in workplace transport accidents. These accidents are mainly caused by people being struck or run over by moving vehicles when reversing particularly in areas where people are not properly segregated from vehicle movements.

"It is vital that managers of all types of workplace - not only construction sites - analyse the potential dangers posed by workplace transport and then take suitable safety measures to avoid these risks."

The HSE's warning is synonymous with the overriding message thrown up by the recent release of its Statistics of Fatal Injuries 2002/2003 report. The figures show that the number of fatally injured workers fell by 10 per cent to 226 in the corresponding period from 251 in 2001/02. Of the 107 - 47 per cent - worker fatalities that occurred in 2002/2003, 71 were attributable to the construction industry. The report also indicates that falls from height, accountable for 33 deaths, remain the single biggest cause of death, followed by being struck by moving/falling objects and being struck by a moving vehicle. These together account for 53 per cent of fatal injuries to workers in 2002/2003.

"Deaths caused by falls from height continue to dominate these figures along with moving vehicles or falling objects," said Bill Callaghan, chair of the Health and Safety Commission. "Workplace transport accidents are a particular issue for the service industries and HSE is working on a range of initiatives with a view to improving site design, and setting new standards for the design of vehicles.

Kevin Myers, chief inspector for construction at HSE commented: "The breakdown of the fatal injury statistics 2002/2003 indicates that the industry is still struggling to deal with falls from height. HSE remains committed to working with industry on falls from height and the other main causes of death through initiatives such as 'Don't Fall For it', the national falls from height inspection campaign, taking place again this month.

"Unfortunately, the reduction of fatalities in 2002/2003 has so far, not been carried forward into the current year. There were 27 deaths associated with the construction industry reported to HSE in the first three months of this year, which started in April. It is too early to assess whether the recent deaths indicate a reversal of the overall downwards trend in the last three years.

"However, continued Myers, "the early figures for the current year should act as a warning against complacency and a stark reminder that a sustained effort is required across and down the industry over a long period to drive the necessary cultural change. That was the commitment made by the industry at the Health and Safety Summit in 2001 as part of a ten year plan. Two years on, we should not take our eye off the ball because we have identified what needs to be done - continued effort is required within this fragmented industry to make it happen." ■



Ainscough goes green

UK CRANE hire company Ainscough was involved in a landmark lift recently after it was called up by electricity company and wind turbine builder Ecotricity to erect the lower tower sections and lift the hub and blades of what is now the UK's tallest wind turbine. Ainscough's massive 1000 tonne capacity Liebherr LTM11000D was rigged with 160 tonnes of counterweight, 31.5 metres of derrick mast, 47.6 metres of main boom and a 56 metre luffing jib to provide the main lifting power, while a 120 tonne capacity Liebherr LTM1120 was used for tailing crane duties. The hub and blades, which produce a 70 metre rotor diameter, were lifted as a single unit to a height of 85 metres before being carefully fixed into position on top of the structure's tower at the Ecotricity site near Swaffham, Norfolk.

On completion, the 1.8 megawatt turbine will provide enough power for over 1,200 homes and is the second turbine to be erected at the Swaffham site. The combined power generated by both turbines will supply 75 per cent of Swaffham's total home electricity requirements, boosting Norfolk's total wind power by 30 per cent. Ecotricity said that the building and erection of the latest Swaffham turbine is part of the company's strategy to supply 1 million UK homes with its new green electricity tariff. "Dale Vince, Ecotricity's managing director said: "It's magnificent and a real thrill to think that this turbine will be producing clean electricity in a few days. This is the latest step in our mission to change the way electricity is produced in the UK." ■

Manitowoc Crane Group consolidates for UK and Ireland

STEVE BARNETT, previously UK managing director of Manitowoc-Potain, has been named as managing director sales and operations of Manitowoc Crane Group's new consolidated sales and service organisation for the UK and Ireland. Barnett will continue to be based at the company's Uxbridge facility where he will take responsibility for all UK sales activities of the group, which includes Potain tower cranes, Manitowoc crawler cranes and Grove mobile cranes. He will also be responsible for the latter two crane groups in the Republic of Ireland.



Barnett's load will be lightened by Kim Dandridge, Ross Wilson and Barry Fry, who will be responsible for the Potain, Manitowoc and Grove products respectively in their existing territories in the UK and Ireland. Bill Newman will be responsible for product support for both Potain and Grove cranes, while Garry Jeffrey will be responsible for technical support for Manitowoc cranes throughout the EAME region. Both operations will be overseen by the European division of Manitowoc's 'Crane Care' operation from Ecully, France.

Long-standing Grove partner, Sam Walker will continue to be the UK and Ireland service agent for the mobile crane division, while support for Potain tower cranes will be centred at the Uxbridge site.

"The new, consolidated Manitowoc Crane Group is a major international force in the worldwide crane industry; arguably the largest crane manufacturing group in the world," said Steve Barnett. "With our pooled resources in the UK, we shall be able to offer not only the broadest range of lifting products available from one single source, but we shall also seek to offer an enhanced and unequalled level of product support."

MCG said that the first objectives of the new organisation will be to continue to build on the success of the Potain HD and Igo tower crane rental business, and to establish rental partners for the GME cranes. Plans are also in the making to re-establish the Manitowoc crawler crane brand in the UK, while the mobile crane operation eagerly awaits the launch of the new higher-spec 55 tonne capacity GMK3055 later in the year, which will help to build on the foundations already laid by the 50 tonne capacity GMK3050 in the compact three-axle market. ■

CPA publishes hoist best practice guide

The Construction Hoist Interest Group (CHIG) of the Construction Plant-hire Association (CPA) has published a new best practice guide which outlines the share of responsibilities between the hire company and the contractor for the use of construction hoists. The "CPA Best Practice Guide - Inspection, Thorough Examination and Maintenance of Construction Hoist" details thorough examination after installation, in-service thorough examination, daily pre-use checks, weekly inspections, and the maintenance of construction hoists.

The CPA said that although there has been no change in the laws applicable to construction hoist use, this is the first time that the hire sector has got together with the Health and Safety Executive to discuss and decide on the best ways of meeting their legal requirements. ■



Bracht takes first CC 1500

EUROPE'S FIRST Demag CC 1500 crawler crane is currently being put to the test by Germany-based crane hire company Franz Bracht. The 275 tonne capacity machine is being used to lift precast concrete components, each weighing up to 75 tonnes, as a part of the construction of a new UPS cargo centre at Cologne airport.

In order to avoid interference with airport radar, the crane has been rigged with 36 metres of main boom and the maximum counterweight of 120 tonnes on the crane's superstructure and 20 tonnes of central ballast. This configuration gives a maximum lift capacity of 75 tonnes at a 17 metre radius and 65 tonnes at 19 metres. To combat the height restriction, a specially designed tray is being used to take up the load and allow the concrete piles to get as close to the boom head as possible. The CC 1500 went straight to work on its first job after being handed over to Bracht at the Intermat exhibition in May. ■

JLG buys European telehandler line

JLG INDUSTRIES has announced the acquisition of the property and related assets of a compact telehandler line from Belgium-based agricultural telehandler specialist, Etablissements Fadeur. The new machines add hydrostatic transmission telehandlers to JLG's existing powershift transmission range. "Now we have machines for everybody," said Maurizio Risso, sales director European telehandler at JLG.

The acquisition follows the recent US\$100 million agreement between JLG and Textron in the US, under which it will acquire the OmniQuip business of Textron. The deal will include the purchase of the assets of Trak International, by JLG, comprising all operations relating to the Sky Trak and Lull brand telehandler products.

JLG said that it now leads the US telehandler market and that worldwide it falls short of just two companies, namely Manitou and JCB. ■



EN280

and CE approval controversy

A year on from the publication of the harmonised standard EN280 for Mobile Elevating Work Platforms (MEWPS), Leigh Sparrow, former senior vice president of UpRight and publisher of the Vertikal Press looks in detail at the apparent confusion caused by its provisions.

THE HARMONISED standard EN280 for Mobile Elevating Work Platforms (MEWPS), published in the Official Journal of the European Union in June, 2002, allows manufacturers of aerial work platforms to self-certify their machines. This means complying strictly with its standards and subsequently placing a technical file with a notified body.

Alternatively, manufacturers may continue to use a notified body to carry out a third party certification. The notified body will carry out its own tests and risk assessments and check compliance with essential safety requirements from relevant directives. Notified bodies are not required to follow EN280 in every detail. Their obligation is to ensure that the machine meets the essential safety requirements of the directives, while referencing a variety of rules, regulations and standards.

In practice, most notified bodies will follow EN280 fairly rigorously because it is the most recently approved standard for MEWPS, although the rapidly approaching ISO standard could replace it in a couple of years. A year on from EN280's publication and some new issues have come to the fore. Towards the end of the EN280 process, the French government threatened to effectively veto EN280 by invoking the EU's safeguard clause. This would have allowed it to demand that platforms imported into France incorporate additional items on the basis that these were essential for safety. The EU is always keen to avoid the use of the safeguard clause on the basis that it is the thin end of the wedge that begins to erode single market objectives. Thus, at the tail end of the process, a requirement for full-blown overload indicators and cut-outs, on all but a few excepted units, was added into EN280, in spite of the fact that it had been rejected during the drafting process as not state-of-the-art.

JUNE 30, 2002. NEW REQUIREMENTS

As a result, in order to obtain CE approval and certification, all new product introductions or approvals issued since June 30 last year must feature a full overload system. Machines designed and certified prior to July 2002, however, can still be manufactured and sold without the fitting of these load moment devices. This means that it is legal to buy new, CE approved platforms that are not fitted with load moment devices provided their design was approved before June 30, 2002.

The Italian government argued that this mixture of standards would be hard to enforce and would penalise new machines that would have to meet more complex standards. It therefore lobbied for all CE certificates prior to June 30, 2002 to be suspended as of June 2003 and only reissued if the machine featured a compliant overload device.

The European Commission's standing committee for directive 98/37/EC, Committee TC6.2, originally appeared to endorse this view. This provoked a unanimous outcry from the work platform industry, supported by a strong lobbying effort by IPAF and a strong appeal from many EU governments. This caused TC6.2 at its December 2002 and March 2003 meetings to unanimously reject the Italian proposal to suspend CE certificates issued prior to June 30 2002. TC6.2 instead declared that CE certification for existing machines would not be suspended.

If any member state wished to block a machine with a pre-July 2002 CE approval, it would need to be justified locally on the grounds that the machine was no longer safe. This is an unlikely scenario because of the exceptional safety record of MEWPS, and because accidents caused by

overloading are almost unheard of. It should also be noted that most scissor lifts are already fitted with a simple, effective overload device at the point of platform lift off.

In reality, the rapid pace of development in the aerial lift market means that most of the pre-July 2002 certificates will expire over the next two years as new models are introduced. Commercial pressure will also come to bear when the reliability of such devices fitted to new machines is proven. This more gradual process will most certainly better serve the industry and give manufacturers time to fine tune and improve the technology, while avoiding significant product cost increases at a time when rental rates are at an all-time low. It is also important to note that, at this time, it is far more important, in safety terms, to increase the use of MEWPS, particularly in construction work, than to add further cost and complexity to these products which have done so much to increase safety while working at height.

EXISTING FLEETS

The above has no affect on existing fleets. When you buy a platform, you should always demand a copy of the CE certificate for your own records. As long as the manufacturer has a valid CE approval you have nothing to worry about.

Should you insist on the fitting of overload systems on new machines? This is a decision for you to make and feel comfortable with. On boom lifts, the systems are now reaching the point where they are relatively reliable and well-proven, while the extra cost represents a relatively small proportion of the machine's total cost. So, if in doubt, you may feel that adding this option will give you an edge. However, generally speaking, you will not achieve higher rental rates for the unit and it is very questionable as to whether the safety of the machine is actually improved. With regard to the possible future obsolescence of your boom, do not be concerned. Most systems are easily retrofitted and costs for these devices are expected to fall over the next couple of years.

For scissor lifts, it is a different story. When the industry and the rest of Europe submitted to French pressure, the general consensus was that the clause did not affect scissor lifts. This was because they were looked upon as type A machines, where the centre of gravity does not move outside of the machine's base. However, due to allowable slopes and deck extensions et cetera, most notified bodies have classified scissors along with booms and all new product introductions will require a full load moment system.

On a small electric slab machine, this is a total nonsense! And, due to the high percentage cost, this could slow the take-up and reduce the utilisation of these units in the workplace, thus impeding, rather than enhancing, safety.

The systems for scissor lifts are only now being developed in a hurry to meet the initial concern that, from July 1, 2003, such devices would be mandatory on all new machines. As TC6.2 has now indicated that existing CE approvals are still valid, I would strongly recommend that you do not request the optional fitting of such a device at this time. The industry is working hard to develop a reasonably priced and reliable system for scissor lifts, which is likely to be incorporated into new product launches later this year.

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