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CE Marking for Passively Safe Structures (EN 12767)

The Construction Products Directive (CPD) applies to any construction product, which is produced for incorporation in a permanent manner in construction works including both building and civil engineering works. Products meeting the essential requirements of the relevant Directive(s) will be eligible for 'CE marking' and may be placed on the market anywhere within the European Economic Area (EEA). Under the CPD the route to CE marking is by complying with the relevant technical specifications.

A CE mark on a product denotes that that product has been tested and assessed in accordance with the relevant standards and complies with the requirements of those standards. The level of attestation required by the standard determines specific requirements for testing and assessment by a Notified Body but when the mark is affixed it is confirmation that the manufacturer has had all the appropriate tasks carried out for their product. This certification is verified by a Notified Body. The main purpose of this is to have common requirements across Europe allowing manufacturers to offer their product throughout Europe. Care should be taken by designers requesting additional tests or imposing other requirements as this could be viewed as a barrier to trade

For example Lighting columns are assessed to EN 40 however a number of supporting standards are called up within this standard. EN 12767 (Passive safety of support structures for road equipment - Requirements and test methods.) is one. Where a product is assessed against EN 40 the requirements of all the support standards are also assessed. Therefore if a CE marked product is also declared as passively safe the Notified Body will have verified the appropriateness of these claims. In the UK there are no Notified Bodies, checking EN 12767, so a system of third party checks of test reports was agreed. What must be remembered is that this is an interim requirement (to demonstrate compliance, in principle, with the standard), until such time as appropriate Notified Bodies are set up. Third party checks are not an alternative nor are they an additional requirement. In addition these checks are not a part of the CE verification process and a third party check does not imply that a product will achieve CE marking or necessarily be fit for purpose. The verification procedure for CE marking is more onerous than a third party check on a test report for an individual post.

If a product is CE marked then no other checks on the product compliance with these standards should be necessary. A product that carries CE marking does not need 'third party checks'.

It may be necessary and prudent to ask for checks on the procedures for installation and competence of staff. Requirements for these are included in the relevant National Highway Sector Scheme, but requirements can be contract specific; it would also be prudent to make or require spot checks on competency qualifications of staff during a contract. For the installation of lighting columns NHSS 8, 9B & 10 is relevant, whilst NHSS 6 applies to lighting columns.

Physical tests can be considered in the event that there are reasons to be suspicious about a product's suitability if for instance the product may have been mistreated, or where the performance does not meet that expected. But it is not necessary to replicate tests to confirm properties or processes verified by CE marking.

Where a standard allows a range of values to be selected then these are left to the client to specify, for example the choice of HE, LE or NE structures to EN 12767."

The suitability of the design for any specific location should be confirmed by a design/check certificate. The Highways Agency identify their requirements in BD 2/05 - TECHNICAL APPROVAL OF HIGHWAY STRUCTURES

Yours sincerely

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