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## In This Issue

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### **Could you be driving without insurance?**

**Millions of drivers are under threat as UK insurers prepare to remove 'Driving Other Cars' (DOC) cover from private motor car policies.**

The DOC extension gives policyholders third party cover when driving a vehicle which does not belong to them with the owner's permission (for the purpose of this definition a vehicle on Hire Purchase or Leased to a

Welcome to our latest Newsletter

### **Landlord fined £158,000 for Fire Safety Order breach**

A landlord of a house of multiple occupancy (HMO) has been fined over £100,000 for breaches of the Regulatory Reform (Fire Safety) Order 2005.

He faced charges, including having doors that were inappropriately resistant to fire and had no self-closing mechanism, at Exeter Crown Court earlier this year.

A blaze at the Illfracombe-based establishment led to fire inspectors carrying out an examination on the premises, when they found the infractions.

The landlord was found guilty of four offences and fined £135,000 as well as incurring court costs of £23,000.

Landlords should be aware that a suitable and sufficient fire risk assessment must be carried out on all HMOs in England and Wales under the Fire Safety Order; if it is not, the Responsible Person faces up to two years in prison.

policyholder would be regarded as belonging to them).

This extension has been a feature of most private car policies for many years and can be very useful in an emergency or when test-driving a private seller's car. Cover is restricted to third party only in respect of the DOC section, irrespective of the cover on the policyholder's own car. Many leading insurers are now beginning to phase out the DOC cover because they claim it is being abused by policyholders and stands in the way of a Government clamp down on uninsured drivers.

Under the DOC extension there is generally no restriction or control over the type of car that can be driven and there have been instances of policyholders using this cover to enable them to drive a second more powerful vehicle. To help reduce the number of uninsured drivers on the roads, the Government introduced Continuous Insurance Enforcement (CIE). Now all vehicles must be either registered in the Motor Insurers Database (MID) or declared off the road (SORN). It should be noted that the 'more powerful' vehicle would

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### **Companies fined £400,000 after labourer's fatal fall from scaffolding**

Two companies have been fined a total of £400,000 for breaches of health and safety legislation that resulted in the death of a stonemason's labourer at a Glasgow construction site.

James Kelly, a labourer employed by Stirling Stone Ltd, was working on the third level of a loading tower of scaffolding that had been erected as part of construction work taking place at Glasgow Academy. Stirling Stone had been contracted as stonemasons on the site by Robertson Construction Central Ltd.

Mr Kelly fell to the ground from the scaffold loading tower platform. He died later from his injuries. A single guard rail was found on the ground close to where Mr Kelly was discovered.

Following the incident, inspectors from the Health and Safety Executive (HSE) discovered that there was no safe system of work in place for loading materials onto the loading tower, nor had suitable assessment of the risks involved been made. The investigation also revealed that the loading tower did not have sufficient guard rails and toe boards and that neither company had ensured that the tower and access scaffolding was properly inspected on a regular basis.

Both companies were found guilty of health and safety breaches and the penalties imposed by the court was a £200,000 fine for each company.

Yet another tragic case brought about due to a lack of ownership for site safety.

Our Risk Management team can help with any queries or requirements in this area.

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### **Bribery Act**

have to have some form of insurance in place in its own right. We are told of one occasion when a motorist arranged insurance for a Ford Fiesta and used the DOC extension to drive around in a Lamborghini!

Motorists might be unaware of the changes to their policies and may, as a result, be unwittingly driving uninsured. It is advised that policyholders check their new/renewal documentation very carefully, paying very careful attention to the wording on their Motor Insurance Certificate to check whether or not they still have the DOC facility.

### **Developments on Internet trading**

Atkinson Smith run a very successful scheme providing insurance for those building their own house, or indeed carrying out a renovation or conversion - and are a market leader in this very specialist market. We trade as DMS (a brand established over 30 years ago).

To aid the continued success of this facility we have recently invested in building a "Quote and

The Ministry of Justice (MOJ) has issued guidance on the Bribery Act 2010 which comes into force on 1<sup>st</sup> July this year.

- Corporate hospitality is permitted by the Act provided it is not simply a cover for bribery. It is for organisations to establish appropriate standards. The Act specifically mentions gifts, tickets, dinners etc as not being in breach of the Act provided that the expenditure is proportionate and reasonable.
- An organisation may be held criminally liable if it fails to prevent a person who performs services for it bribing someone on that organisations behalf. Where there are supply chains, due diligence applies only to third parties where there is direct contact and does not extend to sub contractors.
- There is a full defence of any bribery charges by a service provider if an organisation can show it has adequate anti-bribery procedures in place.
- An organisation is not required to put procedures in place if there is no foreseeable risk of bribery, nor are procedures required to be externally vetted

Full guidance can be viewed at [www.justice.gov.uk/guidance/bribery.htm](http://www.justice.gov.uk/guidance/bribery.htm)

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### **Staff News**

We would like to welcome Alistair Ball to our team of Account Managers. Alistair joins us with a wealth of experience and we wish him a long and successful career with us.

Stephanie Wray, in our small business team, has had a baby daughter, Ellie - both mother and daughter are well.

Finally welcome back to Charlie Best who has returned to work after enjoying a years maternity leave with her daughter Olivia.

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Buy" system which enables clients to buy via the internet, anytime of day or night. We have only been live for about 8 weeks so far, but it is proving an immense success. If you are interested please view [www.selfbuildonline.co.uk](http://www.selfbuildonline.co.uk)

## Charity activity at Atkinson Smith

Both our Doncaster and Sheffield Office have joined together to form a Charity committee to ensure that as an organisation we continue to raise funds for local worthwhile charities.

This year our chosen charity is "Premature Baby Unit - Sheffield Hospital Charitable Trust" and our first event is a Family and Friends sponsored walk around Ladybower Reservoir on 11<sup>th</sup> September. If you want to support us please go to [www.justgiving.com/AtkinsonSmithLtd](http://www.justgiving.com/AtkinsonSmithLtd). More news will follow on other events later in the year.

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### And Finally...

Thankyou for reading our newsletter. We hope you found the articles of interest. Please contact us if you need further information or assistance.

Sincerely,

**Ian Laycock**  
Managing Director



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