

Cheshire West & Chester Council

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Dear Mrs Wright

TATTENHALL WASTE RECYCLING CENTRE

The Health and Safety Executive (HSE) made a visit to two of the Borough Household Waste Recycling Centres (HWRCs) at Neston and Tattenhall on the 13 July 2023. The HSE Inspector was accompanied by the HWRC Site Manager and during his inspection noticed a contravention or breach which relates to workplace transport arrangements at Tattenhall.

Such a breach is classed as a contravention of the Health and Safety Law in Appendix 1 as below:

1. The Workplace (Health, Safety and Welfare) Regulations 1992; The Health and Safety at Work etc. Act 1974 (workplace transport arrangements)
Regulation 17(1) of the above Workplace regulations states that every workplace shall be organised in such a way that pedestrians and vehicles can circulate in a safe manner. Regulation 17(2) states that traffic routes in a workplace shall be suitable for the persons or vehicles using them, sufficient in number, in suitable positions and of sufficient size. Regulation 17(3) states that suitable measures shall be taken to ensure that, pedestrians or, as the case may be, vehicles may use a traffic route without causing danger to the health or safety of persons at work near it; and that where vehicles and pedestrians use the same traffic route, there is sufficient separation between them. Regulation 17(4) states that all traffic routes



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shall be suitably indicated where necessary for reasons of health or safety. Section 3(1) of the above Act states that it shall be the duty of every employer to conduct his undertaking in such a way as to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected thereby are not thereby exposed to risks to their health or safety.

The rationale by the inspector was as follows for the contravention.

- There were degraded painted pedestrian crossing points and hatched markings, used to indicate aspects of your workplace transport safety measures.
- Public vehicles were observed not reversing into unloading bays as per the site rules.
- Members of the public were seen walking across the site to various skips without using the dedicated crossing points and without suitable segregation from vehicles using the same traffic routes.
- Site management confirmed that there was a 5mph site speed limit, however there was no prominent signage in place to inform users of the site of this.
- A temporary operative involved in managing workplace transport on site who is present all week on site had not signed the risk assessments relating to this topic (and therefore could not prove he had read and understood them for purposes of managing site health and safety).

Like any organisation the HSE preference is to work with organisations to resolve issues before they reach enforcement stage and or any prohibition notice, the HSE confirmed they would like to see action before the 7 August to put any remedial actions into place, this was to avoid any further interventions by the HSE.

Working with HW Martin (HWRC provider) Council staff looked operationally how the site could be maintained to enable a service to be provided without any ultimate sanctions or closure notices been served by the HSE if it came to the point that the HSE felt like action wasn't taken.

To enable the site to operate and meet the requirements of the HSE; amendments and changes had to be made to materials disposed, traffic movement and vehicle types so that the site could remain open.

The staff undertook analysis of usage of the site and considered alternative options available for items such as carboard, which can be recycled at the kerbside during normal kerbside collections (additional carboard can be left out on collection day) or material can be taken to a primary site.

If you look at snap shot 1 in the attached, due to the new road layout, the lack of space on the left hand side means Tattenhall can no longer take the materials due to traffic movement, this is where the majority of items previously accepted was stored, however to comply with the HSE requirements the layout doesn't allow this, thus we have to reduce the materials accepted and manage both traffic and pedestrian movements, keeping the edge free around the traffic movement area and reducing the size of vehicles.

I appreciate that this is somewhat a complicated matter, However, if you wish to make representation, this would be directly to the HSE who have since re-inspected the site and confirmed they are satisfied with the changes we have made.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Mark Brazil', followed by a small checkmark-like flourish.

Mark Brazil
Head of Environmental Services