



Ministry of Housing,
Communities &
Local Government

**Ministry of Housing, Communities
and Local Government**
Fry Building
2 Marsham Street
London
SW1P 4DF

Tony Sewell
CEO
Pavement Testing Services Ltd
Britannia House
1 Rough Hey Road
Grimsargh
Preston
Lancashire
PR2 5AR

18 December 2020

Dear Mr Sewell,

DESIGNATION OF PAVEMENT TESTING SERVICES LTD AS A TECHNICAL ASSESSMENT BODY (TAB) UNDER THE CONSTRUCTION PRODUCTS REGULATION 2011 (RETAINED EU LAW EUR 305/2011) AS AMENDED BY THE CONSTRUCTION PRODUCTS (AMENDMENT ETC.) (EU EXIT) REGULATIONS 2019 AND THE CONSTRUCTION PRODUCTS (AMENDMENT ETC.) (EU EXIT) REGULATIONS 2020.

The Secretary of State designates Pavement Testing Services Ltd (“the Company”) to act as a Technical Assessment Body (“TAB”) under the above Regulations. This offer of designation is made to the Company on the terms and conditions set out in this letter.

Terms and Conditions of Designation

1. This designation is made to the Company for the purpose of carrying out all the functions of a TAB, as defined in the Regulation, for the products areas specified in Annex 1 of this letter (at pages 5 and 6). Subsequent changes to the product areas or the Company name etc will be made by the Department on UKMCAB¹ (UK Market Conformity Assessment Bodies).
2. This designation continues in force until such time as:
 - a. it is withdrawn by the Department, pursuant to paragraph 5 below; or
 - b. after the end of a period of 90 days beginning with the day that the Department sends the Company an Acknowledgement of Written Notice. Such an acknowledgment must be sent within 30 days following receipt by the Department of written notice that the Company wishes to terminate this designation, pursuant to paragraph 6 below.

¹ UKMCAB is the UK’s website for conformity assessment bodies and is available here:
<https://www.gov.uk/uk-market-conformity-assessment-bodies>

3. This designation is subject to the following specific conditions:

- a. the Company must, at all times, carry out the duties and functions of a TAB as required under the Regulation to the satisfaction of the Department;
- b. the Department continues to be satisfied of the Company's suitability, status and competence to be a TAB; in connection with this, the Company shall, if so requested by the Department, submit to immediate reassessment of its suitability for designation as a TAB under the Regulation;
- c. the Company must submit itself to an annual (or exceptionally some other period at the discretion of the Department) monitoring assessment for the purposes of ascertaining that the Company is performing its duties and functions in accordance with its designation as a TAB. Following the assessment, the Company must rectify any non-compliance identified;
- d. the Company must submit itself every four years for a full reassessment for the purposes of the Department satisfying itself that the Company remains suitable for designation;
- e. for the purposes of reassessment and monitoring an assessment shall normally be carried out on behalf of the Department by the United Kingdom Accreditation Service (UKAS);
- f. the Company must fulfil and comply at all times with all relevant requirements of the Regulation;
- g. the Company must maintain adequate insurance provision for its activities as a TAB under the Regulation and provide evidence of this, as soon as practicable, on request of the Department;
- h. the Company must authorise, at any reasonable time, access by or on behalf of the Department to:
 - i. all documentation arising out of the Company's duties and functions under this designation and shall comply with any reasonable request made by or on behalf of the Department for information regarding the exercise of those duties and functions; and
 - ii. its premises for the purpose of verifying its compliance with the relevant provisions in the Regulation;
- i. the Company shall participate in the work aimed at coordinating the work of TABs and, any "Organisation of TABs" (if such an organisation is formed) at national level, and contribute financial and human resources, as required on request;
- j. in the event of becoming aware of any misuse of any UK Technical Assessment issued by it, the Company must, as soon as reasonably practicable:
 - i. notify the Department;

- ii. take reasonable steps to ascertain further details of the misuse; and
 - iii. take reasonable steps to assist in rectification of the misuse;
 - k. the Company must maintain its impartiality and independence from all applicants and in no circumstances should it take on the role of authorised representative for any applicant;
 - l. the Company must, as soon as reasonably practicable, inform the Department in writing (and if by letter by recorded delivery) of any changes which have a bearing upon its status as a TAB or its ability to perform the duties and functions of a TAB under the Regulation;
 - m. the Company must, as soon as reasonably practicable, notify the Department of any updates or corrections required to be made to the Company's profile on UKMCAB including updates on the Company's product area;
 - n. the Company must inform the Department, forthwith, in writing (and if by letter by recorded delivery), on becoming the subject of a petition for an Administration Order or a petition for a Winding-up Order brought against it; and in addition the Company shall inform the Department, in writing and by recorded delivery, as soon as reasonably practicable if:
 - i. the Company becomes the subject of a proposal for a voluntary arrangement or presents a petition for an Administration Order or a petition for a Winding-up Order or passes a resolution for a Winding-up Order or makes any composition, arrangement, conveyance or assignment for the benefit of its creditors or purports to do so, or has a receiver or any person appointed in respect of its undertaking or of any or of all of its property;
 - ii. the Company becomes a subsidiary of any company of which it is not a subsidiary at the date of this letter; or ceases to be a subsidiary of any company of which it is a subsidiary at the date of this letter. The word "subsidiary" shall be interpreted in accordance with the definitions in section 1159 of the Companies Act 2006; and
 - iii. the Department may, by notice in writing, add conditions or vary or delete any conditions, to this designation; such additions, variations or deletions shall commence after the end of a period of 30 days beginning with the day of the Department's notice unless a different period is agreed in writing between the Department and the Company.
4. If it appears to the Department that the Company no longer meets the criteria for designation as a TAB, the Department will inform the Company in writing (and if by letter by recorded delivery) of the intention to withdraw the Company's designation. The Company will be given an opportunity to respond, after which the Department will make a final decision about whether to withdraw the Company's designation.
5. This designation may be terminated at the request of the Company by notice in writing. Such termination shall take effect after the end of a period of 90 days beginning with the day that the Department sends the Company an Acknowledgement of Written

Notice. Such an acknowledgment must be sent within 30 days following receipt by the Department of the Company's written notice.

6. In the event of this designation being withdrawn or terminated:
 - a. the Company shall prepare and submit to the Department after the end of a period of three calendar months beginning with the day on which the termination of the designation takes effect or, if appropriate, the day of withdrawal of the Company's designation, a report in writing on the exercise of its duties and functions under the Regulation; this report shall contain such information as may have been agreed in writing between the Department and the Company; and
 - b. if requested by the Department, the Company shall transfer, as soon as reasonably practicable to the Department or to such person or company as the Department shall direct, without charge, all records, information, documents, records and other things, whether stored manually by computer or by any other means whatsoever, arising out of the performance of its duties and functions under the Regulation as the Department may specify.
7. You should note that TABs are encouraged to apply technical assessment procedures without unnecessary burdens for applicants.
8. Following the commencement of your designation as a TAB, the Department will communicate your designation using the UK's electronic information system (UKMCAB).
9. The designation shall take effect from the end of the transition period.

For and on behalf of the Secretary of State.

Yours sincerely,



Chandru Dissanayake

Director, Building Safety Reform

+44 (0)333 444 4753

ANNEX 1 of LETTER OF DESIGNATION

DESIGNATION OF A TECHNICAL ASSESSMENT BODY PURSUANT TO ARTICLE 29 OF THE CONSTRUCTION PRODUCTS REGULATION 2011 (RETAINED EU LAW EUR 305/2011) AS AMENDED BY THE CONSTRUCTION PRODUCTS (AMENDMENT ETC.) (EU EXIT) REGULATIONS 2019 AND THE CONSTRUCTION PRODUCTS (AMENDMENT ETC.) (EU EXIT) REGULATIONS 2020.

Date: 31 December 2020

From: The Ministry of Housing, Communities and Local Government
2 Marsham Street
Westminster
London
SW1P 4DF

1. Regulation: The Construction Products Regulation 2011 (retained EU law EUR 305/2011) as amended by the Construction Products (Amendment etc.) (EU Exit) Regulations 2019 and the Construction Products (Amendment etc.) (EU Exit) Regulations 2020

2. Name of body, acronym, address, telephone, email and website address.

| | |
|------------------|---|
| Name of body: | Pavement Testing Services Ltd |
| Address | Britannia House Unit 1 Rough Hey Road Grimsargh Preston Lancashire PR2 5AR |
| Telephone: | +44 0 1772 792 899 |
| Email | info@ptsinternational.co.uk |
| Website address: | www.ptsinternational.co.uk |

3. Period of validity and nature of the designation:

Status: Technical Assessment Body
Period of validity: Unlimited

4. Technical qualification of the body (accreditation or other official authorisation):

Recognised by the UK Government as competent to carry out Technical Assessment of performance under the regulations as shown below (includes accreditation to EN 45011:1998 plus positive recommendation by UK national accreditation body).

5. Tasks performed by the body:

See attached UKAS schedule as included in the UKMCAB database:
<https://www.gov.uk/uk-market-conformity-assessment-bodies/pavement-testing-services-ltd>

6. Additional information

The scope of designation above may be amended from time to time, as agreed, and will be recorded in UKMCAB.