



Technical Warning Notice

Subject: Accessible Goods-Only Lifts (AGOLs) with no safety gear

Introduction

We are aware of a number of incidents on Accessible Goods-Only Lifts (AGOLs) with lift cars/carriers not fitted with safety gear. Safety gears are almost universally fitted to lift cars/carriers which are suspended by ropes, chains, flat belts etc to prevent free-fall and uncontrolled movement when tripped by suitable actuation means.

AGOLs not fitted with protection against free-fall and uncontrolled movement pose obvious risks to the safety of those who might enter the carrier for loading/unloading or those who might access the carrier or lift well as part of maintenance or thorough examination.

Existing AGOLs not fitted with prevention against free fall and uncontrolled movement

If any AGOL with suspension is encountered which is not fitted with prevention against free fall and uncontrolled movement, we strongly recommend the following.

- 1. The owner should have a risk assessment carried out on the use of the lift including loading and unloading the carrier, access for inspection and maintenance.** The owner might need the assistance of their lift maintenance contractor. If access to the carrier cannot be prevented (e.g. carrier not accessible as defined in BS EN 81-31) or inspection and maintenance cannot be done from outside the lift well, then the owner should put control measures in place pending remedial measures.
- 2. The competent person carrying out thorough examination should report a lack of suitable devices to prevent the risk of a carrier falling (as required by LOLER Reg 5) to the owner as a defect.** Regulation 5(1)(c) of LOLER includes: *Every employer shall ensure that lifting equipment for lifting persons...has suitable devices to prevent the risk of a carrier falling.* We believe that this applies to a carrier suspended by ropes, chains or belts etc where a user enters the carrier for loading/unloading or where a person accesses or travels on the carrier as part of maintenance or inspection.
- 3. The maintenance contractor should report where they consider that they cannot carry out work safely to the lift owner.** This would include where they need to access or travel with the carrier to access parts requiring maintenance and inspection. The owner should have suitable control measures put in place until remedial work is carried out to address the risks identified.

Where the lift was originally designed without safety gear, it may be that the design (including guide rail type, size, guide brackets including structure and fixings) precludes the addition of safety gears. The addition of safety gears is considered to be an important modification of the lift requiring the design to be assessed for the higher loads to be imposed including suitable design calculations. Where the design is not suitable for safety gears, it should be improved by other measures or changed for a new solution.

This technical warning notice is aligned with our understanding of the conformity requirements for new AGOLs in relation to prevention of free fall and uncontrolled movement.

Conformity requirements for new AGOLs – prevention of free-fall and uncontrolled movement

AGOLs are specifically excluded from the scope of the Lifts Regulations and come under the Supply of Machinery (Safety) Regulations (SMSR).

Until the end of 1995, British Standards such as BS 2655-1, BS 5655-1 and BS 5655-2 would have applied to AGOLs and required safety gear to be fitted to rope or chain suspended lifts.

From **1 January 1996**, all new AGOLs had to conform to the **Supply of Machinery (Safety) Regulations 1992** which enacted the 1992 EC Machinery Directive. The regulations set essential health and safety requirements (EHSRs) including 4.1.2.6 which required machinery such as lifts to be designed and constructed so that loads could not creep dangerously or fall freely and unexpectedly. The general principles required machinery to be designed to prevent *abnormal use* if such use would engender a risk.

From **29 December 2009**, the **Supply of Machinery (Safety) Regulations 2008** have applied enacting the latest EC Machinery Directive. The EHSRs of these regulations include the important general principle to consider *reasonably foreseeable misuse*. Further requirements were included including EHSR 1.3.9 to address the risks of uncontrolled movements; EHSR 4.1.2.6 was similar to the earlier regulations, and EHSR 4.1.2.8.2 required that where persons have access to the carrier, the machinery must be designed and constructed in such a way as to ensure that the carrier remains stationary during access, in particular while it is being loaded or unloaded.

Ensuring the conformity of an AGOL to the requirements of SMSR is the responsibility of the “manufacturer” as defined in the Regulations. Demonstrating conformity was complicated by the lack of a harmonised standard which would give a presumption of conformity to relevant EHSRs of the regulations. The alternative to following a harmonised standard is to base the design on a risk assessment which must address relevant EHSRs of the SMSR.

In 2010, a harmonised standard was published for AGOLs: BS EN 81-31:2010; *Accessible goods only lifts*. AGOLs following this standard have a presumption of conformity with EHSRs of SMSR/Machinery Directive. This standard requires rope and chain suspended lifts to be fitted with means to prevent free fall and uncontrolled movement.

Until 29 December 2009, it might have been arguable that SMSR 1992 did not require AGOLs with rope and chain suspension to have free fall protection on the basis that persons were prohibited from accessing the carrier.

From 30 December 2009, the new EHSRs and the publication of a harmonised standard to meet these should have clarified the need for prevention of free-fall and uncontrolled movement of AGOLs. Since then, any AGOL designed without safety gear would need to be based on a risk assessment showing how the EHSRs of SMSR are met.