

Companies fined combined £120,000 after man suffers serious injuries

Two construction companies have been fined a combined total of £120,000 after a groundworker suffered horrific injuries when heavy drainage pipes fell on top of him.

Anthony Pennell was rushed to Royal Stoke University Hospital having sustained several fractures to both sides of his pelvis, as well as a fractured vertebrae and bleed on the spine, following the incident at a site in Fradley Park, Lichfield on 3 September 2019.

Mr Pennell, who was 32 at the time, spent nine days in hospital before he was able to be discharged to his home in Cleethorpes.



- The drainage pipes, each weighing around 160kg, fell on top of Mr Pennell

The Health and Safety Executive (HSE) has guidance about the regulations on [lifting operations and equipment](#).

“I had to sleep downstairs for about five months after the accident and I could only use the downstairs toilet,” he said.

“I had a lot of help from my partner Zoe who was allowed a period of time off work which lasted for the first 14 days after I came home.

“She helped me with washing and changing my clothes. She brought everything that I needed to me because I could only mobilise with difficulty and using two crutches and therefore, I couldn’t carry anything.”

HSE enforcement lawyer Nathan Cook, told Telford Magistrates’ Court how Mr Pennell, an employee of R O Donnell Plant & Civil Ltd, sustained his injuries. The pipes ,each weighing around 160 kg, had been suspended on the forks of a telehandler while being moved to a different area of the site.

Although one pack of pipes had already been transported safely, the incident

happened while moving a second load. When the telehandler came to a stop, Mr Pennell tried to re-position a dangling skid so that the pack could be lowered properly. However, at this point, the load fell on top of him.

Four years on, the 37-year-old has not been able to resume his job as a groundworker, and is instead only able to work as a landscaper, which pays him less.

“I continue to have pain in my right leg,” he said. “I am no longer as strong as I was and can no longer carry out heavy manual activities.

“I will always be at a disadvantage in the labour market, and cannot see how I could get a job again where I would earn the money that I was earning as a groundworker.”

An investigation by HSE found that both Mr Pennell’s employer and the principal contractor (Readie Construction Ltd) failed to ensure that the operation was properly planned, appropriately supervised, and carried out in a safe manner. The investigation also identified issues in relation to the level of knowledge and experience of those involved in the lifting operations, and in the companies’ overall management and coordination of the telehandler usage between contractors.

R O Donnell Plant & Civil Ltd, of New Road, Worlaby, Brigg, Lincolnshire, pleaded guilty to breaching 8(1) of the Lifting Operations and Lifting Equipment Regulations 1998 and was fined £80,000 and ordered to pay costs of £3,784.

Readie Construction Ltd, of Falcon Business Centre, Ashton Road, Romford, Essex, pleaded guilty to breaching 8(1) of the Lifting Operations and Lifting Equipment Regulations 1998 and was fined £40,000 and ordered to pay costs of £3,784.

HSE inspector Will Gretton said: “This horrific incident could easily have been avoided had the work been properly planned and suitable control measures implemented to properly secure and safely transport the load.

“This case should remind all on construction sites and wider industry that all lifting operations must be properly planned by a competent person, appropriately supervised and carried out in a safe manner to ensure the health and safety of those involved or affected by the work.”

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.
2. More information about the [legislation](#) referred to in this case is

available.

3. Further details on the latest [HSE news releases](#) is available.

4. Guidance about the regulations on [lifting operations and equipment](#) is available.