

WHO IS TRANSPORTING YOUR CARGO?

It is well known that there is a shortage of drivers to meet the demand of transporting cargo within the UK.

Generally, carriers will arrange for an acceptable haulier to undertake their UK inland transport service. However, problems often occur when the haulier employs an unsuitable driver, especially one who is self-employed as Signum found out when recently investigating two cases of alleged container cargo shortage.

In the first incident a carrier entered into a contract with a haulage operator for him to regularly transport some of their laden containers within the UK. To meet the requirements of the carrier, the haulier subcontracted two self-employed drivers, solely because they were able to drive his tractor units.

Soon after the commencement of the contract, the carrier started to receive complaints that containers were being delivered with their seals intact, but with a cargo shortage. Signum was asked to enquire into the haulier's activities as the same unit and driver had been involved with each delivery.

An examination of each container revealed that the upper rivet of one of the seal clamps on the right door had been removed, thereby enabling the door to be opened without breaking the original seal. A bolt and nut had replaced the rivet to disguise the method of entry.

The person involved was one of the self-employed drivers, who was totally unsuitable for this type of employment, especially as he was disqualified from driving.

Although the tractor unit tachographs were not available, the time taken on each journey far exceeded the normal acceptable time period.

Just as disconcerting was the operator's naivety and poor recruitment procedure when employing this person, which has resulted in his operator's licence being revoked.

A similar problem occurred when a haulage operator employed a driver solely on the presentation of a driving licence and immediately allowed him to transport high value export containerised cargo to a UK port.

Signum was asked to investigate the situation after three of these containers reached their overseas destinations minus their cargo, but in a secure condition, with the seal details corresponding with that on the bill of lading.

Video footage showed that the containers had been correctly loaded, but had been secured with a different seal to that shown on the bill of lading. Enquiries revealed that the delivery paperwork given to the driver for presentation to the carrier's agent at the port in order to prepare the bill of lading had been altered to show a different seal reference. This was subsequently recorded on to the bill of lading.

Although the tachographs were not available, the time taken to undertake each of the deliveries to the port exceeded the acceptable journey time.

The police now have an interest in both these drivers.

These incidents emphasise the importance for carriers to ensure that hauliers obtain acceptable credentials when appointing self-employed drivers; otherwise there could be serious repercussions.

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