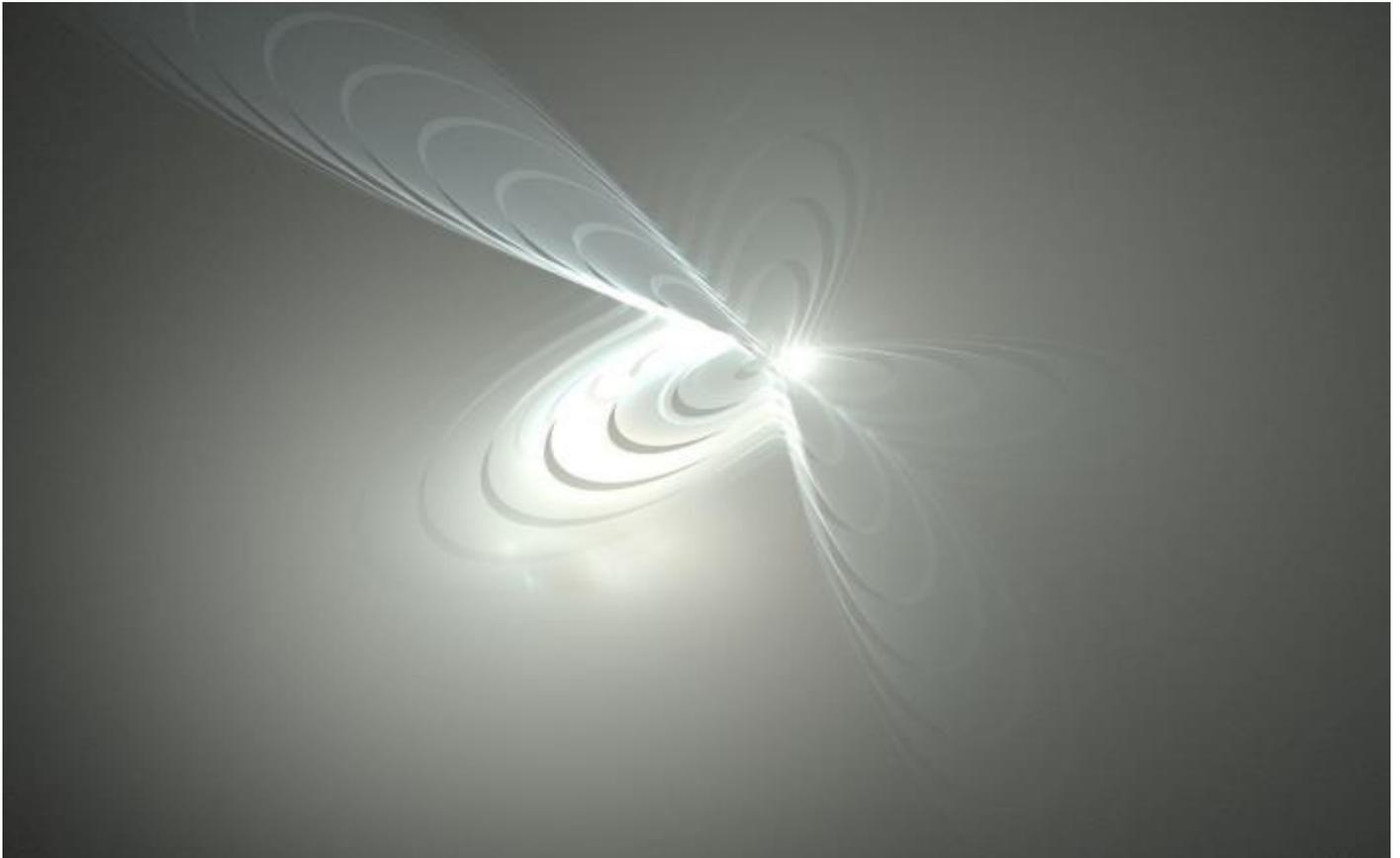


HEEA

Highway Electrical Association



HEA Guidance Note

CDM 2015 Regulations

Applicability to Highway Lighting Design

Guidance Note - CDM 2015 Regulations

Background and Scope The Construction Design and Management Regulations 2015 (CDM2015) came into force on 6 April 2015, replacing the Construction (Design and Management) Regulations 2007 – which in turn replaced the Construction (Design and Management) Regulations 1994 and the Construction (Health, Safety and Welfare) Regulations 1996. The bulk of CDM2015 has wide applicability to construction work generally.

The main changes from the CDM2007 Regulations are:

- A. The CDM2015 Regulations apply to all clients of construction projects, whether or not a person is acting in the course or furtherance of a business (regulation 2(1)).
- B. Pre-construction archaeological investigations are not included within the scope of the definition of construction work (regulation 2(1)).
- C. The role of CDM co-ordinator has been removed and various duties have been recast including client duties (regulation 4) and general duties (regulation 8). Competence has been broken down into its constituent components of skills, knowledge and experience together with supervision as and where appropriate and organizational capability as and where appropriate
- D. A client is required to appoint a Principal Designer as well as a Principal Contractor in any project where there is, or it is reasonably foreseeable that there will be, more than one contractor working on the project (regulation 5). Under the 2007 Regulations appointments for similar roles were required for notifiable projects.
- E. The duty to notify now lies with a client and the threshold for notification is raised (regulation 6).
- F. If a client is a domestic client, most of their duties will be carried out by the contractor, Principal Contractor, or Principal Designer (regulation 7).
- G. The duties of the Principal Designer are set out in regulations 9 - 11.
- H. Modified duties of the Principal Contractor are set out in regulations 13 to 14.
- I. Modified duties of contractors are set out in regulation 15
- J. Transitional arrangements are set out in Schedule 4 to the CDM 2015 Regulations

This Guidance Note is intended to provide clarification where manufacturers and others are carrying out outline or indicative designs – e.g. setting out the lighting performance for particular road geometries – without pre-construction information and without taking on the role of Principal Designer as defined under CDM 2015.

Main Aims of CDM2015

The main aim of CDM2015 is to integrate health and safety into the management of the project and to encourage everyone involved to work together to:

- A. manage the risks by applying the general principles of prevention – these being:
 - i. to avoid risks where possible;
 - ii. to evaluate those risks that cannot be avoided; and
 - iii. to put in place proportionate measures that control them at source.
- B. appoint the right people and organisations at the right time;
- C. make sure everyone has the information, instruction, training and supervision they need to carry out their jobs in a way that secures health and safety;
- D. cooperate and communicate with each other and coordinate their work; and
- E. consult workers and engage with them to promote and develop effective measures to secure health, safety and welfare.

The effort devoted to planning and managing health and safety should be in proportion to the risks and complexity associated with the project.

When deciding what needs to be done to comply with CDM2015, the focus should be on action necessary to reduce and manage risks. Any paperwork produced should help with communication and risk management. Paperwork which adds little to the management of risk is a waste of effort and can be a dangerous distraction from the real business of risk reduction and management.

Designers under CDM2015

Anyone who carries out design work as defined within CDM2015 (note: the definition is wide) needs to:

- make sure that they are competent - i.e. have the skills, knowledge and experience (& organisational capability where the designers is an organisation) and adequately resourced to address the health and safety issues likely to be involved in the design
- make clients aware of their duties
- When carrying out design work, avoid foreseeable risks to those involved in the construction and future use of the structure, and in doing so, they should eliminate hazards (so far as is reasonably practicable, taking account of other design considerations) and reduce risk associated with those hazards which remain

- provide adequate information about any significant risks associated with the design
- co-ordinate their work with that of others in order to improve the way in which risks are managed and controlled.

In carrying out these duties, designers need to consider the hazards and risks to those who:

- carry out construction work
- maintain the permanent fixtures and fittings;
- use a structure designed as a place of work;
- may be affected by such work, for example customers or the general public.

Highway Electrical Outline Designs

Some Highway Electrical Manufacturers and Suppliers regularly carry out designs as part of their service or as part of a bid process. Clients of such organisations rely on this service, which may be carried out at no additional cost to the client, to augment their own design service. This particularly applies to some highway lighting designs.

A highway lighting design includes the following general steps:

1. An outline design, often using CAD techniques, showing the designed lighting performance (against that specified) and the initial position of lighting units
2. A site survey to identify hazards (e.g. obstructions, overhead power lines, lack of vehicular access)
3. A detailed design, taking into account the hazards identified from site, amending the lighting design accordingly, and creating Hazard Elimination and Management Lists.

The steps may not always follow the sequence above (e.g. item 2 could be carried out before or in parallel with the computer-calculated lighting design – in which case step 1 might not be carried out).

Highway electrical manufacturers and suppliers, through **HEA-HEMSA**, have agreed this Guidance Note so that they meet the expectations of their customers, whilst simultaneously meeting the requirements of health and safety legislation, and in particular CDM2015.

Highway Electrical Outline Design Procedure

In order to ensure that designs are interpreted properly and that the interpretation is in proportion to the risks and complexity associated with the design and / or project at that stage, the following procedure has been agreed by HEA and HEA-HEMSA, following consultation with the HSE after the publication of the CDM2007 Regulations, and amended following the publication of the CDM2015 Regulations:

1. In order to comply with their requirements under Regulations 9-10 of CDM2015, designers will draw the attention of their clients to their duties through reference to the CDM2015 ACoP and HSE leaflet INDG 411 – “Need building work done? - A short guide for clients on the Construction (Design and Management) Regulations 2015”

2. **Outline Design:** When carrying out an outline design, and in order to meet their requirements under Regulations 9-10 of CDM2015, the designer will draw the client's attention to the fact that the design has been prepared based on the information supplied by the client at the time of request (which for the avoidance of doubt might be no information on hazards and risks present). The client would then have to organise a site visit by a suitably competent person to ensure that hazards are identified and subsequently eliminated or reduced through the detailed design. In this instance, the **HEA or HEA-HEMSA** member will state the basis of their design and include the hazards identified by the client in the pre-construction information, if any.

3. **Detailed Design (information supplied by the client):** If specifically requested by the client, the **HEA or HEA-HEMSA** member may agree to carry out a detailed design, based on information provided by the client (which may be from another designer or the Principal Designer). In this instance, the **HEA or HEA-HEMSA** member will state the basis of their design and include the hazards identified by others on their Hazard Elimination and Management List.

4. **Detailed Design (information prepared by HEA-HEMSA member):** If specifically requested by the client, the **HEA or HEA-HEMSA** member may agree to carry out a detailed design, including a site visit carried out under the **HEA or HEA-HEMSA** member's responsibility. In this instance, the HEA or HEA-HEMSA member will state the basis of their design and include the hazards identified, eliminated or reduced and the residual risks within their Hazard Elimination and Management List.

An appropriate note will be placed on relevant drawings prepared under items 2, 3, or 4 above referring to the **HEA or HEA-HEMSA** Guidance Note – CDM 2015 Regulations. Such a note should include the wording: “*This design has been prepared in accordance with the HEA-HEMSA Guidance Note – CDM2015 Regulations, Issue 1.1, dated 09/04/15 Procedure 2/3/4*. (* delete that which is inapplicable)*”

(Note: A Hazard Elimination and Management List will typically include the following: Activity, Hazard, Persons at Risk, Design Measures taken to eliminate or reduce risk, Information provided about the residual hazards)

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