

Cabinet Meeting: Monday, 10 February 2025

Question from: Richard Davis

Question to: Councillor Durrans

At the Cabinet Meeting on 13 January 2025, in reply to my question re the CE marking of the equipment the answer was given that there would be “CE Declaration of Conformity Certificate” issued before the equipment came into use. Post Brexit and post 31st Dec 2024 the Installation may require to be UKCA marked as CE marking is being phased out in the UK. See UKCA Marking: assessment and documentation on Gov.UK. This certification is complex and technical.

Given Calder Valley Skip Hire’s poor provision of accurate technical information previously in the application for the Permit. Eg :-

>Incorrect date of manufacture.

>A Flow model for a very low burn rate to justify residence time.

>No credible calculations provided for RDF throughput and loading.

>No credible technical explanation on how it will meet R1 and therefore condition 8 of the planning permission.

Plus many other technical issues pointed out by local residents in their comments.

Will Calder Valley Skip Hire be providing this Certification, and does CMBC as regulator have anyone qualified to read and understand the required technical build file and the required assessments and actions undertaken in order to certify this Installation is correct, and complies with the Supply of Machinery (safety) Regulations 2008, The Electrical Equipment (Safety) regulations 2016, The EMC Regulations 2016, and the Measuring Instruments Regulations 2016? And will they do this before the certification is accepted?

Response

The relevant Regulations specify that only a responsible person i.e., the manufacturer or someone authorised by the manufacturer as being qualified and competent can provide a Conformity Certificate. Issue of the certificate certifies that the machinery is safe. Calderdale Council Officers, as environmental permitting regulators, are not authorised by the manufacturer and are therefore not required to be competent in specific machine safety. The relevant Regulations are for consideration of the Health and Safety Executive (HSE) to enforce, so any certificate that the Council obtains will be shared with the HSE.