CECA meets MPs, MSPs and Assembly Members to ensure the industry is protected

CECA has been lobbying in Westminster, Edinburgh and Cardiff, highlighting the impact of the downturn in the civils sector.

These meetings are building upon the findings of the SME Survey and the points highlighted in CECA’s Economic Action Plan. Of particular concern to CECA is the growing uncertainty amongst members that the potentially positive announcements from the Pre-Budget Report (PBR) are not being implemented as effectively or quickly as they need to be.

Contractors welcomed the announcement in the PBR of the creation of a Small Business Finance Scheme, the HMRC Business Support Service (offering tax payment plans) and Ten Day Payment Periods, but CECA is now pushing for the Government to broaden their scope and speed up their introduction. For example, the details of the Small Business Finance Scheme have yet to be announced and it will not become operational until late January 2009, which is cold comfort for contractors who need to stabilise their cash flow now.

Planning Bill Receives Royal Assent

The Planning Bill received Royal Assent on 26th November. It has been championed in the press by CECA and should reduce much of the bureaucracy involved in the planning process by avoiding long public enquiries.

The new Act introduces a system for approving major infrastructure of national importance and replaces current regimes under several pieces of legislation. It is hoped this will go some way to taking the political implications out of the decision making process making it easier to develop the infrastructure the UK needs.

CECA welcomes the new Planning Act. It has long been apparent that delays due to planning regulations cost the UK financially and affect the reputation of the industry. Recent major projects to suffer from planning delays include Terminal 5 - 37 planning applications were made under 7 pieces of legislation - and the M6 Toll - delayed 85 months in the planning stage. An attempt to streamline this process is long overdue and the measures put forward in the new Act offer a real opportunity to deliver improvements to UK infrastructure.

... full details of new measures on page 7

Infrastructure projects, such as this one built by Hochtief (UK) Construction Ltd, will be streamlined under the new Bill

In This Issue:

- Chairman’s Column
- SouthWest Region
- Member News
- Prof, John Wooten CBE
- Glover Report
- CECA and Governments
- Industry News
- Director’s Column

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Democracy can create complex structures. The political map of the UK is not so much a patchwork quilt as a layer cake. There are levels of elected representation and executive decision making sat one upon the other in an ever evolving structure intended to bring decision making away from the Whitehall 'centre' and out to communities across the country.

Sometimes it seems like we have to fight our way through a jungle of MPs, Local Authorities, Regional Government, Civil Servants, Devolved Governments and the European Union. This is before we think about our clients, who can be national, regional or local, regulated, deregulated, agencies, departments, councils, executives and development agencies. The national clients can be organised regionally and the regional ones sometimes have national significance. It is a lot to get on top of.

One of the great strengths of CECA is that it has the ability to break this down into bite size pieces. With the overview of the industry that we gain through your active membership we can, regionally and nationally, get an overview of the issues that affect contractors and target our representation where it will be most effective. When the storm clouds are gathering, as they are now, this takes on a greater importance.

We have, through research and direct contract with members, identified the problems in the industry caused by the credit crisis and the steps that have been and should be taken by Government to prevent the situation from getting worse. In a previous edition I discussed how the Pre-Budget Report had some good and some bad measures and five actions the Government has taken that should be helping SME contractors. We are concerned that help is not in place to prevent the redundancies we anticipate will impact on our sector in the next six months. We have communicated this to the Minister for Construction and we are meeting MPs, MSPs and Assembly Members from across the spectrum in Westminster, Edinburgh and Cardiff, who have been willing to listen to our arguments and take up our suggestions to use when they hold their Governments to account. (see page 9).

We know that smaller contractors may need help to stabilise cash flow as soon as possible. We have looked into the Small Business Finance Scheme and the HMRC’s Business Payment Support Service and, although these could be helpful, there is a danger that delay in implementation will mean avoidable redundancies and business failures. These and other points, such as 10-day payment and accelerating infrastructure investment are being pushed hard by CECA in face to face meetings with MPs, Assembly members, MSPs and others.

National clients need to know this too. The problems facing their supply chains are a problem for them as well, particularly if the long term result is a contraction of the civils sector. If that happens, their tender prices could well go up dramatically when demand returns. CECA is working very hard to make sure this point is taken seriously.

Regionally, CECA’s representative work with clients and Government at any level has never been stronger. We have pioneered a new relationship with 4NW, the replacement body for the Regional Assembly which is pilot for similar organisations across England. It is this sort of initiative, and the fact that we are listened to and respected by the industry’s clients wherever we find them, that ensures CECA gets the message across.

Civil Engineering is a world wide industry with world wide clients and needs a global vision. We need to think ahead and think about how we can get the message across in years to come when new challenges come forward. Those challenges, as well as opportunities, can and will come from any level of Government.

Peter Andrews, CECA Chairman
In reviewing CECA’s year in the South West, it would be unthinkable not to refer to the challenging times our members are currently facing in the region, particularly those member companies whose businesses in the recent past have depended heavily on infrastructure for private development. Most of these schemes have simply disappeared ‘off the radar’ resulting in even greater competition for publicly funded projects in the highway, marine and other traditional civils sectors.

In this ongoing, difficult economic climate, it is important that CECA constantly strives to improve its services to and representation of its members. To this end, CECA (South West) is playing its part through representation at national level in highlighting the plight of CECA members to Government and the media, providing timely advice to members and improving co-operation with other industry representatives.

At a local level, there are lots of positives to report, with members becoming increasingly involved in CECA activities and contributing substantially to initiatives which will impact on our industry, both regionally and nationally.

Towards Zero Waste for Civil Engineering

Following an approach by the South West Regional Development Agency, member companies in the region have been keen to get involved in this important initiative to reduce wastage on site.

Carillion, BAM Nuttall, Dean & Dyball, Clancy Docwra, May Gurney and Black & Veatch made existing contracts available to the research team as case studies, whilst the wider CECA (South West) membership contributed to a poll on current environmental practice and understanding.

The environmental benefits in managing waste more efficiently are self evident, but there are also significant cost savings to be realised in adopting a more sustainable approach to construction. Responsibility for this rests not only with the contractor, but also with the client, his design professionals and the regulatory bodies and therefore a collaborative approach by all concerned (including CECA members) was crucial.

The findings and recommendations of the report will be published before the end of the year (with a copy sent to every CECA member company across the country) and will provide a very useful ‘first step’ towards achieving the industry’s objective of Zero Waste in the foreseeable future.

Construction Ambassadors

Raising the profile of civil engineering and attracting more young people into our industry is an ambition of us all. CECA (South West) is doing something about it by actively supporting the ‘Construction Ambassadors’ programme, run locally by ConstructionSkills.

This is all about encouraging young construction professionals from member companies to engage with 14-19 year olds and open their eyes to the exciting opportunities that our industry can offer them. Participants in the programme attend a free one or two day training course essentially covering communication skills, presentation skills and careers awareness. This prepares them for subsequent ‘ambassador’ events in schools and colleges, such as careers conventions and seminars, site visits, activity days, working with small groups of young people and answering any questions they may have about the industry.

To date, candidates from Birse Civils, Black & Veatch, Carillion, Interserve and BAM Nuttall have successfully completed their ‘ambassador’ training with further candidates being put forward in the New Year.

Towards zero waste for civil engineering

“Towards zero waste for civil engineering” reviews opportunities for CECA members to contribute to the built environment sustainably

www.ceca.co.uk
Members’ Meetings

Quarterly members’ meetings, held in Exeter, have been well attended by the CECA (South West) membership and regularly feature industry guest speakers. Recent speakers from organisations such as ConstructionSkills, CEEQUAL, South West RDA, Filton College and the University of Plymouth have proved both enlightening and informative and given members the opportunity to input directly into key industry issues.

At our December meeting, regional policy managers from the South West Regional Assembly gave members an indication of the Government’s future strategy for the region.

Links with Universities and Colleges

CECA (South West) continues to build links with the region’s universities and colleges. Our relationship with the University of Plymouth, for example, is stronger than ever, with 2008 seeing the third set of awards presented to students who have completed their industrial placement with a member contractor. This year there were two worthy recipients of the CECA (South West) prize; namely Daniel Parkes and Stephen Withers. Both students not only demonstrated their ability to adapt readily to site working and accept considerable responsibility in their site management duties, but were also able to articulate their experiences extremely well.

Seminars

In our continuing quest to deliver value for money to our members, CECA (South West) has run a series of seminars over the past four years on construction contracts. During 2008, a series of nine seminars (including three on specialist Network Rail contracts) were held.

These seminars take place in Bristol and are free to members. All have been well received with up to one hundred delegates attending each seminar including members from CECA (Midlands) and (Wales). In 2009 a programme for a further eight seminars has already been planned.

Client Liaison Meetings

CECA (South West) has met regularly with clients including:
- Local authorities – Bristol City Council, Cornwall, Devon, Dorset, Gloucestershire, Somerset and Wiltshire County Councils
- South West Water & Wessex Water
- The New Swindon Company
- South West Regional Assembly & Regional Development Agency
- Network Rail Western Territory
- Project Taunton – advising on the skills academy, behavioural management of safety and occupational health issues
- Intermittent liaison also takes place with the Highways Agency (SW) and the Environment Agency at Exeter.

All in all, this has been a busy and exciting twelve months for CECA (South West). 2009 will present us with new challenges in the light of the recent credit crunch and the effect this will have on our industry.

Training Awards

As part of the initiative by CECA (South West) to raise awareness of the need to provide training and development for young people new to the industry, the following awards were made at the Annual Lunch in Torquay in October:
- Most Promising Apprentice 2008 - Leon Farrow, Interserve Project Services
- Most Promising Apprentice 2008 – Highly Commended - James Rowbotham, South West Highways
- Most Promising Trainee Quantity Surveyor 2008 - David Webb, BAM Nuttall Ltd
- Most Promising Trainee Civil Engineer 2008 - Yvette Wilbraham, South West Highways Ltd
- Most Promising Trainee Civil Engineer 2008 - Special Recognition Award - Stephen Withers, Dyer & Butler Ltd

Winners received an engraved cup, certificate and cheque for £500.
Earlston-based family business Rodger (Builders) Ltd is one of the oldest building/civil engineering contractors in Scotland. Founded in 1846, the company today is at the forefront of modern construction with the growing rental fleet of self-erecting tower cranes and female operators.

Rodger’s has made the news recently as the employer of the first two female self-erector crane operators in Scotland for its growing fleet of Cattaneo cranes. Ellie Hooper, 21 and Rebecca Adams, 29, have been put through their paces on the job as well as passing the relevant CPCS training and qualifications allowing them to operate their cranes.Communicates got in touch with the company director Willie Rodger, who owns and runs the business with his brother, Charles, to find out how the company’s training policies were paying off.

“Because of the skills shortage in the Borders, we actively seek to attract women into the industry” Willie explained. “Ellie and Rebecca have been well received within the company, quickly settling in to become key members of the team and have impressed our clients with their skills and attitude,” he added.

The first two cranes were purchased early in 2008 for long term hires to Biwater Leslie JV on their Coulter and Roberton WTW projects for Scottish Water Solutions. Finding an individual qualified to offer CPCS training proved difficult but Biwater Leslie not only sourced a trainer but also arranged for the training to be carried out at their Roberton site. This use of a ‘live site’ was very much appreciated by the trainers. “The company is hugely grateful for the invaluable support of Scottish Water and Biwater Leslie” said Rodger.

Originally, Rodger’s added the Cattaneo self-erector cranes to its hire fleet because it was the only item of lifting equipment that could access a remote site and complete the job.

“We were initially approached by Biwater Leslie to supply a crane for the Coulter project”, explained Willie Rodger. “At this stage, their thoughts were to use two crawler cranes but the access to the site was so bad that we had to look for another solution.”

The chosen Cattaneo CM90S4, whose capacities were compatible with the site’s requirements, was tractor-towed the five miles to the site from the point where a low loader could go no further.

“These cranes are still in their infancy in the UK, but can reduce build times and improve safety – and not just on remote sites,” Rodger told Communicates. “Demand for our self-erector fleet – and our female operators – has certainly increased over the past year and is set to grow further”.

The advantages of pedestrian operated cranes are most obvious on tight and congested sites where traffic management issues are prevalent. Not having teleporters continuously moving about reduces crush and collision hazards, and at this time of year it is easy for a site to be turned into a quagmire with constant plant movements. Loads can be controlled into and onto places inaccessible to teleporters, and having the tower crane there 24/7 means that there is no waiting about. As soon as the shuttering joiners are ready to set or strike shutters the crane is on site, not waiting for a mobile crane to be ordered, winded off to be rehired or held up in traffic.

There is a move in the industry to hire these cranes out on a ‘self drive’ basis, but this is a trend Rodger’s shun. “Having our own trained operators with CPCS cards for slinging and signalling and pedestrian tower crane operation gives us peace of mind that the crane is not being abused, and the client peace of mind that the lifting operations are being conducted safely by someone qualified not only to operate but also to maintain the crane as well,” Willie Rodger explained. “The ability to lift 1000kg at 41 meters radius with a height under the hook of 25 meters requires someone steady and reliable. With 5 trained and experienced operators - and more coming through - Rodger are able to service sites all over Scotland and the North of England.”
on the 5th December 2008 Britain celebrated the 50th Anniversary of the opening of its first motorway, the Preston By-pass, now part of the M6. On the same day the last section of the M6 was opened from Carlisle to the A74(M) and England was finally connected by motorway to Scotland.

It was in 1996 that Sir Peter Baldwin, a former Permanent Secretary at the Ministry of Transport, invited a group of engineers involved in building the motorways to record for posterity the immense engineering achievement in constructing the network. The outcome was The Motorway Archive Trust which has collected material and artefacts and archived them at various locations around the country.

An easy way to find out what the Motorway Archive contains is to visit the website www.ukmotorwayarchive.org where you will find details on the construction of every section of motorway and a catalogue of where material is archived. You can also learn about the early construction problems, for example with drainage, both with the Preston By-pass and the M1, and find out how solutions were found and designs changed.

The written contributions of over 500 individuals are enabling the Trust to publish nine books and a CD. Three national volumes, which are available from Thomas Telford, contain the core of the Motorway Archive and six regional volumes, published by Phillimore, give a local flavour to building the network and motorway management. The CD gives details of the construction of almost every bridge on the motorway network.

There are many interesting facts and anecdotes recorded in the Archive. Did you know for example that a proposal for a motorway between Croydon and Brighton was set out in a bill put before Parliament in 1906? Or that in 1946 the Ministry of War Transport published a plan for the construction of a motorway system that strongly resembles the network now in place? There was considerable euphoria as the motorway network evolved. The benefits, especially in reduced travel times and the relief to town centres, were immediately apparent and the economy benefitted.

The benefits are illustrated by reports of the time. After the opening of the A1(M) Doncaster By-pass a Pathe Newsreel reported “It will be as big a boon to the town itself as to road users”, and shows the dramatic relief from congestion with film of the town centre after the opening. Similarly, ladies from a very relieved village stood on a bridge over the M11 when it was opened with the message “Thank heaven for M11” and Prime Minister Sir Alec Douglas Hume’s car was stopped on the A56 by irate residents of Helsby demanding a by-pass for Helsby and Frodsham.

Residents demanding a by-pass may not still be everyday occurrences, but the importance of our motorway network has not diminished. The challenge for the future is to balance the environmental impact of building new roads with the need for mobility. Whether this is through more intelligent use of the motorway network or expanding the network, civil engineers, and CECA members, have a vital role to play in continuing the achievements of the last 50 years.

Over the coming year a series of events is being planned to recognise the engineering achievement in constructing Britain’s motorway network and its importance to the UK’s economy. The professional institutions, trade associations and motoring organisations participating in the celebrations are listed on the website www.50yearsofmotorways.org, which is constantly updated and gives details of the events badged with the ‘50 years’ logo (shown opposite).

And finally a request. If you are aware of any material, film or other artefacts concerning the construction of Britain’s motorways the Motorway Archive Trust wants to know about it and would like to preserve it for future generations. You can contact the Trust either through CECA or via the ‘50 Years of Motorways’ website.

www.ceca.co.uk
November saw the Glover Committee, established by the Chancellor of the Exchequer, publish a report of its investigation of how SME firms can win more Government work. The report made a set of recommendations (shown in the text box) which are designed to streamline the procurement process and make it accessible to SME companies. The Department for Business Enterprise and Regulatory Reform has confirmed that the measures will be adopted in full.

Glover Report Recommededns Streamlined Government Procurement System

Transparency

1. By 2010, contract opportunities above £20,000 across the whole public sector should be advertised electronically with standard indicative contract value ranges, and accessible through a single, free, easy to search online portal.

2. Government should issue all tender documentation electronically by 2010 and this should be kept as brief as possible. Businesses should be permitted to tender electronically for all public sector contracts by 2010; no “paper only” tenders should be required after this date, with an ambition for all tenders to be electronic by 2012.

3. Details of contract awardees should be published online in a standard format within 48 days of contract signature, accessible via the single portal by 2010.

4. Tendering opportunities thought especially suitable for SMEs or consortia of SMEs should be flagged by the procurer during the advertising process. Government should provide strategic and detailed guidance for procuring authorities on assessing suitable contracts for flagging, based on risk, value and market maturity.

Simplicity

5. Qualification criteria that are not specific to a sector should be standardised and incorporated in all pre-qualification questionnaires so that businesses do not need to repeatedly submit the same core information in different formats.

6. Procurers should give businesses the opportunity to provide details of all previous relevant experience when bidding for contracts, not just public sector experience. This should be taken into account when selecting successful renderers.

7. Procurers should ensure that, where they rely on a particular accreditation scheme or standard as part of the process of pre-qualification or contract award, that they take a flexible approach. Businesses should be given the opportunity to provide evidence that they can meet the contract requirements by reference to other similar equivalent accreditations or standards they may already hold – especially where these have been recognised or required by other public sector procurers.

Strategic Procurement

8. Departments should use their Innovation Procurement Plans to set out how procurement aligns with their overall commercial strategy, encourages innovation and gives advanced notice of long-term procurement plans.

9. Government should encourage wider use of outcome-based specifications across the public sector, as a means of driving innovation.

10. Government should expect and enable prime contractors to make their subcontracting opportunities accessible through the single, online portal created in Recommendation 1.

11. Through contract management, Government should ensure that SMEs and other firms acting as sub-contractors obtain contract conditions, including promptness of payment terms that are no worse than those applicable to the prime contractor.

Measurement

12. The Committee recommends that all Central Government departments should report annually on the value of their contract spend with SMEs, creating a reliable single source of quantitative data which can be used to inform future policy decisions and evaluate the recommendations in this report.

Planning Act Key Changes:

- Decisions will be taken by a new Infrastructure Planning Commission
- Decisions will be based on new national policy statements
- The hearing and decision-making process by the Commission will be timetabled
- The new regime will be used for energy developments like nuclear power
- The Secretary of State would no longer have the final say on major infrastructure decisions
- There will be a new Community Infrastructure Levy on developments to finance infrastructure. The idea of this would be to raise money from developers to pay for facilities needed as a consequence of new developments, such as schools, hospitals and sewage plants.
- Planning appeals for minor developments will be heard by a panel of local councillors rather than by a planning inspector.

A busy year ahead for the Government

In addition to the Planning Bill and measures outlined in the Pre-Budget Report (see Communicates Issue 56) the Queen’s Speech saw the Government announce the legislative agenda for the coming year. 15 Bills are scheduled to pass through parliament, including the Banking Bill which should go someway to encouraging banks to lend again.

CECA members will be most concerned that financial support measures announced in the Pre-Budget Report will be prioritised in the new parliamentary calendar. One of the reason CECA is meeting with members of the Government and opposition MPs is to underline the importance of this to those in power.
Economic support for members is priority when meeting politicians

The Business Support Service, offered by HMRC, supposedly allows firms to arrange payment of VAT, NIC or PAYE in an agreed schedule if lump sum payments are proving too problematic. Whilst this scheme has taken immediate effect it only offers support for future payments. Any overdue payments must still be made and CECA has spoken to members who need help with current demands for lump sum payments, not just future ones. CECA is asking for the case by case help to be made available to Contractors with payments already outstanding from the previous quarter.

In addition to the economic packages above, CECA is discussing the viability of other measures in the PBR such as SME’s access to Government contracts, the Government’s 10 day payment pledge and accelerated infrastructure investment. Each of these proposals has been designed to allow the economic survival of UK business during the downturn and CECA is acting to ensure that the Government is aware of any potential limitations in the implementation of these measures.

CECA is meeting with MPs from all parties to discuss these issues and all have shared our concerns and been willing to help. Most have agreed to raise questions on how measures crucial to the economic survival of many CECA members will come forward. CECA members who are experiencing problems securing the financial measures offered by Government are encouraged to get in touch with CECA and, if they feel it would help, get a meeting with their local MP/MSP or Assembly Member. CECA will be happy to assist members in providing background information and briefing on measures that exist for companies struggling in this difficult period.

In addition to being active in Westminster CECA has met with the Welsh Assembly Government and Scottish Parliament. At the end of November Rhodri-Gwynn Jones, Director of CECA Wales, and David Jones (Morrison’s Plc) represented CECA at a meeting between the Deputy First Minister and Minister for the Economy and Transport, Mr leuan Wyn Jones AM, and the Welsh Built Environment Forum. The meeting discussed issues regarding; the economic downturn, the Welsh Economic Summit, specific issues with the civil engineering sector and future opportunities of working in partnership. Reports from CECA Wales indicate the meeting went well and will lead to further strategic links between CECA, the Built Environment Forum and the Welsh Assembly Government.

In Scotland Alan Watt, Director CECA (Scotland), has personally briefed Nigel Don MSP (SNP, North East Scotland), Peter Peacock MSP (Labour, Highlands & Islands), Bruce Crawford MSP (SNP, Stirling) and Minister for Parliamentary Business and Rob Gibson MSP (SNP, Highlands & Islands). At all these meetings Alan provided copies of CECA’s Workload summaries and Economic Bulletin and emphasised that many Scottish members are experiencing serious difficulties and have had to start letting employees go, in some cases in significant numbers.

Potential measures relevant to Scotland, as well as the UK, that could assist in the short to medium term were discussed. These included:

- Bringing forward any Scottish Water work that was currently stalled due to budget issues. We have received a lot of feedback from delivery partners who are experiencing project delays or cancellations and have specifically briefed MSPs on the sudden reduction of work in Capital Maintenance for budget reasons despite the known work bank of projects that are virtually ready to go.
- Accelerating the Scottish Future’s Trust from a fiscal concept to a delivery vehicle (or the use of an interim alternative until the SFT is ready).
- Putting pressure on banks to allow contractors adequate banking facilities to trade.
- Streamlining consent procedures (e.g. planning, environmental, heritage etc.)
- Streamlining the routine prequalification process.

In addition to its individual meetings, on December 11 CECA (Scotland) attended a Cross Party Group for Construction meeting in the Scottish Parliament, chaired by Marilyn Livingston MSP (Labour Kirkcaldy), at which Jim Houstoun, MD of W. J. Harte Construction and a CECA (Scotland) member, gave a stark account of the impact the downturn has had on his business including the paying off of around 40% of his hourly paid workforce in the groundworks part of the business.

It has been a busy period for CECA, reflecting the seriousness of the economic difficulties many members are facing. Work will continue in the New Year to lobby all forms of Government to protect the civils sector from further setbacks and ensure that the sector maintains the skills necessary for the recovery.
CECA meets with elected representatives

In its continued effort to raise awareness of the damaging effect the downturn is having on the Civil sector CECA is meeting, or has met, with the following MPs, MSPs and Assembly Members:

<table>
<thead>
<tr>
<th>Elected Representative</th>
<th>Portfolio or Committee</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ieuan Wyn Jones (Welsh Assembly Member)</td>
<td>Minister for the Economy and Transport</td>
<td>CECA (Wales) met with Ieuan as part of the Welsh Built Environment Forum, detailed information is given in the article opposite.</td>
</tr>
<tr>
<td>Alison Seabeck MP (Lab)</td>
<td>Member of the All Party Parliamentary Group (APPG) for Construction</td>
<td>The meeting with Alison Seabeck was very positive, as a result of the meeting Ms Seabeck asked a question regarding CECA's concerns during BERR question time.</td>
</tr>
<tr>
<td>John Spellar MP (Lab)</td>
<td>Chair of the APPG for Construction</td>
<td>When CECA met with John Spellar the meeting focussed on the difficult economic circumstances facing civil engineering and Government's reaction to the situation.</td>
</tr>
<tr>
<td>Mark Oaten MP (Lib Dem)</td>
<td>Member of Business and Enterprise Committee</td>
<td>Mark Oaten's meeting with CECA focussed on financial issues regarding support for SME members.</td>
</tr>
<tr>
<td>Roger Williams MP (Lib Dem)</td>
<td>Member of the APPG for Construction Skills</td>
<td>The meeting with Roger Williams focussed on protecting the industry skills. Mr Williams will be raising questions relating to securing apprenticeships with Government.</td>
</tr>
<tr>
<td>Lorely Burt MP (Lib Dem)</td>
<td>Spokesperson for Business, Enterprise and Regulatory Reform</td>
<td>CECA met with Lorely Burt to discuss the possibility of a parliamentary debate on the future of construction was discussed.</td>
</tr>
<tr>
<td>Bill Olner MP (Lab)</td>
<td>Chair of the Associate Parliamentary Group for Engineering and member of the APPGs for Construction, Construction Skills and the Built Environment</td>
<td>When CECA met with Bill Olner, he expressed his support for struggling companies and reiterated the Government's commitment to sustaining skills for the recovery.</td>
</tr>
<tr>
<td>Nigel Don MSP (SNP)</td>
<td>Member of Cross Party Group for Construction</td>
<td>CECA met Nigel Don to discuss the economic situation in Scotland and how this has affected SME members.</td>
</tr>
<tr>
<td>Bruce Crawford MSP (SNP)</td>
<td>Minister for Parliamentary Business</td>
<td>CECA met Bruce Crawford to discuss the Scottish Government's measures for the economy.</td>
</tr>
<tr>
<td>Peter Peacock MSP (Lab)</td>
<td>Member of the Rural Affairs and Environment Committee</td>
<td>CECA met Peter Peacock to discuss the economic situation in Scotland and the fiscal stimulus package.</td>
</tr>
<tr>
<td>Rob Gibson MSP (SNP)</td>
<td>Member of the Transport, Infrastructure and Climate Change Committee</td>
<td>CECA met Rob Gibson to discuss the economic situation and the need to accelerate investment in infrastructure to stimulate the Scottish economy.</td>
</tr>
<tr>
<td>Peter Luff MP (Con)</td>
<td>Member of Business and Enterprise Committee</td>
<td>CECA will meet with Peter Luff on 13th January 2009</td>
</tr>
<tr>
<td>Anthony Wright MP (Lab)</td>
<td>Member of Business and Enterprise Committee</td>
<td>CECA will meet with Anthony Wright on 13th January 2009</td>
</tr>
<tr>
<td>Andrew Stunnell MP (Lib Dem)</td>
<td>Member of the APPGs for Construction and Construction Skills</td>
<td>CECA will meet with Andrew Stunnell on 14th January 2009</td>
</tr>
<tr>
<td>John Thurso MP (Lib Dem)</td>
<td>Shadow Secretary of State for Business, Enterprise and Regulatory Reform</td>
<td>CECA will meet with John Thurso on 21st January 2009</td>
</tr>
<tr>
<td>Julie Kirkbride MP (Con)</td>
<td>Member of Business and Enterprise Committee</td>
<td>CECA will meet with Julie Kirkbride on 26th January 2009</td>
</tr>
</tbody>
</table>
OFT publishes guide to help firms stay within the law

The OFT has published a new quick guide for businesses on how to comply with competition and consumer laws. The updated, comprehensive guide is aimed particularly at smaller businesses but is relevant to firms of all sizes. It includes advice on what constitutes illegal cartel activity, what rules apply when selling at a distance and how to ensure contracts are not unfair. It also highlights recent changes to the law, including:

- misleading business practices that are now prohibited under the Consumer Protection Regulations,
- new rules on advertising to other businesses, where the advert identifies a competitor or a competitor’s product,
- amendments to the Estate Agents Act, which mean that all agents who sell properties in the UK are required to join an approved redress scheme, and
- new licensing requirements for sections of the credit consumer industry and Consumer credit (Advertisement) Regulations.

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National Insurance Contributions (NIC)

Where an employee remains in employment after reaching state pension age the employee liability to NIC ceases. However the employer liability continues. It is also worth noting that if the employee continues working and remains in the employer’s contracted out pension scheme the employer’s contributions will be at the full rate not at the contracted out rate. This produces the odd effect that the employee’s liability reduces to nil whereas the employer’s liability increases.

Aggregate Levy Changes

There is a new Introduction to Aggregates Levy published on the HMRC website. Aggregates Levy is a tax on the commercial exploitation in the UK of rock, sand and gravel. There is one basic rate of £1.95 per tonne. You need to register if you are responsible for “exploiting aggregate” in the UK—that is you sell something you have dug or manufactured in some way. Unlike VAT there is no registration threshold.

Working Time Directive Opt Out Threatened

The European Parliament’s Employment Affairs Committee voted to reinstate a clause in legislation that would remove the opt-out mechanism from the Working Time Directive. The Socialist group in the parliament continues to voice major objections to maintaining the opt-out, therefore restricting workers to a 48-hour working week. The crux of their argument focuses on the need for a level playing field across Europe. Conservatives and Liberals have championed the opt-out clause’s cause.

Business Secretary Lord Mandelson has said that the decision was “not surprising” reiterated the UK stance that “We will continue to stand firm to protect the opt-out to the Working Time Directive’s 48-hour maximum working week”.

7,000 New Construction Apprenticeships announced by Government

John Denham, Secretary of State for Innovation, Universities and Skills, and Ed Balls, Secretary of State for Children, Schools and Families recently announced that 10,000 apprenticeships will be created as part of the National Apprenticeship Service. New Government commitments are expected to result in 7,000 new apprenticeships in construction.

The plans for the new construction apprenticeships focus on the idea that minimum ratios of apprenticeships to spending will be required for Government funded building projects. ConstructionSkills, the sector skills council for the construction industry, estimates there should be a minimum of one apprentice per £1m of construction contract value. Others have a bigger estimate. The National Skills Academy for Construction recommends that contractors aim to achieve two apprentices for each £1m of investment.

The plan to increase apprenticeships is boosted by the recent decision to bring forward capital spending to help the economy recover from the downturn. Government Departments and their Agencies will spend more than £7 billion on construction projects including schools, colleges, hospitals and roads in the coming year.

Mark Farrar, Chief Executive of ConstructionSkills, said: “We have been talking to the Government for some time now about using public sector purchasing power to drive up apprentice training in the construction sector. But we have to be aware that our industry is facing hard times. Existing apprenticeship targets are being impacted due to the need to replace redundant apprentices, so increasing the overall number of placements is a double challenge.”

It is clear that Government support is needed to expand the apprenticeship scheme, both direct support to companies taking on apprentices and support for those companies who take training seriously. The view taken by ConstructionSkills that; “Government must also avoid returning to lowest cost tenders during the recession as this will strongly discourage companies from making training requirements” is echoed by CECA. The case has been made strongly, in Issue 56 of Communicates, of the need to continue to develop the industry’s skill set through the recession in order to benefit during the recovery.
Half of construction businesses still unaware that SWMPs are law

More than six months on from Site Waste Management Plans (SWMPs) becoming a legal requirement, a survey conducted by NetRegs.gov.uk has shown that more than half (51.2 per cent) of construction businesses are still unaware that SWMPs are mandatory for projects over £300,000 in England.

In response, NetRegs has launched a campaign to help businesses and individuals to understand their obligations under the new law. The campaign includes special emails featuring a video case study as well as top tips and user-friendly in-depth information.

During this time of economic uncertainty for the construction industry, positive statistics show that businesses are successfully using SWMPs to save money and even win new business. The survey revealed that almost half (45 per cent) of those that have used SWMPs reported money savings for their business as a result of less wastage and more efficient handling of environmental requirements.

In addition, a quarter (25 per cent) of those that had used SWMPs stated that using the plans had helped them to win new business. The statistics suggest that having environmental credentials could be the route for construction businesses to differentiate themselves from competitors and win new business in a shrinking market.

Overall, the research indicated a very positive trend of construction businesses improving their environmental credentials. The survey results show that 83 per cent of respondents have, in the last 12 months, looked at the way they work and have tried to find ways to reduce the amount of waste they produce. Two thirds of respondents have also changed the way that they work to prevent or reduce harm to the environment. As results show that environmental responsibility can result in business benefits, rather than increased costs, it is proving an increasingly important factor in businesses’ thinking.

NetRegs also offers a free, simple guide to SWMPs, which has already been downloaded by more than 29,000 website visitors. In addition CECA offers substantial information and guidance through the Construction Waste Information Portal, available to members at www.ceca.co.uk.

Safety Schemes in Procurement (SSiP)

An SSiP Forum continues to move ahead and has now confirmed the future approach to unite the range of industry pre-qualification schemes under a single banner. This agreement and formulation of a combined Ltd company will present real benefits to members – not least avoiding bureaucracy and duplication when applying to join a scheme.

7th Edition of the Joint Fire Code of Practice on the Protection of Fire on Construction Sites

Following receipt of a draft update of HSE’s document HSG 168 (Fire Safety in Construction Work) which is due to be published in January 2009, the draft of the Joint Code has been tuned to ensure that the two documents are compatible.

This latest version has been sent to FPA (Fire Protection Association) and a final version should be agreed by Christmas.

Compulsory Retirement at 65 Still Legal

A challenge to the right of employers to make people retire at 65 has been rejected by a European court adviser. The Advocate-General has recommended that the European Court of Justice (ECJ) dismiss Age Concern’s challenges to the lawfulness of regulation within the Employment Equality (Age Discrimination) Regulations 2006.

The challenge to UK laws, which since 2006 have allowed employers to compel workers to retire at 65, has been taken to Europe at a time when nearly 260 similar cases are being heard in the UK. If the ECJ eventually finds in the campaigners’ favour, the case could then return for a final hearing in a British court.
CSCS and CISRS cards: Avoid paying the incorrect amount following the VAT reduction

ConstructionSkills has announced that it will be passing on the Government’s VAT cut changing the gross price of CSCS and CISRS cards. To pass on the Chancellor’s saving, the current gross prices of £25 and £23.50 will be reduced to £24.47 and £23.00 until the VAT rate returns to 17.5% at the start of 2010. The net price of the cards remains the same, (CSCS £21.28 and CISRS £20).

ConstructionSkills has stated that applicants who have overpaid will be offered the chance to:
- ask for a refund of 50 or 53 pence (depending on the card)
- allow them to donate their overpayment to construction based charities, CRASH the construction and property industries’ charity for homeless people and The Lighthouse Club Benevolent Fund, which is dedicated to giving aid and assistance to construction workers and their families who suffer accident or ill health.

Please note that this change does not affect CPCS cards due to the different VAT status of the scheme. CPCS notification fees and renewal cards will therefore remain at £25.00.

Corporate Manslaughter Legislation Six Months On

The Corporate Manslaughter and Corporate Homicide (CMCH) Act came into force in April 2008. Since that time over 30 deaths in the construction industry have been or are now under investigation by the Police and/or HSE. In many cases, offences under CMCH will be ruled-out rapidly and the investigation will become the sole jurisdiction of HSE. For example, where the deceased is the only dutyholder or where there is overwhelming evidence that the incident is the result of unforeseeable action by the deceased.

A proportion of the deaths since April 2008 have occurred on larger projects involving major clients and contractors. Deaths on such projects will be the most challenging for both investigators and those working in the investigated organisations. Informal feedback on live CMCH investigations suggests:
- Managers are being arrested at work as part of the investigations;
- Investigations are being conducted in an extremely rigorous manner;
- Site staff are being considered as part of ‘senior management’;
- Police investigators are being supported effectively with HSE expertise;
- Significant time is being spent within investigated organisations and;
- Police are treating the CMCH offence as one step down from murder.

FIEC Welcomes European Recovery Plan

The previous edition of Communicates discussed the impact of the economic downturn on UK industry and highlighted some of the actions the Government was taking to address the situation. This month we are pleased to reveal that our European partners, the European Construction Industry Federation (FIEC), are championing the case for construction in Brussels. The Economic Recovery Plan announced by the EU includes measures that will help companies in the UK, as well as those working in Europe.

In response to the Economic Recovery Plan Dirk Cordeel, FIEC President, commented; “This ambitious Recovery Plan is a real challenge for the construction sector and we look forward to working together with European and national institutions in order to make it happen. The Commission’s proposed action, if fully implemented by the Member States and the other EU institutions, will ensure that the necessary tax incentives and investments are available to directly benefit citizens and enterprises. This, in turn, will support growth and jobs in the economy at large. FIEC looks forward to short discussions, quick decisions and real work!”
Water Company Performance Survey goes live - respondents needed!

The 2009 British Water Survey of Water Company Performance, in collaboration with Water Active and ESI, publishers of PENTEC, is now live on www.britishwater.co.uk

We are looking to gather views from as many companies and individuals in the commercial arena as possible, as this will improve the validity, credibility and accuracy of the data and in-turn, the survey.

I am writing to ask if you would be prepared to communicate to your organisation to make individuals aware of the survey and to urge them to participate. The survey will remain live until the end of January 2009 and results will be published in February. To encourage a wider participation, each valid form that we receive will be counted as an entry in our prize draw to win a free bottle of champagne!

National Apprenticeship Week 2009

National Apprenticeship Week runs from 23rd to 27th February next month. ConstructionSkills is encouraging employers to join in with activities this week by championing the benefits taking on apprentices have brought to the firm.

Max Hamps, Director of Construction Skills Apprenticeships said; “It’s a great opportunity to get people talking about the benefits of apprenticeships and to remind construction firms that taking on an apprentice gives you the unique opportunity to train someone to work in a way that fits your business.

“Many of the companies ConstructionSkills work with have been taking on apprentices for years now, and some are now in very senior positions in the company – so have provided amazing value for money in the long-term!”

Apprenticeship Week is coordinated by the Learning and Skills Council (LSC) and runs from 23 to 27 February. The Learning and Skills Council will be celebrating the achievements of apprentices across all sectors through events, interviews, web chats and activities underlining the real benefits of apprenticeships. To find out more about Apprenticeship Week go to www.apprenticeships.org.uk

CECA Photography Competition

Budding photographer? CECA is looking for exciting photos of engineering projects to use in its 2009 publications.

• The photos must be portrait, of high resolution and feature an interesting civil engineering scene.
• Their is no formal prize, but the best photos will be used as cover shots on CECA’s 2009 publications, others will feature inside the magazines.
• Citations will be made to the Company for all photos, and to the individual if requested

Interested?
• please submit photos to: robertjenkins@ceca.co.uk
• include your name, your company’s name and the name of the project
CECA (Yorkshire and Humberside) Requires New Director

David Smith, Executive Director of CECA Yorkshire and Humberside, retires this year. The organisation is now looking for an equally strong candidate to take over from David and build on his excellent work.

Position Available:
Executive Director of the Civil Engineering Contractors Association. (Yorkshire & Humberside) Ltd

Organisation:
CECA (Yorkshire & Humberside) Ltd is the leading trade Association representing the interests of contractors in the civil engineering sector of the construction industry within the Region.

The Role:
To liaise with major clients, government bodies, educational institutions and member companies, be both proactive and reactive to industry issues at local and national level, together with the supervision of a small office.

The Applicant:
The successful applicant will be self-motivated, a competent administrator and an excellent communicator. Knowledge of the construction industry is desirable but not essential. The office is in the Wetherby/Knaresborough area, although travel and unsocial hours are necessary. The successful candidate will have excellent communication skills, promoting the civil engineering industry wherever possible. The successful candidate will have a flexible attitude and be able to lead a small team with minimal supervision.

Duties to include but not be limited to:-

- Assist in developing strategy and take responsibility for the operation of the regional organisation as directed by the Management Committee
- Lead and co-ordinate administrative staff within the regional organisation
- Provide an effective and responsive point of contact for all member companies
- Management and running of committees
- Membership of the CECA National Executive Management Board, if nominated by the Management Committee
- Act as a conduit for member companies to raise issues with the Management Committee and provide appropriate feedback in both directions
- Provide quarterly reports to Regional Chairman and Management Committee regarding latest CECA (Y&H) business
- Undertake the duties and responsibilities of Company Secretary
- Be an active member and trustee of the Yorkshire Safety Centre
- Support other CECA Regional Directors and members of national committees in discharging their duties and responsibilities
- Raise important issues with the Regional Directors/Committee Members in a controlled and efficient manner to allow timely and informed decision taking on key issues
- Provide an effective link between CECA (Y&H) and both national and regional CECA organisations
- Provide and effective link between CECA (Y&H) and ConstructionSkills an other construction related bodies
- Promote and organise regional events, seminars and meetings to encourage active participation of members and the spreading of Best Practice.
- Promote and organise client liaison meetings.
- Represent CECA (Y&H) at regional industry forums ie Constructing Excellence etc
- Promote Construction Week and links with schools, colleges and universities on a regional basis
- Provide a link between the membership and the regional training organisation
- Support the Regional Training Manager
- Control and report on regional finances
- Provide a “respected” and professional face of CECA (Y&H) throughout the industry and within the Y&H region
- Drafting and implementing the CECA (Y&H) Business Plan based on member feedback
- Measurement of CECA (Y&H) performance against business plan
- Co-ordinating and planning CECA competitions include Project of the Year
- Co-ordinating and planning the annual CECA events including the Annual Dinner, Golf Days, Race Day etc
- Establish and develop links with the media
- Collaborate with other construction bodies and professional institutions to demonstrate to decision makers, employees and the public the important contribution Civil Engineering makes to economic growth

To apply, or for more information, please contact the Y&H Regional office on 01423 799116 or jayne@ceca-yorks.co.uk

www.ceca.co.uk
It will come as news to no one that this is not the most cheery of festive seasons. No where seems to be immune from economic problems and the year is ending on a distinctly low note for many.

It is to be hoped the New Year will bring a renewed sense purpose in the fight against the impact of the credit crunch and as you can see from this and the previous edition of CECA Communicates, CECA has already engaged in this with vigour and purpose and I can guarantee there will be no let up.

We have already employed every inch of available resource in getting the message across to MPs, Members of the Scottish Parliament and Welsh Assembly, to their officials, to clients and to other bodies with a direct interest in civils contracting. We are saying, in no uncertain terms, that a loss of capacity in the civils sector is bad news for the nation and that investment in infrastructure is key to recovery.

This will be assisted by the new structure that CECA is developing in direct response to the problems our members have reported to us. The economic situation has moved quickly and the downturn has been severe. We therefore need to move quickly as well. We have to be flexible, responsive and proactive in the way that we handle the events of this new epoch and these will be the chief characteristics of CECA in 2009.

To be responsive and proactive we need members to tell us quickly and directly what issues they face. CECA’s newly formed management committee meets on a monthly basis, directing how we manage these issues on behalf of the industry. Small, focused working groups will take on the bigger issues, while throughout the year ahead all in the regional and the national offices will be working to improve the marketplace for contractors.

We have, I believe, reason to look further ahead with confidence. Beyond the anticipated acceleration of infrastructure investment next year, we have much to look forward to in terms of major projects. New energy and water infrastructure and flood defences are on the way, there is much still to deliver in rail and the 2012 Olympic Games will still provide a world show case for the UK construction industry. It is hoped that main construction work will start on Crossrail in around 12 months’ time and also around the capital we will see Heathrow East and the M25 DBFO. Strong possibilities of work exist on the Manchester Metro, the Thames Tideway Tunnel and a replacement Forth Crossing.

These may seem like distant hopes at the moment, especially for members who have seen new orders all but dry up over the last six months. But they represent a real reason why it is so vital to maintain skills and capacity in all parts of the civils sector. Every one of these major projects, and others besides, will require the expertise found in all parts of the industry. Major projects, and the major contractors who deliver them, depend on SMEs.

It is CECA’s immediate task to get that message across. It may stand to reason to those of us who work in the sector, but it does not always follow that everyone appreciates the facts – for example that skilled operatives are unlikely to return to the industry once they have left, or that the difference between 10-day payment and 28-day payment in the current climate is enormous. And not just this. We want clients to understand that when times are tight, there should be minimal wastage – not just of money but of time and effort too. Contracts, once tendered for with all the time and expense that this entails to the contractor, should not be withdrawn. Pre Qualifications must be more meaningful in terms of the information and less burdensome. We have neither the time, nor the money to waste. If the downturn achieves anything I hope it results in greater efficiencies by clients and an appreciation of how their actions can fundamentally affect not only individual contractors’ businesses but the industry as a whole. Government needs to take this on boards as well.

I wish all our members and other readers of CECA Communicates a peaceful and successful New Year.

Rosemary Beales, Director

www.ceca.co.uk