



THINK SAFE  
STAY SAFE



Tilhill

BSWGROU**P** member of binderholz ■

# SAFETY AND ASSURANCE BULLETIN

INSIST ON SAFETY

NOVEMBER 2022

## Stay on Track

As Tilhill and the wider industry begin the planting season in earnest, quad bikes and ATVs will be used to transport materials across sites. These can be an efficient way to distribute materials and reduce the manual handling of carrying them ourselves.

However, we must make sure of the safety of their operation. This comes down to three things:

**1. Safe Site** – When we looked at our own history of quad safety most reported incidents involved an overturn. The root cause in some cases was the suitability of the access tracks provided. Recent discussion in the industry has centred on sit-aside machines with ROPS being a safer alternative, but this carries an issue of access tracks not being wide enough to allow their use.

Whatever machine is to be used you need to clarify the answers to the following questions:

? Has the access track been assessed as suitable and safe? It is good practice for the competent machine operator to be part of this assessment.

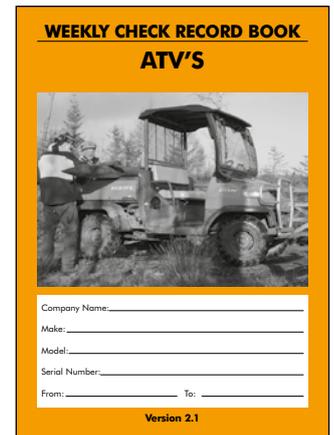
? When creating new tracks are they being constructed to accommodate sit-aside machines?

**2. Safe Machine** – Is the quad/ATV designed for forestry use? Has it been maintained in a safe condition? Are operator inspections undertaken and sufficient records kept? Tilhill can supply contractors with check books for both ATV's and quads.

**3. Safe Operator** – A competent operator needs to demonstrate three things:

1. Training and qualification
2. Experience. and
3. Safe practice.

*continued*



Above: The operator was able to safely move away before the quad bike rolled onto its side.

### In this edition

Winter Respiratory Diseases

Timber thefts

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# Stay on Track – continued

**Machines must be inspected and maintained to remain in a safe condition to operate.**

When considering operators of any plant or machinery we must ensure those operating them are competent. The three items above build in stages.

First comes training and then an assessment to show they have reached a known and agreed standard. Alongside this, and post qualification, comes experience, the level of supervision required whilst gaining experience will depend on how far along the route the operator is and the level of competence being displayed.

For a company taking on or letting an operator work on site they must check the former is in place but must still also check to see the operator is displaying safe practice. Keep a record in site diaries or more formal assessment forms.

Riding an ATV/Quad requires a lot of body movement so do some warm-up stretches to help prevent muscle strain. Gloves are useful for protection and handlebar muffs can help to keep hands warm in cold weather. Wear sturdy, ankle-supporting, footwear that is strong, supportive and has good wet grip. Protect your eyes from insects and branches with either a visor or goggles and **ALWAYS WEAR SUITABLE HEAD PROTECTION.**

Too many people have been killed or injured in incidents involving Quads. According to HSE statistics there have been 14 deaths in Agriculture, Forestry & Fishing involving quads/ATVs between 2017/18 and 2021/22. Proper planning will minimise the risk and prevent further needless loss of life.



## Remember!

If the ATV/Quad has sat unused for several months, you should give it a thorough inspection before using it again for the first time.

Consider:

- Fuel – old fuel that has been left in fuel tank can become stale, it may need to be refreshed.
- Oil – Check the oil level before each ride, looking at the fluid on the dipstick can tell you how much oil you've got and if it is fit for use.
- Tyres – You must ensure your tyres are at the right pressure for the terrain and have good tread. It's also advisable to check for damage to the sidewalls.
- Brakes – Brake pads should have enough friction material and they should never be metal to metal. Check pad wear and brake operation.
- Steering – Having control of your ATV is essential. The tie rod ends (steering connections to the wheels) are wearable and if one breaks you could be left with just one wheel controlling your ATV.
- Contact Points – Check the handlebar grips. If the grips are falling apart then replace them. Ensure foot pegs are secure and in good order and the seat pad is secure.

# Winter Respiratory Diseases

Over the past two winters we have had to learn much about what we can do to prevent the spread of respiratory diseases. Of course, this was due to Covid. As we approach this winter Covid hasn't gone away, even if the symptoms are less severe for most people than before. It is also predicted to be quite a bad flu season based on the winter the southern hemisphere has just had.

So now would be a good time to think about those measures you put in last year and consider if they are necessary this year to prevent the spread of all respiratory diseases. Examples are: screens between desks, ensuring rooms are well ventilated, hand sanitiser stations and meeting outside where possible.



## Timber thefts

In last months' bulletin we reported on thefts of fuel and machinery. Rural Policing units need to receive reports on any thefts so they can build a picture of rural criminality to give them a better chance of catching the culprits.

The article prompted some reports of timber thefts. With the price of heating homes so high as we head into winter, it seems wood fuel thefts have also increased.

Be alert to theft of wood fuel and always report it.



# New Note on Natty Newts

GCN is a designated European Protected Species (EPS) and as such are protected by law.

In our August Bulletin we ran an article highlighting the Great Crested Newt (GCN). It was good to read about the success of the conservation efforts over the past years. GCN is a designated European Protected Species (EPS) and as such are protected by law.

When we set out to write an article on them our Ecologist, Jack Dunn is so passionate

about them he provided enough material to make a Toolbox Talk. We have now published this giving more details on the newts, their habitats and what we have to do to protect them.

TT/90 is now available to Tilhill employees on our company system and for our contractors through the contractor portal.

**Not signed up to the contractor portal? Go to our website and click on "contractor portal" at the top of the page and register.**



## Toolbox Talk



### Great Crested Newt

The rarest of our three native newt species, Great Crested Newt (GCN) have suffered a large decline in range and abundance in the last century due to habitat loss and changes in land management practices. However, GCN are now widespread within England and Wales, occurring only sparsely in Scotland, thanks to increased conservation efforts and awareness during the planning stages of developments.

#### GCN are protected by law

GCN are a European Protected Species (EPS) and thus protected by law in the Wildlife and Countryside Act (1981) as amended, the Conservation of Habitats and Species Regulations 2017 and the Natural Environment and Rural Communities Act 2006. This legislation means it is illegal to:

- Injure, kill, capture or disturb GCN;
- Deliberately take or destroy GCN eggs;
- Damage or destroy GCN breeding sites or resting places;
- Possess, control or transport GCN (alive or dead);
- Intentionally or recklessly disturb GCN while occupying a structure or place used for shelter or protection; and
- Obstruct access to a place of shelter or protection.



Male Great Crested Newt

#### Life Cycle

GCN occupy two types of habitats throughout the year, spending most of the year in terrestrial habitat such as grassland, woodland, scrub then hibernating over the winter months. However, usually between March and June, GCN migrate to water bodies to breed and lay eggs. Preferring to utilise vegetated ponds (to allow them to lay their eggs) with some open areas to allow males to display themselves to the females. Ponds of a small/medium size with no fish are preferred, as fish are a well-known predator of GCN larvae (baby newts) and if fish are present within a pond, it is unlikely that GCN will be present. Once the GCN larvae have developed to a juvenile stage and absorbed their gills (after about 16 weeks), they will emerge from the pond onto land looking for suitable terrestrial habitat. They won't return to a pond to breed for around 2-4 years.

#### Where to look for GCN?

GCN are a difficult species to observe and usually only encountered by chance. They can only be surveyed at night within the breeding season.

GCN rely on water for breeding between March and June, so on a walkover of a site, if there any ponds within a woodland that could potentially be suitable for GCN, this should trigger further survey to determine if GCN are likely to be present. In this scenario, contact the company ecologists. Likewise, outside of breeding season suitable terrestrial habitat should be surveyed or avoided including dense undergrowth, timber/log piles, tree roots, mammal burrows, rock piles and tree cavities.

*continued*

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# In the News Elsewhere

In the news recently have been two cases of deliberate damage to Badger Setts resulting in the culprits being fined. It is vital that we know where badger setts are on and around our work sites and take appropriate measures to protect them. Tilhill employ three Ecologists and have a number of Ecological Technical Leads around the country. Advice is never far away, if in doubt, reach out.

## Case 1

A 32-year-old Fife farmer has been fined £2,000 after deliberately damaging a badger sett. The farmer was sentenced after being found guilty of two breaches of the Protection of Badgers Act.

The court heard that the farmer had levelled part of a sett on the perimeter of a field with an excavator. They then placed boulders at the entrance to obstruct access to the sett. They did this without any regard to the consequences of their actions.

Their actions were uncovered when a walker alerted a local environmentalist to the damage. They attended with a specialist police wildlife officer and managed to move one of the boulders from the entrance.

It is understood that the badgers survived.

## Case 2

A director of a house building company was sentenced and fined more than £9000 after pleading guilty to a breach of the Protection of Badgers Act.

The court heard the house builders bought the site in December 2019. With the sale came an information pack containing reports on the site including a Badger Protection Plan.

The reports showed that the site had an active social clan of badgers residing in the area with a variety of badger sett types including a main sett, annex sett and a variety of outlier setts, foraging activity and well-worn badger paths. The protection plan stated that a 30-metre exclusion zone had been created to protect the badger setts from all construction works.

The builder was aware of this when they instructed a digger driver to dig and clear land to construct a road. None of the measures outlined in the Badger Protection Plan were put into practice.

Various members of the public made repeated calls to the company prior to the work starting to voice their concerns about setts being near where work was beginning. One resident even advised them and the digger driver of the presence of badgers immediately before the work commenced that day.

An ecologist concluded that two thirds of the main set and the annex sett had been excavated and removed. The impact of disturbing badgers in this scenario is the dispersal of a family group. They are then put under pressure to find new territory and put into territorial conflict with other badger clans along with the immediate danger should any be present when the sett is damaged. This is because there is a social clan in this area of the NE of Scotland approximately every 750m.



# November 2022 – Safety & Assurance Bulletin briefing

I have been personally briefed in the contents of this Safety & Assurance Bulletin.

Please add any questions relating to this briefing or any other health, safety and environmental matters you wish to raise:

Please add any suggestions on health, safety, sustainability, and/or environmental matters:

I have been briefed by: \_\_\_\_\_ My Tilhill Office is: \_\_\_\_\_

I understand that I am encouraged to submit comment and contribution from this bulletin.

Signed: \_\_\_\_\_ Name: \_\_\_\_\_ Date: \_\_\_\_\_

**ORIGINAL** sheet to be held at the Tilhill Office.

Send a **COPY** to: Head of Safety, Tilhill, The Gatehouse, Ruck Lane, Horsmonden, Tonbridge, Kent, TN12 8EA. Fax: 01892 860441. Email: ios@tilhill.com

**Contractors:** If you would like your own copy of this Safety & Assurance Bulletin please contact your local office and ask to be included on the mailing list.