Technical Note - Vehicular Gates

- **After the death of two children in 2010 HSE issued three safety notices about electrically powered gates.**
- **The following gates are classed as high risk gates: where children use them, it is not possible to instruct users, they are used by the public in high numbers.**
- **Regular risk assessments of existing gates by competent persons are required.**
- **Planned preventative maintenance of gates by competent persons should be in place for electrically powered gates.**

Legislation:

The legal position is that powered gate systems are considered to be "machinery". This means that, by law, vehicular gates must comply with the European Machinery Directive (2006/42/EC), the Directive's Essential Health and Safety Requirements, be CE marked and accompanied by a Declaration of Conformity. The HSE has lead responsibility for enforcement of this legislation, which has been transposed into UK law as the Supply of Machinery (Safety) Regulations 2008.

The responsibility for complying with the law rests with the responsible person through risk assessment. Gates that are in general use by the public and residents are considered high risk and the HSE advises that in addition to limiting the force of the gates that additional safety measures are required as follows:

- Electrically powered gates must be force tested to ensure that the forces generated by the gate when meeting a person or an obstacle is limited and they don't exceed the values specified in the legislation. Forces should be periodically re-measured and checked as part of the planned preventative maintenance schedule for the gates.
- Pressure sensitive strips should be on the closing edges.
- Photoelectric sensing devices should be fitted where the risk assessment identifies the gate as high risk in that it is operating automatically in a public place where children and other members of the public may be present.

What is the knock on effects of this for you as a leaseholder?

- Cost: Upgrading the gates has cost in excess of £20,000 over the last 3 years.
- Reliability: The amplitude of Health and Safety aspects has meant that the slightest glitch causes the gates to fail. As the legislation was only enforced in 2011, the engineering of the parts (mostly from Germany) is yet to advance to a level where the glitches are minimised and due to the legislation being rushed through the parts were not field tested like they usually would be. The companies are therefore relying on feedback to fix faults/glitches with the said health and safety features.

What can you do to help?

- Ensure your visitors/delivery vehicles are aware of the procedure to enter and exit the development.
- Report faults as soon as possible.
- If the gate doesn't open after entering the code, wait 30 seconds before trying again. If the gate still doesn't open, park off-site and report the fault to the Estates Office.
- Do not try and force the gates under any circumstances.

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