

Plant hire company in court over work at height and welfare issues

A plant hire company has been fined for leaving workers at risk of a fall from height and failing to provide minimum welfare facilities.

Blackpool Magistrates' Court heard how, on 17 November 2020, Ruttle Plant (Birmingham) Ltd was in the process of building a new aggregate recycling facility at their site at Common Bank Lane, Chorley. Part of the work included the provision of cladding to the roof, which was carried out using a cherry picker. However, as some areas of the roof were difficult to reach, employees had to step onto the roof where no edge protection had been provided, putting them at risk of a 30ft fall. In addition, workers had been on site for some considerable time without the minimum required welfare facilities being available. This included facilities for hand washing during the height of the Covid pandemic.

An investigation by the Health and Safety Executive (HSE) found that the workers had been left unsupervised by site management, there had been no method statement to follow when they climbed onto the roof and there were no preventative measures in place to prevent the risk of a fall from height. Workers were also expected to drive to the company's head office along an unadopted roadway more than five minutes' drive away to use the toilet, despite there being ample room on the site for facilities.

Ruttle Plant Hire (Birmingham) Ltd of Lancaster House, Ackhurst Road, Chorley, Lancashire pleaded guilty to breaches of Regulation 13(4)(c) of the Construction (Design and Management) Regulations 2015, and Regulation 4(1) of The Work at Height Regulations 2005. The company was fined £66,667 and ordered to pay costs of £1,847.

Speaking after the hearing, HSE inspector Christine McGlynn said: "Had a worker fallen off the roof edge, it could have been fatal. Employers should ensure that workers are not left to carry out high risk roof work without supervision.

"Work at height and roof work should only be carried out by trained workers, who are being robustly monitored, following proper planning, risk assessment and using suitable equipment. The minimum standards for welfare must also be met."

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. www.hse.gov.uk**
- 2. More about the legislation referred to in this case can be found at: [Construction- Roof work industry health and safety](#)**

[Safety cases for high-rise buildings: a summary](#)

The law relating to building safety in England is changing. Proposed reforms currently making their way through parliament will introduce a safety case regime. This will mean new roles and responsibilities for high-rise residential building owners and management, including accountable persons (AP) and building safety managers (BSM).

Building on the safety case principles we published last year, we have continued our work with partners in the public and private sector to develop information that we hope will form a toolkit for building owners and managers.

The first part of this toolkit is a short summary of the key things they can do to prepare. It's intended to be a quick read to help people and organisations to understand what they can do.

HSE has now published this headline document on its website:
<https://www.hse.gov.uk/building-safety/how-to-prepare.htm>

In the coming months this will be followed by further information that builds on the safety case principles from last year. This will include new material that we have introduced following the very helpful suggestions and comments we received from early adopters, private landlords, social housing providers, and other industry consultees.

Tim Galloway, Deputy Director of the Building Safety Programme at HSE, encouraged organisations and people to start preparing: "I am really pleased that we've published this information in such a digestible form. I want to thank all our partners for their invaluable contribution. We all want safe buildings and I would encourage building owners to start their preparations for the new regime now rather than wait for all the details to be developed. I think the existing principles, this headline document and the further information to come will really help."

Read more about safety cases and safety case reports here:
<https://www.hse.gov.uk/building-safety/safety-cases-reports.htm>

To keep up-to-date with the latest news and information on the

[Builder prosecuted for exposing employees to asbestos during unsafe removal](#)

Kieran Lynch has been prosecuted after his employees were exposed to asbestos while refurbishing domestic premises in Barnsdale Road, Reading.

Reading Magistrates' Court heard how Mr Lynch, trading as Lynch and Co, was contracted to carry out a largescale refurbishment for his client who had recently purchased the property from their local council. Prior to the project commencing, the owner of the property informed Mr Lynch that the ceiling boards in the garage contained asbestos.

Mr Lynch instructed two employees, who had no experience in asbestos removal, to take down the boards with no protective measures in place. Once they had taken down the boards, they stored them inside the house for a further three months before they were moved into the front garden to be disposed of. Subsequent examination of these boards identified them as Asbestos Insulating Board (AIB) – a high risk product which requires an asbestos removal licence to remove.

An investigation by the Health and Safety Executive (HSE) found that Mr Lynch was made aware that asbestos was present in the property, and yet he failed to make adequate enquiries as to where the asbestos was, its type and the condition it was in, prior to carrying out the removal. He also instructed his employees, who lacked the necessary competence, to carry out the removal with no control measures in place.

Mr Kieran Lynch of 9 Old Barn Close, Emmer Green, Reading pleaded guilty to breaching the Control of Asbestos Regulations 2012 Regulations 5 (1)(a), 8(1), 11 (1) and received a Community Order for a period of 12 months with a Rehabilitation Requirement of 25 days and Unpaid Work of 100 hours. Mr Lynch was also ordered to pay £5,000 in costs and a £95 victim surcharge.

Speaking after the hearing, HSE inspector David Tonge said: "Refurbishment work, even in domestic premises, is liable to expose people to asbestos and adequate steps must be taken to find out if asbestos is present. If so, appropriate measures must be taken to ensure people are not exposed to asbestos fibres."

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. Further information about Asbestos can be found at [HSE: Asbestos – health and safety in the workplace](#)
4. HSE news releases are available at <http://press.hse.gov.uk>

[Company sentenced after fatal fall through fragile asbestos roof](#)

A company has been sentenced after an employee of a Powys construction company was fatally injured in Liverpool when he fell six metres through a roof whilst working on a replacement roof project.

Liverpool Crown Court heard that on 22 May 2017, roofer Marius Andrus was completing snagging work on a replacement roof. The worker had accessed a part of the old roof made of fragile asbestos cement sheets, which gave way. He fell through the sheets to the ground below sustaining fatal injuries.

An investigation by the Health and Safety Executive (HSE) found that the area accessed did not have safety nets fitted and that the employer failed to take reasonably practicable measures to reduce the risk to those working on the roof.

AJM Services (Midlands) Ltd of Llanfihangel, Llanfyllin, Powys pleaded guilty to breaching Regulation 4(1) of the Work at Height Regulations 2005. The company was fined £51,000 and ordered to pay costs of £5,000.

Speaking after the hearing, HSE inspector Andy McGrory said: “This was a tragic incident, which resulted in a needless loss of life and could have easily been avoided by properly planning the work and ensuring appropriate safeguards were in place.

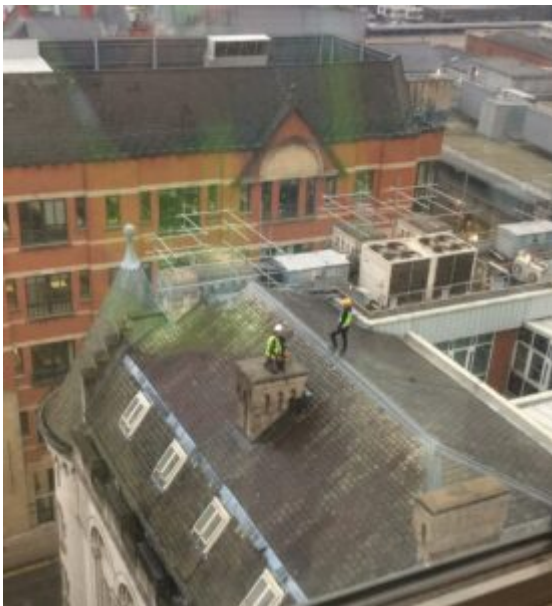
“Those in control of work at height have a responsibility to devise safe methods of working, which should include providing clear and comprehensive information for their workers and ensuring that they are adequately supervised.”

Owners of the building Pearsons Glass of Maddrell Street, Liverpool pleaded guilty to breaching the Health and Safety at Work etc. Act 1974, section 3, at an earlier hearing and were sentenced at Liverpool Crown Court in February 2021. The company was fined £80,000 and ordered to pay costs of £6,656.

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. www.hse.gov.uk
2. More about the legislation referred to in this case can be found at: www.legislation.gov.uk/
3. HSE news releases are available at <http://press.hse.gov.uk>

[Construction firm fined and director given community order for breaching working at height regulations](#)



A construction firm and its director have been sentenced after carrying out unsafe work on the roof of a multi-storey building in Manchester.

Manchester Crown Court heard that concerns were raised with the Health and Safety Executive (HSE) after workers were spotted on the roof of the building in Norfolk Street, Manchester, without safety measures in place to prevent a fall.

HSE carried out two inspections at the site following the reports. On the second site visit, on 27 February 2019, employees were found to be working on the roof with no suitable controls in place to prevent falls. Inspectors intervened and stopped the work on site.

An investigation by HSE found that the unsafe work on the roof had taken place over a period of time from 1 January 2019 to 28 February 2019 with a significant risk of death or serious injury.

Exquisite Solutions (Alsager) Limited of St James House, Salford, was found guilty of breaching section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £42,500 and ordered to pay costs of £5,049.73 plus a victim surcharge of £170.

Company director Ali Wit Wit of St James House, Salford, was found guilty of breaching section 37 of the Health and Safety at Work etc. Act 1974, in relation to the company's failing of section 2(1) of the Act. Mr Wit Wit was given a community order for 270 hours of unpaid work and ordered to pay costs of £5,049.73 and a victim surcharge of £85.

Speaking after the hearing, HSE inspector David Norton said: "Falls from height remain one of the most common causes of work-related fatalities in this country and the risks associated with working at height are well known. HSE will not hesitate to take appropriate enforcement action against companies that fall below the required standards and endanger their employees."

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. More information about working safely at height can be found at <https://www.hse.gov.uk/construction/safetytopics/workingatheight.htm>
4. HSE news releases are available at <http://press.hse.gov.uk>