

# Guidance Document

**Fencing, signage and life saving standards relating to fresh water lagoons, silt ponds, lakes and open water on, or adjacent to, CEMEX premises.**



# Legal Position:

- ❑ We owe a Duty of Care to all persons who enter our premises.
- ❑ This duty extends to trespassers, and is increased where children (young persons of school age) are concerned.
- ❑ It is not practical to have a prescriptive Standard detailing the exact types of fencing, signage and life saving appliances we are required to provide on our premises - there are too many variables
- ❑ Each site therefore should have a “site specific” risk assessment in place:

The risk assessment should identify where we have water hazards, and assess our hardware (fencing, signs and life rings) and systems (inspections and maintenance) to ensure both are suitable and sufficient



## **There are four categories of hazardous water to be considered under the risk assessment:**

**Category 1** – Water contained **within** our operational areas for which we are responsible. These may include lakes, fresh water lagoons and silt ponds and are usually found within our active quarries and cement works.

**Category 2** – Water contained **within** or **adjacent to** our operational areas for which we are not directly responsible because it has been let to a third party. These may include, for example fishing / sailing lakes that have been assigned to a third party.

**Category 3** – Water **adjacent to** our operations but within our premises **or restored / vacant sites** for which we are still responsible. These may include restored quarry workings that have not been assigned to a third party, restored lagoons and fresh water lakes. These areas may extend beyond the boundaries of our active sites by some considerable distances.

**Category 4** – Water **adjacent to** our premises which we neither own nor are responsible for. For example a canal, a local river, a nature reserve or a SSSI. These can be found alongside many of our premises including Concrete & Building Products sites and Wharf / Barging operations.



**Category 1** – Water contained **within** our operational areas for which we are responsible. These may include lakes, fresh water lagoons and silt ponds and are usually found within our active quarries and cement works.

The Quarries Regulations should be the starting point for the Risk Assessment process and require, as a minimum:

- ☐ A good physical barrier, suitable to discourage trespass, is placed around the boundary of the quarry: and is properly maintained.
- ☐ Fences should always be provided at quarry boundaries near to schools, colleges, shops or a significant number of homes
- ☐ In rural areas where the risk of trespass is low, hedges, trenches and mounds may be enough. Where there is evidence of persistent trespass by children then a higher standard of fencing will be required.
- ☐ Warning signs and signs prohibiting entry should be placed at relevant positions around the boundary of the quarry. These signs should be placed where they can be readily seen by a person approaching (the quarry) from any direction, with recommended intervals of 75 metres.
- ☐ Public footpaths, bridleways and public rights of way that dissect our premises should also be fenced off wherever reasonably practicable.



## **Additional factors to be considered in the Risk Assessment are:**

- ▶ **The edges of all excavations within the quarry.** Should be protected with a bund or similar and marked with signage to prevent inadvertent entry by unauthorised persons into a Danger Area.
- ▶ **Silt and Weir lagoons.** Should be protected by a fence, or similar, to prevent inadvertent entry by unauthorised persons into a Danger Area. Silt lagoons should be fenced, even after the surface of a lagoon has dried out, up and until they are safe to access.
- ▶ **Fresh Water Lagoons.** Do not have to be fenced.
- ▶ **Public footpaths, bridleways and public right of way.** Where these footpaths dissect our premises they should, where reasonably practicable, be fenced (on both sides) to the same standards as the site boundary.
- ▶ **Warning signs.** An adequate number of warning signs should be displayed:
  - Around the boundary of the site.
  - Around all silt lagoons, settlement pits and fresh water lagoons.
  - At the beginning, end and along the length of all public footpaths etc.
  - Warning signs should be displayed at intervals so they can be seen by any person approaching from any foreseeable direction.
  - Signs should be clear, unambiguous and, where possible, pictorial in nature.



## Additional factors to be considered in the Risk Assessment are (Cont):

- └─▶ **Life saving appliances.** An adequate number of life rings / throw ropes should be placed at relevant positions around all fresh water lagoons, silt ponds and settlement pits. The distance between any two appliances should not exceed 150 metres.
- └─▶ **Inspections and maintenance.** The frequency of boundary, signs and appliance inspection should be dictated by local conditions and stated in the site inspection scheme.
  - Where there is no evidence of trespass etc, then a monthly inspection programme may suffice. Greater incidence of trespass would require a more frequent programme – possibly on a weekly basis.
  - Any damage to our property or evidence of trespass must be recorded.
  - Full details of remedial actions / repairs undertaken must also be maintained



**Category 2** – Water contained **within** or **adjacent to** our operational areas for which we are not directly responsible because it has been let to a third party.

These may include, for example fishing / sailing lakes that have been assigned to a third party.

### **Factors to be considered in the Risk Assessment are:**

- **Responsibilities.** Responsibilities for co-ordinating health and safety control measures should be clearly defined, assigned as appropriate and documented. Where required the Properties Department will provide advice on contractual agreements; however it should be clear who is responsible for such things as the provision, inspection and maintenance of safe access routes, lighting, fencing, signage, rescue equipment, emergency procedures etc. Consideration should also be given to responsibilities for first aid, insurance arrangements, etc.
- **Demarcation.** Areas that have been demarcated out of the operations and assigned to a third party should be marked on a plan and made apparent on site.
- **Access Arrangements.** Particular attention should be paid to access routes through operational areas to ensure effective traffic management, with vehicle and pedestrian segregation, designated walkways, etc.



**Category 3** – Water **adjacent to** our operations but within our premises **or restored / vacant sites** for which we are still responsible.

These may include restored quarry workings that have not been assigned to a third party, restored lagoons and fresh water lakes.

These areas may extend beyond the boundaries of our active sites by some considerable distances.





Wherever possible, in conjunction with the Properties Department, consideration should be given to assigning responsibility for these areas to tenants, clubs, associations, etc.

If this is not possible the risks and probability of injury should be considered against the cost of control measures. Where Reasonably Practicable we should achieve the same standards in these restored areas as we do to our active premises.

Therefore, in these circumstances, the factors to be considered in the Risk Assessment are:

- ↳ **Boundary fencing.** That a barrier is appropriate where it is reasonably foreseeable that members of the public, including children, are **likely** to trespass.
- ↳ **Prohibition Signs.** An adequate number of warning signs and signs prohibiting entry should be placed at relevant boundary positions where there is a likelihood of trespass.
- ↳ **Warning signs.** Warning signs and signs prohibiting swimming should be placed at relevant positions around the boundary of any water.
- ↳ **Silt lagoons and settlement pits.** All silt lagoons should be protected by a fence, or similar, to prevent inadvertent entry by unauthorised persons into a Danger Area.



## Additional factors to be considered in the Risk Assessment are (Cont)

- **Life saving appliances.** An adequate number of life rings / throw ropes should be placed at relevant positions around all fresh water lagoons, silt ponds and settlement pits. In the majority of situations there should be one in every 150 metre stretch of **readily accessible** waters edge.
- **Site visitors.** The same standard of fencing, signs and life rings is required in the immediate area around any facilities CEMEX provide to the general public. These include the provision of car parks, viewing galleries and foot paths leading to Nature Reserves, SSSI etc.
- **Public footpaths, bridleways and public rights of way.** Where these footpaths dissect our premises signs and fencing should be in place
- **Inspections and maintenance.** The frequency of boundary, signs and appliance inspection should be dictated by local conditions.
- **Third Parties.** If the water is let, leased or hired to a third party i.e. a fishing club then responsibility for managing its safety should ideally be transferred to them.



**Category 4** – Water **adjacent to** our premises which we neither own nor are responsible for.

For example a canal, a local river, a nature reserve or a SSSI. These can be found alongside many of our premises including Concrete & Building Products sites and Wharf / Barging operations.

### **Factors to be considered in the Risk Assessment are:**

- ↳ River / lake operations. On some rivers and lakes we have barge loading and discharge operations in place. The same standard of fencing, signs and life rings is required but only around our operations and, where applicable, along the edge of our jetty / wharf.
- ↳ Public access. Whilst we are not responsible for this category of water we need to ensure the public cannot access it through our premises.

In addition fencing should be provided where it is foreseeable the public could attempt to access our premises from the water.

