

CASE STUDY

A whole Loader legislation

Peter Oram of the European crane standards committee offers advice for all owners and users of loader cranes, as new standards loom



Peter Oram (left) accepts his Lifetime Achievement Award from Tim Whiteman at the Crane Dinner 2002

We live in a safety conscious environment and we all want to know what we have to do in our work place to achieve good practices. This was first recognised by legislation back in 1974 when, with the introduction of the Health and Safety at Work etc., Act, employers had to do all that was ‘reasonably practicable’ to ensure the health and safety of their employees and others.

It would be impossible for such an act to specify exactly what was ‘reasonably practicable’ in every set of circumstances and so it was left to codes of practice to give this detailed information.

With the introduction of the common market there came a requirement for uniform safety standards. Again, the Machinery Directive could not give the detailed requirements for every machine around. In this legislation the limits of endeavour were defined as ‘state of the art’ (rather than ‘reasonably practicable’). In the Machinery Directive it is stated that any machine complies if it complies with a ‘harmonised’ standard. Part of the harmonising process is that each member state (normally in conjunction with their safety authority, like the HSE) agrees with the technical content of the standard.

Loader cranes

We must look at the European Standard for loader cranes; EN 12999. This standard has passed through the agreement processes and so technically defines the current ‘state of the art’ (see box). This standard does not at the moment contain any requirement to interlock the stabiliser legs of a loader crane in the ‘out and down’ position.

Most of the manufacturers and technical experts who produced this standard were recently at an ISO meeting in Lapland, so the HSE took the opportunity to meet with them. It was agreed by all parties that effective devices were not currently available for all types of working situations and that further time was required for the development of such devices, perhaps a period of four years.

In the mean time steps have been taken by the UK to produce a draft amendment to EN 12999. This amendment will not only require devices to ensure that stabilisers are correctly deployed on a loader crane when it is used as a crane, but also to enhance the requirements, to prevent stabiliser beams from moving from the stowed position as

on photocopiers and crow bars).

I and some of my colleagues have worked with the HSE on a publication that deals with some of these new inclusions (“Thorough examination and inspection of particular items of lifting equipment”, HSE books, ISBN number 0-7176-2349-1). Clearly again the legislation cannot cover in detail every machine and leaves this to other sources.

The most important source is British Standards and, in the BS 7121 series we have the detailed requirements for cranes. Part 3, dealing with Mobile cranes, was written after the introduction of LOLER and spells out in detail the requirements for testing and thoroughly examining these machines. The committee has just completed drafting a revised Part 2 to take into account the requirements of LOLER and this will soon be out for public comment giving further information on other types of cranes.

Any competent person should be fully conversant with the contents of the relevant British Standard and should follow the advice that it gives. In all my dealings in both civil and criminal cases, I have always found that the courts recognise the British Standard as being the course of action that should be followed. Ignore the contents of the standard at your peril.

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the lorry moves along the highway.

When this draft is completed it will be sent to the appropriate CEN committee for consideration and hopefully will be published as a standard for Europe. This is one example of how changing technology can become a requirement.

LOLER

Let us now turn our attention to the Lifting Operations and Lifting Equipment Regulations (LOLER), where there appears to be a considerable amount of confusion.

We had, for many years, been used to legislation that dealt specifically with cranes, but did not address the wide variety of lifting machines that are now available in the work place e.g. fork lift trucks, mowps, and many more. When LOLER came into force in 1998 it was aimed at any machine that lifts. Therefore the scope is vast (in the HSE guidance on the subject there are even discussions on paper trays