

Land at the rear of 62 Gresham Gardens London NW11 8PD

CONSTRUCTION MANAGEMENT AND LOGISTICS PLAN

Planning Ref 24/0656/FUL - Condition 6 20th May 2024

The following Plan should be read in conjunction with the following:

Drawing BR-805 which illustrates the proposed site set-up and access arrangements.

Appendix I - Code of Practice "Control of Pollution and Noise from Demolition and Construction Sites 2007". The Principal Contractor will adopt and implement the provisions of the Code relevant to this project.

Description of works

The project consists of the construction of a new single storey dwelling on the site. The site has already been generally cleared, and boundary fences exist on all sides. As the site was the rear of the garden at no 62 Gresham Gardens, no buildings have ever been constructed on the site. So as such there is no requirement for an asbestos survey.

i. Details of Routing of construction vehicles, hours of access, access and egress arrangements and security measures

- The site is not large enough to accommodate vehicles, other than reversing access for offloading and picking up skips.
- Roadside deliveries will take place from Wayside. This should ensure that there will be no need for road closures.
- Materials will be offloaded onto site from trucks with integral Hiab jib cranes, and use of a fork lift.
- A site foreman will be on site throughout construction work to co-ordinate deliveries, ensuring that plant and materials are restricted to the designated construction area.
- A banksman will direct manoeuvring of skip lorries to ensure safe egress and exit.
- Hours of Construction: The Contractor is to carry out work between the hours of 8.00am to 5.30pm, Monday to Friday, and Saturday mornings 9.00am to 12.30pm. Deliveries and Skip removals will only be permitted during these times.
- No working on Sundays or Bank Holidays.
- The Site will be secured with 2.4m high hoardings and lockable gates to the Wayside frontage.
- Any Scaffolding will be alarmed.

ii. Site preparation and construction stages of the development.

Sequence of Activities

- Remaining site clearance.
- Reducing levels to create largely flat site where house to be constructed.
- Set -up site including erection of site hoarding, site compound and hut, as illustrated on BR-805.

- The site foreman will maintain a site logbook to record complaints from neighbouring parties, and an accident logbook in accordance with accepted Health and safety procedures.
- Excavations and ground works, drainage below ground using a Mini Digger.
- Concrete foundations, ground bearing slab and walls up to DPC.
- Construction of masonry walls up to eaves level.
- Supply and fitting of pitched roof carcassing, and completion of all roofing works, rooflights and rainwater goods.
- Supply and fitting of external doors and windows.
- Construction of internal partitions.
- First and second fix MEPH services.
- Completion of fitting out works and decorations.
- External works and Utility connections.
- Note that the fork lift and mini digger will be obtained from local plant hire companies and will comply with current regulations for Non Road Mobile Machinery.

iii. Details of provisions for recycling of materials, provision on site of a storage/delivery area for all plant, site huts, site facilities and materials

- See drawing BR-805
- Excess soil arising from levelling and excavations to be transferred into skips where shown.
- Measures will be taken by the contractor to limit site wastage, such as accurately assessing quantities of materials required to carry out the project. Recyclable materials will be separated from main building waste and disposed of accordingly.

iv. Preventing passage of mud and dirt onto the adjoining highway

Wheel washing facility at site entrance, see BR-805.

v. Methods used to control the emission of dust, noise and vibration arising from construction works

Dust suppression will generally be by simple a watering down process.

See Appendix I – Parts 2 and 3.

There will be no mobile crusher used as there are no existing structures on site that require breaking up.

vi. Suitable and efficient means of suppressing dust, containment of stored/accumulated material to prevent it becoming airborne and giving rise to nuisance

- See Appendix I – Part 3 for dust controlling measures.
- Materials will be stacked and stored at low level, lightweight and large sheet materials weighted down to avoid the risk of becoming airborne.

vii. Noise mitigation for all plant and processors

See Appendix I.

viii. Details of contractor's compound and car parking arrangements

- See drawing BR-805. There is no room on site for contractor's vehicles, allowing for regular deliveries of smaller quantities of building materials.
- Contractor's parking will not be permitted on surrounding grass verges, across neighbouring driveways or crossovers.
- Site operatives will be positively encouraged to use the extensive bus and tube networks available in the local area to access the site.

ix. Details of interim car parking management arrangements for the duration of construction

There will be no car parking on site for the duration of the works.

x. Details of community liaison contact for the duration of all works associated with the development.

Principal Contractor: Witold Binkowski, ABWJJ Ltd, Flat 10 Boucher House, The Grange, London N2 8NH Tel: 07533 538102 Contact details will be displayed on the site hoarding facing Wayside.

Appendix I - Code of Practice "Control of Pollution and Noise from Demolition and Construction Sites 2007".

CONTROL OF

Pollution & Noise from Demolition & Construction Sites

Demolition

Noise

Construction

Pollution

JUNE 2007

CODE OF PRACTICE

**CROYDON
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www.croydon.gov.uk



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PART 1 INTRODUCTION

1. Background

- 1.1** There is a need to ensure that residents and businesses are protected from environmental disturbance during the construction of both major and smaller developments.
- 1.2** This Code of Practice has been prepared to help developers and their contractors ensure that they undertake their works in the most considerate manner, in order to reduce the impact of the work on local communities.
- 1.3** This document has been prepared by the Environmental Health Departments of the London Boroughs of Bromley, Croydon, Merton, Sutton and Wandsworth, who have long experience dealing with environmental problems arising from demolition and construction sites. The Code of Practice is the policy of these authorities' Environmental Health Departments and will be attached to relevant planning approvals and building control applications and circulated to contractors working in the respective boroughs.
- 1.4** Noise and environmental nuisance can also be controlled through the prior consent principle under the Control of Pollution Act 1974 Sections 60 & 61 and also through the Environmental Protection Act 1990 Section 80.
- 1.5** A local authority may serve a legal notice imposing noise requirements (including vibration) as to the way in which the works are to be carried out. The person served with a notice is guilty of an offence under the relevant Act if, without reasonable excuse, any requirement of the notice is contravened.
- 1.6** Adherence to this Code will demonstrate a positive attitude and commitment towards minimising environmental disturbance to local residents.
- 1.7** The contractor should always comply with the provisions of:–
 - The Control of Pollution Act 1974 Part IV
 - The Health & Safety at Work Act 1974
 - The Clean Air Act 1993
 - The Environmental Protection Act 1990

2. Purpose of Code

- 2.1** The purpose of this Code of Practice is to ensure that disturbances due to noise, vibration, dust and smoke arising from demolition and construction works on all building sites, including the Public Highway, are kept to an acceptable level without the imposition of unnecessary or unduly onerous restrictions on contractors.

- 2.2** The Code is also intended to provide guidance to contractors in circumstances where there is not a need to implement the formal procedure detailed in Sections 60 and 61 of the Control of Pollution Act 1974. It is not intended to supersede any other published guidance.
- 2.3** The term “construction works” in this Code applies to site activities, preparation, demolition, excavation, tunnelling works, building operations, structural alteration and maintenance and transportation of materials and spoil to or from the site. Contact your borough Environmental Health Department for advice on their requirements for the demolition of buildings (see list of contacts in Appendix 2).
- 2.4** Although all contractors are expected to adopt the full provisions of the Code, it may not be appropriate to apply all the provisions to some smaller developments. However, all developers should comply with the spirit of the Code.
- 2.5** If contractors seek to vary the provisions of the Code, this must be done in consultation with the local Environmental Health Department prior to implementation. Details of the procedure are included within the Code.

3. General

- 3.1** The contractor will be held responsible for ensuring that all plant and equipment, including any which may be on hire, is well maintained, properly silenced and used in accordance with the manufacturers instructions and BS 5228.

4. Protection of The Public and Buildings

- 4.1** The contractor should ensure that measures are taken to:
- (i) Protect residents, users of buildings close by and passers by from nuisance or harm and
 - (ii) Protect buildings from physical damage caused by vibration.
- 4.2** Contractors should be aware that the Health and Safety Executive are responsible for enforcing safety legislation on demolition and construction sites. For advice contact the Health and Safety Executive (see list of contacts in Appendix 2).
- 4.3** Contractors should be aware that Building Control officers are responsible for enforcing safety legislation in relation to dangerous structures. They operate a 24 hour service and if called to a site to investigate, remove and or make good what may be considered to be a danger to the public e.g. unsafe hoardings, the owner of the site will be responsible for the payment of costs in relation to the service. For advice phone your local Building Control section (see list of contacts in Appendix 2).

5. Hours of Work

5.1 Where residential occupiers are likely to be affected by noise, the hours of noisy works shall normally be restricted to:-

Monday – Friday	8.00 a.m. – 6.00 p.m.
Saturday	8.00 a.m. – 1.00 p.m.
Sunday and Bank Holidays	No noisy activities on site

5.2 However you must check with your local authority as there may be additional conditions set e.g. planning conditions specifying hours of work.

5.3 Instructions should be given to ensure that vehicles and plant arriving at and leaving the site comply with the stated hours of work. (See 5.1).

6. Publicity

6.1 Prior to any works starting, the contractor shall inform occupiers of all properties which may be affected by noise, dust or vibration arising from construction works of the nature of the works, proposed hours of work and their expected duration. In particular, it is recommended that a notice be placed in a conspicuous position, agreed with local residents, informing them of the agreed hours of work.

6.2 In all instances publicity should include the name and telephone number of a main contact within the contractor's organisation who is able to give further information and deal with any complaints or emergencies that may arise at any time.

7. Variation from Normal Working Hours

7.1 It is recognised that there may be circumstances where the restriction on hours of work in 5.1 cannot be adhered to. In these circumstances the contractor will be required to justify fully any proposed deviation from this Code of Practice and provide written justification to the local authority before any works start outside normal hours.

7.2 Provided the contractor has been able to justify the case to the local authority, works may be allowed to proceed in accordance with appropriate alternative conditions.

7.3 The local authority will confirm all agreed variations in writing to the contractor.

7.4 In any instance where it is necessary or desirable to deviate from this Code of Practice the contractor should be able to demonstrate that all reasonable steps have been taken to minimise disturbance from the works. Where appropriate, consideration shall be given to:

- (i) Screening to reduce noise levels.
 - (ii) The offering of temporary accommodation to residents likely to experience severe and prolonged disturbance.
 - (iii) Publicised “rest periods” during which noisy operations are temporarily ceased.
 - (iv) The provision of public refuges away from severe noisy works.
- 7.5** Prior agreement for works involving any deviation from this Code of Practice should be sought from your local authority, preferably at least 3 days prior to the works commencing, on form A in this document (see Appendix 1).
- 7.6** In the absence of prior agreement for noisy works, the Council may serve a notice under Section 60 of the Control of Pollution Act 1974 to prohibit or restrict works in accordance with this Code of Practice.
- 7.7** In exceptional circumstances, where works being carried out on the Public Highway would cause severe disruption to traffic, permission to work outside the hours stated in 5.1 may be given by the Highways Engineer/Transportation Group in conjunction with the Environmental Health Department (see list of contacts in Appendix 2).

PART 2 NOISE AND VIBRATION

8. Plant and Equipment

- 8.1** Noisy plant or equipment shall be situated as far as possible from noise sensitive buildings. Barriers (e.g. site huts, acoustic sheds or partitions) to reduce noise reaching noise sensitive buildings shall be employed where practicable. Old buildings around the site perimeter waiting to be demolished can provide effective noise screening.
- 8.2** The following provisions should be adhered to wherever practicable:-
- (i) Vehicles and mechanical plant used for the purpose of the works shall be fitted with effective exhaust silencers, maintained in good and efficient working order and operated in such a manner as to minimise noise emissions. The contractor shall ensure that all plant complies with the relevant statutory requirements.
 - (ii) Machines in intermittent use should be shut down or throttled down to a minimum when not in use.
 - (iii) Compressors should be fitted with properly lined and sealed acoustic covers which should be kept closed whenever in use. Pneumatic percussive tools should be fitted with mufflers or silencers of the type recommended by the manufacturers.
 - (iv) Equipment which breaks concrete, brickwork or masonry by bending or bursting or “nibbling” shall be used in preference to percussive tools where practicable. Avoid the use of impact tools where the site is close to occupied premises.
 - (v) Where practicable, rotary drills and bursters activated by hydraulic, chemical or electrical power shall be used for excavating hard or extrusive material.
 - (vi) Where practicable, equipment powered by mains electricity shall be used in preference to equipment powered by internal combustion engine or locally generated electricity.
 - (vii) Neither any part of the works nor any maintenance of plant shall be carried out in such a manner as to cause unnecessary noise or vibration except in the case of an emergency when the work is absolutely necessary for the saving of life or property or the safety of the works.
 - (viii) Plant shall be maintained in good working order so that extraneous noise from mechanical vibration, creaking and squeaking is kept to a minimum.
 - (ix) Noise emitting machinery which is required to run continuously shall be housed in a suitable acoustic lined enclosure wherever practicable.

- 8.3** Care should be taken to reduce noise when loading or unloading vehicles or dismantling scaffolding or moving materials etc.

9. Piling

- 9.1** The noise sensitivity of the area should be considered when determining the method of piling to be used. Building Control and the Environmental Health Departments should be consulted on the chosen method.
- 9.2** Sheet piling should, wherever practicable, be carried out using hydraulically operated or vibratory hammers.
- 9.3** The use of conventional impact hammers should, wherever possible, be avoided. Where practicable, jacked piles shall be used in preference to piles driven using other methods. Any pile driving shall be carried out by plant equipped with a recognised noise reducing system.
- 9.4** Where surface contamination is present on site, appropriate piling techniques should be adopted. (See also Section 13).
- 9.5** In some circumstances the Environmental Health Department may limit the hours of piling further than those quoted in 5.1.

10. Sandblasting

- 10.1** The work area will be close sheeted to reduce dust nuisance from grit. Routine checking is required to ensure that the sheeting remains sound or sealed during the operation. Particular attention shall also be given to the working platform to ensure that it is properly sheeted or sealed to contain dust.
- 10.2** Non siliceous grit will be used to avoid long term irreversible lung damage from silica dust.
- 10.3** Proper protection will be provided for any structure painted with lead based paint.
- 10.4** In cases where water is used for large scale cleaning and blasting the requirements of the Environment Agency should be followed.

PART 3 DUST AND AIR POLLUTION AND SOIL CONTAMINATION

11. Dust and Air Pollution

- 11.1** Burning of materials on site shall not be permitted.
- 11.2** Emphasis should be placed on the following to minimise the risk of air pollution:-
- (i) Using processes which do not generate hazardous fumes and hazardous dust
 - (ii) Ensuring that airborne hazards do not escape from the site to affect members of the public and surrounding environment.
- 11.3** Dust pollution will be minimised during demolition by the complete screening, if practicable, of the building or structure to be demolished with debris screens or sheets. Old buildings around the site perimeter waiting to be demolished can provide effective air pollution screening.
- 11.4** The watering down of the area should be carried out where necessary to minimise dust transfer into neighbouring premises. Wheel wash facilities should be provided on larger sites. Contact your Environmental Health Department for their requirements (see list of contacts in Appendix 2).
- 11.5** Stockpiles of earth shall be damped down or otherwise suitably treated to prevent the emission of dust from the site. Stockpiles should be planned and sited to minimise the potential for dust generation. The handling of spoil should be kept to a minimum and when materials are deposited onto a stockpile it should be from the minimum possible height.
- 11.6** The contractor shall ensure that the area around the site, including the public highway, is regularly and adequately swept to prevent any accumulation of dust and dirt.
- 11.7** Skips and removal vehicles shall be properly covered when leaving the site. Spoil should be handled in such a way so that it does not give rise to excessive dust. Watering of rubble chutes shall be undertaken where necessary to prevent dust emission.
- 11.8** The contractor should take all necessary precautions to prevent smoke emissions or fumes from plant or stored fuel oils from drifting into residential areas. In particular, measures should be taken to ensure that all plant is well maintained and not left running for long periods when not in use.
- 11.9** General advice can be obtained from the "Control of dust from construction and demolition activities", February 2003 published by the Building Research Establishment (see list of contacts in Appendix 2).

12. Asbestos

- 12.1** The contractor shall consult with the Health and Safety Executive when removing asbestos materials (see list of contacts in Appendix 2).

13. Contaminated Land

- 13.1** The contractor shall consult with the Environment Agency and the Environmental Health Department when dealing with any contaminated soil or contaminated groundwater on the site.
- 13.2** Certain contaminants may affect construction materials and advice should be sought at an early stage. Contact Building Control and the Environmental Health Departments for further advice (see list of contacts in Appendix 2).

14. Crushing Machines

- 14.1** Any plant used for the crushing of materials should be issued with a Permit by a Local Authority under the Pollution Prevention and Control Regulations 2000. All work should be carried out in accordance with the conditions of the Permit. Where plant is used to recycle materials, the appropriate licence from the Environment Agency shall be obtained. The process operator should notify the local authority in whose area the process is proposed prior to operation.

15. Monitoring

- 15.1** The developer and contractor should conduct a regular air monitoring programme where there is evidence of volatile or airborne hazardous materials or there is a risk of fumes or dust affecting the local area and take any necessary corrective action. They should also contact the Environmental Health Department (see list of contacts in Appendix 2) for advice, further information and any additional requirements.

PART 4 DRAINAGE FOLLOWING DEMOLITION OF BUILDINGS

16. Drainage

- 16.1** Following the demolition of a building the disused drains must be “sealed off” at the junction with the sewer under the public road. Generally the local authority will not allow you to re-use old drainage systems for new buildings. However in certain cases this may be permitted subject to a satisfactory closed circuit television (CCTV) survey.
- 16.2** The Environmental Health Department may require you to provide a CCTV survey and may itself be able to provide a CCTV service. Additional services may be available such as carrying out a drain seal off service by remote control without the unnecessary expense and disruption of digging up the public road. These services are chargeable.
- 16.3** For further details on these or other technical services available please contact your local authority (see list of contacts in Appendix 2).

Appendix 1

Form A

LONDON BOROUGH OF ENVIRONMENTAL HEALTH DEPARTMENT

Application for works not conforming with the **“Control of Pollution and Noise from Demolition and Construction sites” Code of Practice.**

When completed please send and/or fax to the relevant Environmental Health Department (see list of contacts in Appendix 2), together with any supporting documents

Applicant

Registered Office:.....

Telephone..... Mobile.....

Fax..... Email

Contact Name/s.....

.....

Address for correspondence (if different from above)

.....

.....

Telephone..... Mobile

Fax..... Email

Contact Name/s.....

.....

Location of works.....

.....

Proposed start date.....

Estimated duration of works.....

Proposed hours of work – (where not in accordance with Code of Practice)

.....
.....

Full details of proposed works – Please give full details of plant and machinery to be used and any other proposed deviations from the Code of Practice

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Reasons for not adhering to Code of Practice.....

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.....

Details of advance publicity, consultation and measures taken/proposed to minimise noise, dust and pollution

.....
.....

Signed..... Date.....

Designation.....

For use by Environmental Health Department

Comments:

.....
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.....
.....
.....
.....

Signed Date

Appendix 2

LIST OF CONTACTS

LONDON BOROUGH OF BROMLEY

Civic Centre,
Stockwell Close,
Bromley BR1 3UH

Environmental Services Department

☎ 020 8313 4830

☎ 020 8313 4450 (Fax)

email:
pollution@bromley.gov.uk

Building Control

☎ 020 8313 4313

☎ 020 8313 4604 (Fax)

email:
buildingcontrol@bromley.gov.uk

Highways

(Skip, scaffolding
and licences etc.)

☎ 020 8313 4621

☎ 020 8313 4478

email:
street.services@bromley.gov.uk

LONDON BOROUGH OF CROYDON

Taberner House,
Park Lane,
Croydon CR9 3BT

Pollution

☎ 020 8760 5483

☎ 020 8760 5630 (Fax)

email:
pollution@croydon.gov.uk

Drainage

☎ 020 8760 5503

☎ 020 8760 5724 (Fax)

Building Control

☎ 020 8760 5637

☎ 020 8407 1321 (Fax)

LONDON BOROUGH OF MERTON

Civic Centre,
London Road, Morden,
Surrey SM4 5DX

Environmental Health Service

☎ 020 8545 3025

☎ 020 8545 4025 (Fax)

Building Control

☎ 020 8545 3123

☎ 020 8545 6085 (Fax)

Highways Team

☎ 020 8545 3038

☎ 020 8545 3099 (Fax)

LONDON BOROUGH OF SUTTON

Environmental Health,
24 Denmark Road,
Carshalton,
Surrey SM5 2JG

Environmental Health Department

☎ 020 8770 5527

☎ 020 8770 5540 (Fax)

Building Control

☎ 020 8770 6267/8

☎ 020 8770 6270 (Fax)

Transportation Group (Road Closures)

☎ 020 8770 6455

☎ 020 8770 6298 (Fax)

Highways (Skip, scaffolding and building material licences)

☎ 020 8770 6055/6060

Parking Services (Suspension of parking bays)

☎ 020 8770 5341

LONDON BOROUGH OF WANDSWORTH

PO Box 47095
London SW1 8 9AQ

Environmental Services Division

☎ 020 8871 6170

☎ 020 8871 7661 (Fax)

Building Control

☎ 020 8871 7620

Highways Engineer

☎ 020 8871 6542

HEALTH AND SAFETY EXECUTIVE

☎ 020 7556 2100

ENVIRONMENT AGENCY

Emergency Hotline

☎ 0800 807060

Thames Region & South East Area Office

☎ 08708 506 506

☎ 01276 454301 (Fax)

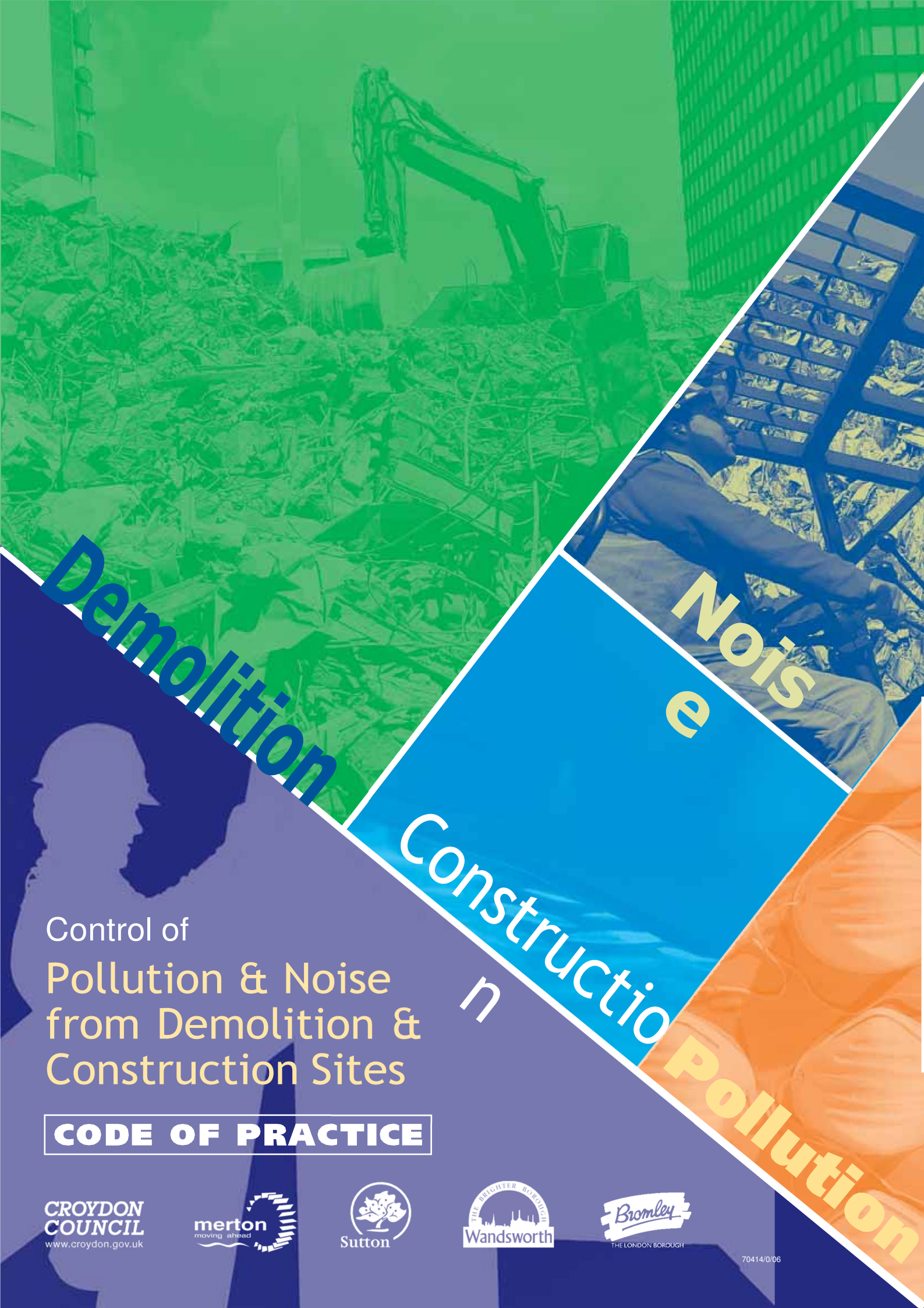
Contaminated Land

☎ 01276 454370

BUILDING RESEARCH ESTABLISHMENT

☎ 01923 664000

e-mail:
enquiries@bre.co.uk



Demolition

Noise

Construction

Pollution

Control of
Pollution & Noise
from Demolition &
Construction Sites

CODE OF PRACTICE



2005 No. 735

HEALTH AND SAFETY

The Work at Height Regulations 2005

<i>Made</i> - - - -	<i>16th March 2005</i>
<i>Laid before Parliament</i>	<i>16th March 2005</i>
<i>Coming into force</i> - -	<i>6th April 2005</i>

ARRANGEMENT OF REGULATIONS

1. Citation and commencement
2. Interpretation
3. Application
4. Organisation and planning
5. Competence
6. Avoidance of risks from work at height
7. Selection of work equipment for work at height
8. Requirements for particular work equipment
9. Fragile surfaces
10. Falling objects
11. Danger areas
12. Inspection of work equipment
13. Inspection of places of work at height
14. Duties of persons at work
15. Exemption by the Health and Safety Executive
16. Exemption for the armed forces
17. Amendment of the Provision and Use of Work Equipment Regulations 1998
18. Repeal of section 24 of the Factories Act 1961
19. Revocation of instruments

SCHEDULE 1

**REQUIREMENTS FOR EXISTING PLACES OF WORK AND MEANS OF
ACCESS OR EGRESS AT HEIGHT**

SCHEDULE 2

**REQUIREMENTS FOR GUARD-RAILS, TOE-BOARDS, BARRIERS AND
SIMILAR COLLECTIVE MEANS OF PROTECTION**

SCHEDULE 3
REQUIREMENTS FOR WORKING PLATFORMS
PART 1
REQUIREMENTS FOR ALL WORKING PLATFORMS
PART 2
ADDITIONAL REQUIREMENTS FOR SCAFFOLDING
SCHEDULE 4
REQUIREMENTS FOR COLLECTIVE SAFEGUARDS FOR ARRESTING FALLS
SCHEDULE 5
REQUIREMENTS FOR PERSONAL FALL PROTECTION SYSTEMS
PART 1
REQUIREMENTS FOR ALL PERSONAL FALL PROTECTION SYSTEMS
PART 2
ADDITIONAL REQUIREMENTS FOR WORK POSITIONING SYSTEMS
PART 3
ADDITIONAL REQUIREMENTS FOR ROPE ACCESS AND POSITIONING
TECHNIQUES
PART 4
ADDITIONAL REQUIREMENTS FOR FALL ARREST SYSTEMS
PART 5
ADDITIONAL REQUIREMENTS FOR WORK RESTRAINT SYSTEMS
SCHEDULE 6
REQUIREMENTS FOR LADDERS
SCHEDULE 7
PARTICULARS TO BE INCLUDED IN A REPORT OF INSPECTION
SCHEDULE 8
REVOCAION OF INSTRUMENTS

The Secretary of State, in the exercise of the powers conferred on him by sections 15(1), (2), (3)(a), (5)(b), (6)(a) and 82(3)(a) of, and paragraphs 1(1), (2) and (3), 9, 11, 14, 15(1) and 16 of Schedule 3 to, the Health and Safety at Work etc. Act 1974(a) (“the 1974 Act”) and for the purpose of giving effect without modifications to proposals submitted to him by the Health and Safety Commission under section 11(2)(d) of the 1974 Act, after the carrying out by the said Commission of consultations in accordance with section 50(3) of that Act, hereby makes the following Regulations:

(a) 1974 c.37. Sections 15 and 50 were amended by the Employment Protection Act 1975 (c.71) Schedule 15, paragraphs 6 and 16 respectively. The general purposes of Part I of the 1974 Act were extended by section 1(1) of the Offshore Safety Act 1992 (c.15). Section 51A was inserted by section 1, and sections 52 and 53 were amended by sections 2 and 6 respectively, of the Police (Health and Safety) Act 1997 (c.42).

Citation and commencement

1. These Regulations may be cited as the Work at Height Regulations 2005 and shall come into force on 6th April 2005.

Interpretation

2.—(1) In these Regulations, unless the context otherwise requires—

“the 1974 Act” means the Health and Safety at Work etc. Act 1974;

“access” and “egress” include ascent and descent;

“construction work” has the meaning assigned to it by regulation 2(1) of the Construction (Health, Safety and Welfare) Regulations 1996(a);

“fragile surface” means a surface which would be liable to fail if any reasonably foreseeable loading were to be applied to it;

“ladder” includes a fixed ladder and a stepladder;

“line” includes rope, chain or webbing;

“the Management Regulations” means the Management of Health and Safety at Work Regulations 1999(b);

“personal fall protection system” means—

(a) a fall prevention, work restraint, work positioning, fall arrest or rescue system, other than a system in which the only safeguards are collective safeguards; or

(b) rope access and positioning techniques;

“suitable” means suitable in any respect which it is reasonably foreseeable will affect the safety of any person;

“work at height” means—

(a) work in any place, including a place at or below ground level;

(b) obtaining access to or egress from such place while at work, except by a staircase in a permanent workplace,

where, if measures required by these Regulations were not taken, a person could fall a distance liable to cause personal injury;

“work equipment” means any machinery, appliance, apparatus, tool or installation for use at work (whether exclusively or not) and includes anything to which regulation 8 and Schedules 2 to 6 apply;

“working platform”—

(a) means any platform used as a place of work or as a means of access to or egress from a place of work;

(b) includes any scaffold, suspended scaffold, cradle, mobile platform, trestle, gangway, gantry and stairway which is so used.

(2) Any reference in these Regulations to the keeping of a report or copy of a report or plan shall include reference to its being kept in a form—

(a) in which it is capable of being reproduced as a printed copy when required;

(b) which is secure from loss or unauthorised interference.

Application

3.—(1) These Regulations shall apply—

(a) in Great Britain; and

(a) S.I. 1996/1592, to which there are amendments not relevant to these Regulations.

(b) S.I. 1999/3242, to which there are amendments not relevant to these Regulations.

- (b) outside Great Britain as sections 1 to 59 and 80 to 82 of the 1974 Act apply by virtue of the Health and Safety at Work etc. Act 1974 (Application outside Great Britain) Order 2001(a).
- (2) The requirements imposed by these Regulations on an employer shall apply in relation to work—
 - (a) by an employee of his; or
 - (b) by any other person under his control, to the extent of his control.
- (3) The requirements imposed by these Regulations on an employer shall also apply to—
 - (a) a self-employed person, in relation to work—
 - (i) by him; or
 - (ii) by a person under his control, to the extent of his control; and
 - (b) to any person other than a self-employed person, in relation to work by a person under his control, to the extent of his control.
- (4) Regulations 4 to 16 of these Regulations shall not apply to or in relation to—
 - (a) the master and crew of a ship, or to the employer of such persons, in respect of the normal ship-board activities of a ship’s crew which—
 - (i) are carried out solely by the crew under the direction of the master; and
 - (ii) are not liable to expose persons at work other than the master and crew to a risk to their safety;
 - (b) a place specified in regulation 7(6) of the Docks Regulations 1988(b) where persons are engaged in dock operations;
 - (c) a place specified in regulation 5(3) of the Loading and Unloading of Fishing Vessels Regulations 1988(c) where persons are engaged in fish loading processes; or
 - (d) the provision of instruction or leadership to one or more persons in connection with their engagement in caving or climbing by way of sport, recreation, team building or similar activities.
- (5) Regulation 11 of these Regulations shall not apply to an installation while regulation 12 of the Offshore Installations and Wells (Design and Construction, etc) Regulations 1996(d) apply to it.
- (6) In this regulation—
 - (a) “caving” includes the exploration of parts of mines which are no longer worked;
 - (b) “climbing” includes traversing, abseiling or scrambling over natural terrain or man-made structures;
 - (c) “ship” includes every description of vessel used in navigation, other than a ship which forms part of Her Majesty’s Navy.

Organisation and planning

- 4.—(1) Every employer shall ensure that work at height is—
- (a) properly planned;
 - (b) appropriately supervised; and
 - (c) carried out in a manner which is so far as is reasonably practicable safe,
- and that its planning includes the selection of work equipment in accordance with regulation 7.

(a) S.I. 2001/2127.
 (b) S.I. 1988/1655, to which there are amendments not relevant to these Regulations.
 (c) S.I. 1988/1656.
 (d) S.I.1996/913.

(2) Reference in paragraph (1) to planning of work includes planning for emergencies and rescue.

(3) Every employer shall ensure that work at height is carried out only when the weather conditions do not jeopardise the health or safety of persons involved in the work.

(4) Paragraph (3) shall not apply where members of the police, fire, ambulance or other emergency services are acting in an emergency.

Competence

5. Every employer shall ensure that no person engages in any activity, including organisation, planning and supervision, in relation to work at height or work equipment for use in such work unless he is competent to do so or, if being trained, is being supervised by a competent person.

Avoidance of risks from work at height

6.—(1) In identifying the measures required by this regulation, every employer shall take account of a risk assessment under regulation 3 of the Management Regulations.

(2) Every employer shall ensure that work is not carried out at height where it is reasonably practicable to carry out the work safely otherwise than at height.

(3) Where work is carried out at height, every employer shall take suitable and sufficient measures to prevent, so far as is reasonably practicable, any person falling a distance liable to cause personal injury.

(4) The measures required by paragraph (3) shall include—

(a) his ensuring that the work is carried out—

(i) from an existing place of work; or

(ii) (in the case of obtaining access or egress) using an existing means,

which complies with Schedule 1, where it is reasonably practicable to carry it out safely and under appropriate ergonomic conditions; and

(b) where it is not reasonably practicable for the work to be carried out in accordance with subparagraph (a), his providing sufficient work equipment for preventing, so far as is reasonably practicable, a fall occurring.

(5) Where the measures taken under paragraph (4) do not eliminate the risk of a fall occurring, every employer shall—

(a) so far as is reasonably practicable, provide sufficient work equipment to minimise—

(i) the distance and consequences; or

(ii) where it is not reasonably practicable to minimise the distance, the consequences, of a fall; and

(b) without prejudice to the generality of paragraph (3), provide such additional training and instruction or take other additional suitable and sufficient measures to prevent, so far as is reasonably practicable, any person falling a distance liable to cause personal injury.

Selection of work equipment for work at height

7.—(1) Every employer, in selecting work equipment for use in work at height, shall—

(a) give collective protection measures priority over personal protection measures; and

(b) take account of—

(i) the working conditions and the risks to the safety of persons at the place where the work equipment is to be used;

(ii) in the case of work equipment for access and egress, the distance to be negotiated;

(iii) the distance and consequences of a potential fall;

- (iv) the duration and frequency of use;
 - (v) the need for easy and timely evacuation and rescue in an emergency;
 - (vi) any additional risk posed by the use, installation or removal of that work equipment or by evacuation and rescue from it; and
 - (vii) the other provisions of these Regulations.
- (2) An employer shall select work equipment for work at height which—
- (a) has characteristics including dimensions which—
 - (i) are appropriate to the nature of the work to be performed and the foreseeable loadings; and
 - (ii) allow passage without risk; and
 - (b) is in other respects the most suitable work equipment, having regard in particular to the purposes specified in regulation 6.

Requirements for particular work equipment

- 8.** Every employer shall ensure that, in the case of—
- (a) a guard-rail, toe-board, barrier or similar collective means of protection, Schedule 2 is complied with;
 - (b) a working platform—
 - (i) Part 1 of Schedule 3 is complied with; and
 - (ii) where scaffolding is provided, Part 2 of Schedule 3 is also complied with;
 - (c) a net, airbag or other collective safeguard for arresting falls which is not part of a personal fall protection system, Schedule 4 is complied with;
 - (d) a personal fall protection system, Part 1 of Schedule 5 and—
 - (i) in the case of a work positioning system, Part 2 of Schedule 5;
 - (ii) in the case of rope access and positioning techniques, Part 3 of Schedule 5;
 - (iii) in the case of a fall arrest system, Part 4 of Schedule 5;
 - (iv) in the case of a work restraint system, Part 5 of Schedule 5,
 are complied with; and
 - (e) a ladder, Schedule 6 is complied with.

Fragile surfaces

9.—(1) Every employer shall ensure that no person at work passes across or near, or works on, from or near, a fragile surface where it is reasonably practicable to carry out work safely and under appropriate ergonomic conditions without his doing so.

(2) Where it is not reasonably practicable to carry out work safely and under appropriate ergonomic conditions without passing across or near, or working on, from or near, a fragile surface, every employer shall—

- (a) ensure, so far as is reasonably practicable, that suitable and sufficient platforms, coverings, guard rails or similar means of support or protection are provided and used so that any foreseeable loading is supported by such supports or borne by such protection;
- (b) where a risk of a person at work falling remains despite the measures taken under the preceding provisions of this regulation, take suitable and sufficient measures to minimise the distances and consequences of his fall.

(3) Where any person at work may pass across or near, or work on, from or near, a fragile surface, every employer shall ensure that—

- (a) prominent warning notices are so far as is reasonably practicable affixed at the approach to the place where the fragile surface is situated; or

(b) where that is not reasonably practicable, such persons are made aware of it by other means.

(4) Paragraph (3) shall not apply where members of the police, fire, ambulance or other emergency services are acting in an emergency.

Falling objects

10.—(1) Every employer shall, where necessary to prevent injury to any person, take suitable and sufficient steps to prevent, so far as is reasonably practicable, the fall of any material or object.

(2) Where it is not reasonably practicable to comply with the requirements of paragraph (1), every employer shall take suitable and sufficient steps to prevent any person being struck by any falling material or object which is liable to cause personal injury.

(3) Every employer shall ensure that no material or object is thrown or tipped from height in circumstances where it is liable to cause injury to any person.

(4) Every employer shall ensure that materials and objects are stored in such a way as to prevent risk to any person arising from the collapse, overturning or unintended movement of such materials or objects.

Danger areas

11. Without prejudice to the preceding requirements of these Regulations, every employer shall ensure that—

(a) where a workplace contains an area in which, owing to the nature of the work, there is a risk of any person at work—

(i) falling a distance; or

(ii) being struck by a falling object,

which is liable to cause personal injury, the workplace is so far as is reasonably practicable equipped with devices preventing unauthorised persons from entering such area; and

(b) such area is clearly indicated.

Inspection of work equipment

12.—(1) This regulation applies only to work equipment to which regulation 8 and Schedules 2 to 6 apply.

(2) Every employer shall ensure that, where the safety of work equipment depends on how it is installed or assembled, it is not used after installation or assembly in any position unless it has been inspected in that position.

(3) Every employer shall ensure that work equipment exposed to conditions causing deterioration which is liable to result in dangerous situations is inspected—

(a) at suitable intervals; and

(b) each time that exceptional circumstances which are liable to jeopardise the safety of the work equipment have occurred,

to ensure that health and safety conditions are maintained and that any deterioration can be detected and remedied in good time.

(4) Without prejudice to paragraph (2), every employer shall ensure that a working platform—

(a) used for construction work; and

(b) from which a person could fall 2 metres or more,

is not used in any position unless it has been inspected in that position or, in the case of a mobile working platform, inspected on the site, within the previous 7 days.

(5) Every employer shall ensure that no work equipment, other than lifting equipment to which the requirement in regulation 9(4) of the Lifting Operations and Lifting Equipment Regulations 1998(a) (“LOLER”) applies—

- (a) leaves his undertaking; or
- (b) if obtained from the undertaking of another person, is used in his undertaking,

unless it is accompanied by physical evidence that the last inspection required to be carried out under this regulation has been carried out.

(6) Every employer shall ensure that the result of an inspection under this regulation is recorded and, subject to paragraph (8), kept until the next inspection under this regulation is recorded.

(7) A person carrying out an inspection of work equipment to which paragraph (4) applies shall—

- (a) before the end of the working period within which the inspection is completed, prepare a report containing the particulars set out in Schedule 7; and
- (b) within 24 hours of completing the inspection, provide the report or a copy thereof to the person on whose behalf the inspection was carried out.

(8) An employer receiving a report or copy under paragraph (7) shall keep the report or a copy thereof—

- (a) at the site where the inspection was carried out until the construction work is completed; and
- (b) thereafter at an office of his for 3 months.

(9) Where a thorough examination has been made of lifting equipment under regulation 9 of LOLER—

- (a) it shall for the purposes of this regulation, other than paragraphs (7) and (8), be treated as an inspection of the lifting equipment; and
- (b) the making under regulation 10 of LOLER of a report of such examination shall for the purposes of paragraph (6) of this regulation be treated as the recording of the inspection.

(10) In this regulation “inspection”, subject to paragraph (9)—

- (a) means such visual or more rigorous inspection by a competent person as is appropriate for safety purposes;
- (b) includes any testing appropriate for those purposes,

and “inspected” shall be construed accordingly.

Inspection of places of work at height

13. Every employer shall so far as is reasonably practicable ensure that the surface and every parapet, permanent rail or other such fall protection measure of every place of work at height are checked on each occasion before the place is used.

Duties of persons at work

14.—(1) Every person shall, where working under the control of another person, report to that person any activity or defect relating to work at height which he knows is likely to endanger the safety of himself or another person.

(2) Every person shall use any work equipment or safety device provided to him for work at height by his employer, or by a person under whose control he works, in accordance with—

- (a) any training in the use of the work equipment or device concerned which have been received by him; and

(a) S.I.1998/2307, to which there are amendments not relevant to these Regulations.

- (b) the instructions respecting that use which have been provided to him by that employer or person in compliance with the requirements and prohibitions imposed upon that employer or person by or under the relevant statutory provisions.

Exemption by the Health and Safety Executive

15.—(1) Subject to paragraph (2), the Health and Safety Executive (“the Executive”) may, by a certificate in writing, exempt—

- (a) any person or class of persons;
- (b) any premises or class of premises;
- (c) any work equipment; or
- (d) any work activity,

from the requirements imposed by paragraph 3(a) and (c) of Schedule 2, and any such exemption may be granted subject to conditions and to a limit of time and may be revoked at any time by a certificate in writing.

(2) The Executive shall not grant any such exemption unless, having regard to the circumstances of the case and in particular to—

- (a) the conditions, if any, which it proposes to attach to the exemption; and
- (b) any other requirements imposed by or under any enactments which apply to the case,

it is satisfied that the health and safety of persons who are likely to be affected by the exemption will not be prejudiced in consequence of it.

Exemption for the armed forces

16.—(1) Subject to paragraph (2), the Secretary of State for Defence may, in the interests of national security, by a certificate in writing exempt any person or class of persons from any requirement or prohibition imposed by these Regulations in respect of activities carried out in the interests of national security, and any such exemption may be granted subject to conditions and may be revoked by the Secretary of State by a certificate in writing at any time.

(2) The Secretary of State shall not grant any such exemption unless he is satisfied that the health and safety of the employees concerned are ensured as far as possible in the light of the objectives of these Regulations.

Amendment of the Provision and Use of Work Equipment Regulations 1998

17. There shall be added to regulation 6(5) of the Provision and Use of Work Equipment Regulations 1998(a) the following sub-paragraph—

- “(f) work equipment to which regulation 12 of the Work at Height Regulations 2005 applies”.

Repeal of section 24 of the Factories Act 1961

18. Section 24 of the Factories Act 1961(b) is repealed.

(a) S.I. 1998/2306, to which there are amendments not relevant to these Regulations.
(b) 1961 c.34.

Revocation of instruments

19. The instruments specified in column 1 of Schedule 8 are revoked to the extent specified in column 3 of that Schedule.

Signed by authority of the Secretary of State

16th March 2005

Jane Kennedy
Minister of State,
Department for Work and Pensions

SCHEDULE 1

Regulation 6(4)(a)

REQUIREMENTS FOR EXISTING PLACES OF WORK AND MEANS OF ACCESS OR EGRESS AT HEIGHT

Every existing place of work or means of access or egress at height shall—

- (a) be stable and of sufficient strength and rigidity for the purpose for which it is intended to be or is being used;
- (b) where applicable, rest on a stable, sufficiently strong surface;
- (c) be of sufficient dimensions to permit the safe passage of persons and the safe use of any plant or materials required to be used and to provide a safe working area having regard to the work to be carried out there;
- (d) possess suitable and sufficient means for preventing a fall;
- (e) possess a surface which has no gap—
 - (i) through which a person could fall;
 - (ii) through which any material or object could fall and injure a person; or
 - (iii) giving rise to other risk of injury to any person, unless measures have been taken to protect persons against such risk;
- (f) be so constructed and used, and maintained in such condition, as to prevent, so far as is reasonably practicable—
 - (i) the risk of slipping or tripping; or
 - (ii) any person being caught between it and any adjacent structure;
- (g) where it has moving parts, be prevented by appropriate devices from moving inadvertently during work at height.

SCHEDULE 2

Regulation 8(a)

REQUIREMENTS FOR GUARD-RAILS, TOE-BOARDS, BARRIERS AND SIMILAR COLLECTIVE MEANS OF PROTECTION

1. Unless the context otherwise requires, any reference in this Schedule to means of protection is to a guard-rail, toe-board, barrier or similar collective means of protection.

2. Means of protection shall—

- (a) be of sufficient dimensions, of sufficient strength and rigidity for the purposes for which they are being used, and otherwise suitable;
- (b) be so placed, secured and used as to ensure, so far as is reasonably practicable, that they do not become accidentally displaced; and
- (c) be so placed as to prevent, so far as is practicable, the fall of any person, or of any material or object, from any place of work.

3. In relation to work at height involved in construction work—

- (a) the top guard-rail or other similar means of protection shall be at least 950 millimetres or, in the case of such means of protection already fixed at the coming into force of these Regulations, at least 910 millimetres above the edge from which any person is liable to fall;

- (b) toe-boards shall be suitable and sufficient to prevent the fall of any person, or any material or object, from any place of work; and
- (c) any intermediate guard-rail or similar means of protection shall be positioned so that any gap between it and other means of protection does not exceed 470 millimetres.

4. Any structure or part of a structure which supports means of protection or to which means of protection are attached shall be of sufficient strength and suitable for the purpose of such support or attachment.

5.—(1) Subject to sub-paragraph (2), there shall not be a lateral opening in means of protection save at a point of access to a ladder or stairway where an opening is necessary.

(2) Means of protection shall be removed only for the time and to the extent necessary to gain access or egress or for the performance of a particular task and shall be replaced as soon as practicable.

(3) The task shall not be performed while means of protection are removed unless effective compensatory safety measures are in place.

SCHEDULE 3

Regulation 8(b)

REQUIREMENTS FOR WORKING PLATFORMS

PART 1

REQUIREMENTS FOR ALL WORKING PLATFORMS

Interpretation

1. In this Schedule, “supporting structure” means any structure used for the purpose of supporting a working platform and includes any plant used for that purpose.

Condition of surfaces

2. Any surface upon which any supporting structure rests shall be stable, of sufficient strength and of suitable composition safely to support the supporting structure, the working platform and any loading intended to be placed on the working platform.

Stability of supporting structure

3. Any supporting structure shall—

- (a) be suitable and of sufficient strength and rigidity for the purpose for which it is being used;
- (b) in the case of a wheeled structure, be prevented by appropriate devices from moving inadvertently during work at height;
- (c) in other cases, be prevented from slipping by secure attachment to the bearing surface or to another structure, provision of an effective anti-slip device or by other means of equivalent effectiveness;
- (d) be stable while being erected, used and dismantled; and
- (e) when altered or modified, be so altered or modified as to ensure that it remains stable.

Stability of working platforms

4. A working platform shall—

- (a) be suitable and of sufficient strength and rigidity for the purpose or purposes for which it is intended to be used or is being used;
- (b) be so erected and used as to ensure that its components do not become accidentally displaced so as to endanger any person;
- (c) when altered or modified, be so altered or modified as to ensure that it remains stable; and
- (d) be dismantled in such a way as to prevent accidental displacement.

Safety on working platforms

5. A working platform shall—

- (a) be of sufficient dimensions to permit the safe passage of persons and the safe use of any plant or materials required to be used and to provide a safe working area having regard to the work being carried out there;
- (b) possess a suitable surface and, in particular, be so constructed that the surface of the working platform has no gap—
 - (i) through which a person could fall;
 - (ii) through which any material or object could fall and injure a person; or
 - (iii) giving rise to other risk of injury to any person, unless measures have been taken to protect persons against such risk; and
- (c) be so erected and used, and maintained in such condition, as to prevent, so far as is reasonably practicable—
 - (i) the risk of slipping or tripping; or
 - (ii) any person being caught between the working platform and any adjacent structure.

Loading

6. A working platform and any supporting structure shall not be loaded so as to give rise to a risk of collapse or to any deformation which could affect its safe use.

PART

ADDITIONAL REQUIREMENTS FOR SCAFFOLDING

Additional requirements for scaffolding

7. Strength and stability calculations for scaffolding shall be carried out unless—

- (a) a note of the calculations, covering the structural arrangements contemplated, is available;
or
- (b) it is assembled in conformity with a generally recognised standard configuration.

8. Depending on the complexity of the scaffolding selected, an assembly, use and dismantling plan shall be drawn up by a competent person. This may be in the form of a standard plan, supplemented by items relating to specific details of the scaffolding in question.

9. A copy of the plan, including any instructions it may contain, shall be kept available for the use of persons concerned in the assembly, use, dismantling or alteration of scaffolding until it has been dismantled.

10. The dimensions, form and layout of scaffolding decks shall be appropriate to the nature of the work to be performed and suitable for the loads to be carried and permit work and passage in safety.

11. While a scaffold is not available for use, including during its assembly, dismantling or alteration, it shall be marked with general warning signs in accordance with the Health and Safety (Safety Signs and Signals) Regulations 1996(a) and be suitably delineated by physical means preventing access to the danger zone.

12. Scaffolding may be assembled, dismantled or significantly altered only under the supervision of a competent person and by persons who have received appropriate and specific training in the operations envisaged which addresses specific risks which the operations may entail and precautions to be taken, and more particularly in—

- (a) understanding of the plan for the assembly, dismantling or alteration of the scaffolding concerned;
- (b) safety during the assembly, dismantling or alteration of the scaffolding concerned;
- (c) measures to prevent the risk of persons, materials or objects falling;
- (d) safety measures in the event of changing weather conditions which could adversely affect the safety of the scaffolding concerned;
- (e) permissible loadings;
- (f) any other risks which the assembly, dismantling or alteration of the scaffolding may entail.

SCHEDULE 4

Regulation 8(c)

REQUIREMENTS FOR COLLECTIVE SAFEGUARDS FOR ARRESTING FALLS

- 1.** Any reference in this Schedule to a safeguard is to a collective safeguard for arresting falls.
- 2.** A safeguard shall be used only if—
 - (a) a risk assessment has demonstrated that the work activity can so far as is reasonably practicable be performed safely while using it and without affecting its effectiveness;
 - (b) the use of other, safer work equipment is not reasonably practicable; and
 - (c) a sufficient number of available persons have received adequate training specific to the safeguard, including rescue procedures.
- 3.** A safeguard shall be suitable and of sufficient strength to arrest safely the fall of any person who is liable to fall.
- 4.** A safeguard shall—
 - (a) in the case of a safeguard which is designed to be attached, be securely attached to all the required anchors, and the anchors and the means of attachment thereto shall be suitable and of sufficient strength and stability for the purpose of safely supporting the foreseeable loading in arresting any fall and during any subsequent rescue;
 - (b) in the case of an airbag, landing mat or similar safeguard, be stable; and
 - (c) in the case of a safeguard which distorts in arresting a fall, afford sufficient clearance.
- 5.** Suitable and sufficient steps shall be taken to ensure, so far as practicable, that in the event of a fall by any person the safeguard does not itself cause injury to that person.

(a) S.I. 1996/341.

REQUIREMENTS FOR PERSONAL FALL PROTECTION SYSTEMS**PART 1****REQUIREMENTS FOR ALL PERSONAL FALL PROTECTION SYSTEMS**

1. A personal fall protection system shall be used only if—
 - (a) a risk assessment has demonstrated that—
 - (i) the work can so far as is reasonably practicable be performed safely while using that system; and
 - (ii) the use of other, safer work equipment is not reasonably practicable; and
 - (b) the user and a sufficient number of available persons have received adequate training specific to the operations envisaged, including rescue procedures.
2. A personal fall protection system shall—
 - (a) be suitable and of sufficient strength for the purposes for which it is being used having regard to the work being carried out and any foreseeable loading;
 - (b) where necessary, fit the user;
 - (c) be correctly fitted;
 - (d) be designed to minimise injury to the user and, where necessary, be adjusted to prevent the user falling or slipping from it, should a fall occur; and
 - (e) be so designed, installed and used as to prevent unplanned or uncontrolled movement of the user.
3. A personal fall protection system designed for use with an anchor shall be securely attached to at least one anchor, and each anchor and the means of attachment thereto shall be suitable and of sufficient strength and stability for the purpose of supporting any foreseeable loading.
4. Suitable and sufficient steps shall be taken to prevent any person falling or slipping from a personal fall protection system.

PART 2**ADDITIONAL REQUIREMENTS FOR WORK POSITIONING SYSTEMS**

A work positioning system shall be used only if either—

- (a) the system includes a suitable backup system for preventing or arresting a fall; and
- (b) where the system includes a line as a backup system, the user is connected to it; or
- (c) where it is not reasonably practicable to comply with sub-paragraph (a), all practicable measures are taken to ensure that the work positioning system does not fail.

PART 3**ADDITIONAL REQUIREMENTS FOR ROPE ACCESS AND POSITIONING TECHNIQUES**

1. A rope access or positioning technique shall be used only if—

- (a) subject to paragraph 3, it involves a system comprising at least two separately anchored lines, of which one (“the working line”) is used as a means of access, egress and support and the other is the safety line;
 - (b) the user is provided with a suitable harness and is connected by it to the working line and the safety line;
 - (c) the working line is equipped with safe means of ascent and descent and has a self-locking system to prevent the user falling should he lose control of his movements; and
 - (d) the safety line is equipped with a mobile fall protection system which is connected to and travels with the user of the system.
2. Taking the risk assessment into account and depending in particular on the duration of the job and the ergonomic constraints, provision must be made for a seat with appropriate accessories.
3. The system may comprise a single rope where—
- (a) a risk assessment has demonstrated that the use of a second line would entail higher risk to persons; and
 - (b) appropriate measures have been taken to ensure safety.

PART 4

ADDITIONAL REQUIREMENTS FOR FALL ARREST SYSTEMS

1. A fall arrest system shall incorporate a suitable means of absorbing energy and limiting the forces applied to the user’s body.
2. A fall arrest system shall not be used in a manner—
- (a) which involves the risk of a line being cut;
 - (b) where its safe use requires a clear zone (allowing for any pendulum effect), which does not afford such zone; or
 - (c) which otherwise inhibits its performance or renders its use unsafe.

PART 5

ADDITIONAL REQUIREMENTS FOR WORK RESTRAINT SYSTEMS

A work restraint system shall—

- (a) be so designed that, if used correctly, it prevents the user from getting into a position in which a fall can occur; and
- (b) be used correctly.

SCHEDULE 6

Regulation 8(e)

REQUIREMENTS FOR LADDERS

1. Every employer shall ensure that a ladder is used for work at height only if a risk assessment under regulation 3 of the Management Regulations has demonstrated that the use of more suitable work equipment is not justified because of the low risk and—
- (a) the short duration of use; or
 - (b) existing features on site which he cannot alter.

2. Any surface upon which a ladder rests shall be stable, firm, of sufficient strength and of suitable composition safely to support the ladder so that its rungs or steps remain horizontal, and any loading intended to be placed on it.

3. A ladder shall be so positioned as to ensure its stability during use.

4. A suspended ladder shall be attached in a secure manner and so that, with the exception of a flexible ladder, it cannot be displaced and swinging is prevented.

5. A portable ladder shall be prevented from slipping during use by—

- (a) securing the stiles at or near their upper or lower ends;
- (b) an effective anti-slip or other effective stability device; or
- (c) any other arrangement of equivalent effectiveness.

6. A ladder used for access shall be long enough to protrude sufficiently above the place of landing to which it provides access, unless other measures have been taken to ensure a firm handhold.

7. No interlocking or extension ladder shall be used unless its sections are prevented from moving relative to each other while in use.

8. A mobile ladder shall be prevented from moving before it is stepped on.

9. Where a ladder or run of ladders rises a vertical distance of 9 metres or more above its base, there shall, where reasonably practicable, be provided at suitable intervals sufficient safe landing areas or rest platforms.

10. Every ladder shall be used in such a way that—

- (a) a secure handhold and secure support are always available to the user; and
- (b) the user can maintain a safe handhold when carrying a load unless, in the case of a step ladder, the maintenance of a handhold is not practicable when a load is carried, and a risk assessment under regulation 3 of the Management Regulations has demonstrated that the use of a stepladder is justified because of—
 - (i) the low risk; and
 - (ii) the short duration of use.

SCHEDULE 7

Regulation 12(7)

PARTICULARS TO BE INCLUDED IN A REPORT OF INSPECTION

- 1.** The name and address of the person for whom the inspection was carried out.
- 2.** The location of the work equipment inspected.
- 3.** A description of the work equipment inspected.
- 4.** The date and time of the inspection.
- 5.** Details of any matter identified that could give rise to a risk to the health or safety of any person.
- 6.** Details of any action taken as a result of any matter identified in paragraph 5.
- 7.** Details of any further action considered necessary.
- 8.** The name and position of the person making the report.

SCHEDULE 8

Regulation 19

REVOCATION OF INSTRUMENTS

<i>(1)</i> <i>Description of instrument</i>	<i>(2)</i> <i>Reference</i>	<i>(3)</i> <i>Extent of revocation</i>
The Shipbuilding and Ship-repairing Regulations 1960	S.I. 1960/1932, amended by S.I. 1983/644 and 1998/2307	Regulations 7 to 10 and 12 to 30
The Docks, Shipbuilding etc. (Metrication) Regulations 1983	S.I. 1983/644	In the Schedule the entries relating to regulations 9(1)(a) to 26(1) of the Shipbuilding and Ship-repairing Regulations 1960
The Docks Regulations 1988	S.I. 1988/1655	Regulation 7(4) and (5); in regulation 7(6) the words “and (c) any other place not being a quay or jetty where any person working or passing might fall a distance of more than 2 metres”
The Loading and Unloading of Fishing Vessels Regulations 1988	S.I. 1988/1656	In regulation 5(3) the words “and (c) any other place not being a quay where any person working or passing might fall a distance of more than two metres”
The Workplace (Health, Safety and Welfare) Regulations 1992	S.I. 1992/3004	Regulation 13(1) to (4)
The Construction (Health, Safety and Welfare) Regulations 1996	I.I. 6/1592	In regulation 2(1), the definitions of “fragile material”, “personal suspension equipment” and “working platform”; regulations 6 to 8; in regulation 29(2) the word “scaffold” in both instances; regulation 30(5) and (6)(a); Schedules 1 to 5; and the entry first mentioned in columns 1 and 2 of Schedule 7

EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations impose health and safety requirements with respect to work at height, with certain exceptions including by instructors or leaders in recreational climbing and caving.

2. These Regulations give effect as respects Great Britain to Directive 2001/45/EC of the European Parliament and of the Council (OJ No L195, 19.7.2001, p.46), amending Council Directive 89/655/EEC (OJ No L393, 30.12.89, p.13) concerning the minimum safety and health requirements for the use of work equipment by workers at work. They contain additional provisions, including provisions which replace regulations giving effect to certain provisions of Council Directives 89/391/EEC (OJ No L393, 30.12.89, p.1) concerning the minimum safety and health requirements for the workplace and 92/57/EEC (OJ No L245, 26.8.92, p.6) on the implementation of minimum health and safety requirements at temporary or mobile construction sites.

3. The Regulations—

- (a) impose duties relating to the organising and planning of work at height (*regulation 4*);
- (b) require that persons at work be competent, or supervised by competent persons (*regulation 5*);
- (c) prescribe steps to be taken to avoid risk from work at height (*regulation 6 and Schedule 1*);
- (d) impose duties relating to the selection of work equipment (*regulation 7*);
- (e) impose duties in relation to particular work equipment (*regulation 8 and Schedules 2 to 6*);
- (f) impose duties for the avoidance of risks from fragile surfaces, falling objects and danger areas (*regulations 9 to 11*);
- (g) require the inspection of certain work equipment and of places of work at height (*regulations 12 and 13 and Schedule 7*);
- (h) impose duties on persons at work (*regulation 14*);
- (i) provide for exemptions from certain provisions (*regulations 15 and 16*); and
- (j) amend, repeal or revoke certain enactments (*regulations 17 to 19 and Schedule 8*).

4. A full regulatory impact assessment of the effect that this instrument will have on the costs of business is available from the Health and Safety Executive, Safety Economics Unit, Rose Court, 2 Southwark Bridge, London SE1 9HS. A Transposition Note in relation to the implementation of the Directives can be obtained from the Health and Safety, International Branch at the same address. Copies of both these documents have been placed in the Library of each House of Parliament.

STATUTORY INSTRUMENTS

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