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5<sup>th</sup> July 2022

Dear Sirs

As you may be aware, Skanska recently announced a forthcoming ban on its sites / projects for the use of lorry loaders with swing-up stabiliser legs that rotate across fixed control positions. Whilst not clear from Skanska's document on this matter, it has been confirmed that the ban includes the use of lorry loaders with remotes where the leg rotates across fixed controls, and in this situation 'fixed controls' includes emergency levers or equipment on which the standard levers have been removed.

This decision has been taken despite extensive discussions between ALLMI and Skanska, where our position has remained that collaboration between ALLMI, its members and the appropriate Standards bodies will achieve the most effective and sustainable solution to the concerns highlighted.

This letter formally places on record the views we have expressed to Skanska, and that we will continue to communicate to all applicable parties.

First and foremost, we wish to clarify two important points:

- As a principle and in acknowledgement of industry practice, we fully accept the right of Skanska to apply whatever rules it sees fit on its sites.
- All points recorded below are made with the fullest respect towards those persons affected by the fatality which led to the decision made by Skanska.

Points for consideration:

- Lorry loader fleet owners that have purchased legal and compliant machines should not suffer economic loss from selective bans. Many of them have invested millions of pounds in ensuring compliance of their fleets to FORS / CLOCS / Emission Zone requirements and so on, and any ban would add further burden to them and their ability to operate.
- With the exception of misuse, provided a crane of this type / design is operated in accordance with the Manufacturer's instructions, the stabilisers can be safely rotated and retracted whilst being in full sight of the Operator - this is a requirement of EN 12999.
- During the ALLMI Technical Standards Committee meeting held on 20<sup>th</sup> April 2022, those present unanimously expressed the opinion that the use of hold to run controls was an adequate control measure for the retraction of swing-up stabilisers, and that such machines were compliant with EN 12999. As such, the view is taken that the fatality was a tragic accident, rather than a fundamental design flaw with the machinery.
- The equipment in question conforms to the applicable version of EN 12999, the product Standard intended to ensure compliance with the Essential Health & Safety Requirements of the Machinery Directive.
- ALLMI member companies must subscribe to the ALLMI Code of Practice, requiring them to comply with all relevant legislation and Standards, including EN 12999 and applicable parts of the BS 7121



series. ALLMI training courses include detailed coverage of the safe stowage of stabilisers. It should be noted that the company involved in the accident in question was not an ALLMI member, and it is understandable that ALLMI member companies would feel aggrieved if they were penalised for the actions of others.

- There are multiple ways in which cranes and plant (of all kinds) can cause serious injury, including by crushing. Whilst reiterating our respect for the persons affected by the fatality, the circumstances surrounding it were exceptional, given the many hundreds of thousands of lifts this type of machinery has completed (at least) in the last two decades.
- Whilst ALLMI is not party to any survey data, it is the case that a lot of deliveries are made on Skanska sites by all manner of means. Effectively transmitting the policy over many suppliers to the point where it is known and understood by dispatchers seems very difficult. It is easy to envisage large numbers of deliveries being turned away upon arrival, resulting in associated cost / commercial disputes / disruption / environmental impact from failed deliveries of plant and materials, etc.
- Linked to the above, the identification of the (very) specific swing-up stabilisers that swing towards fixed controls is not simple. This means that site managers will require training on the matter to positively identify such a machine, at which point it would already be on site. In the event of a commercial dispute (where a fleet owner believes their machinery has been incorrectly identified as 'banned'), a 'final arbiter' would be required to adjudicate on such decisions.
- A technological solution for a state-of-the-art retrospective application does not yet exist for all makes and models. Any ban could result in long-term Skanska suppliers that only own loader cranes of this type, and are fully legally compliant, being excluded from operating on site.

All the above points notwithstanding, our main concern is that Skanska has included in its ban all cranes where the stabilisers are normally operated by radio remote control, but which have ancillary control levers for use only in the event of the need to recover / stow the stabilisers under an emergency scenario (e.g. loss of power to the remote control), and where the stabiliser rotates across the position of these controls. The inclusion of this type of equipment within the ban significantly increases the number affected, far above the '2 out of 47' figure mentioned in Skanska's document. For example, one of our larger Operators' Forum members has effectively gone from having no vehicles included in the ban, to almost *all* of their fleet. This includes new vehicles where the builds were interrupted to specifically remove the fixed lever operating stations in direct response to the original safety alerts issued in October 2021.

Furthermore, we feel that, given the unlikely scenario of needing to use emergency levers (which would require failure of *both* the radio control and the back-up umbilical cord), and given the other control measures that could be put in place, to include this equipment in the ban constitutes a disproportionate response, and one which has the potential to cause irrevocable damage to the UK lorry loader industry. This, in turn, could lead to widespread disruption of the cabin / plant sector, or the ban being largely ignored out of sheer necessity on site.

It remains our view that an industry-wide 'one-speed' approach is much preferable to individual site bans, wholly encompassing the lorry loader sector with the comprehensive dissemination of control measure knowledge. Previously experienced policies along similar lines have led to widespread cynicism in the lorry loader community when selective adherence on site has resulted from commercial pressures. The approach

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we are advocating is akin to the one successfully used in collaboration between ALLMI, CEN and the HSE in the early 2000's when stabiliser monitoring devices were brought into the mainstream.

In conjunction with such an approach, we advocate the following measures, which we believe form the correct path towards mitigating the identified risks of certain types of swing-up stabilisers:

- An amendment to EN 12999, work on which is already underway.
- Development of retrospective solutions (in the UK by installers / importers) made available to duty holders / fleet owners.
- Continuing with ALLMI campaigns / training course amendments for all lifting team roles, a process which commenced in October last year.
- Access to site tightly controlled via the lift plan review / approval process, with the hazard being treated in the same way as all other well-known lifting hazards.
- Site supervision / discussion on site induction, etc. in cases where there are positively identified concerns, with reference to ALLMI guidance and additional suitable controls being enforced.

ALLMI remains committed to working with all applicable parties to achieve a safe and sensible solution at the earliest possible opportunity, to address the concerns raised by Skanska.

Our current guidance on this subject can be found [here](#).

Thank you for taking the time to read this letter. As always, we remain open to further dialogue and so please do not hesitate to contact us, should you wish to discuss this matter.

Yours faithfully  
on behalf of the Board and Members of ALLMI

Alan Johnson  
Chairman