

Cheshire Council fined after child falls from height

Cheshire West and Chester Council has been fined after a young child fell almost three metres to the floor from a gap in railings, sustaining serious head injuries.

Chester Magistrates' Court heard how on 16 November 2018, a family was visiting Chester City centre to watch the Christmas parade. While standing at a viewing point on The Rows at Bridge Street, their 21-month-old daughter fell through a gap in the railings onto the floor below, resulting in a fracture to her skull.

An investigation by the Health and Safety Executive (HSE) found that one of the spindles on the railings had been missing since at least May 2017, leading to a significant gap (22cm) in the physical protection of the railings on The Rows.

Cheshire West and Chester Council failed to ensure that The Rows were maintained to prevent a risk of a fall from height..

No risk assessment or risk control measures were put in place for members of the public and employees accessing or working on The Rows before the incident occurred.

The council failed to provide adequate information, instruction and training to ensure employees understood the risks associated with a lack of maintenance of the Rows.

Cheshire West and Chester Council of Nicholas Street, Chester, pleaded guilty of breaching section 3(1) of the Health and Safety at Work etc. Act 1974. The Local Authority was fined £300,000 and ordered to pay costs of £5,607.40.

HSE Inspector Emily Osborne said after the hearing: "Councils have a duty to adequately assess and control risks to members of the public, and maintain structures for which they are responsible.

“A child suffered serious injury as a result of what was an easily preventable incident if the risk had been identified and correct action taken to prevent a fall.”

Notes to Editors:

1. The Health and Safety Executive (HSE) is Britain’s national regulator for workplace health and safety. We prevent work-related death, injury and ill health through regulatory actions that range from influencing behaviours across whole industry sectors through to targeted interventions on individual businesses. These activities are supported by globally recognised scientific expertise. hse.gov.uk
2. More about the legislation referred to in this case can be found at: legislation.gov.uk/
3. HSE news releases are available at <http://press.hse.gov.uk>

The post [Cheshire Council fined after child falls from height](#) appeared first on [HSE Media Centre](#).