

# Construction company fined after carpenter injured in fall from height

A Hitchin-based construction company has been sentenced after a carpenter sustained nerve and tissue damage to his lower back after a fall from height.

Luton Magistrates' Court heard on 2 May 2017, the employee was working for and under the control of MP Building Limited. He climbed up to remove a nail from a brace holding trusses, one of which started to fall causing the employee to fall with it. Raised safety decking used as fall mitigation within the building did not cover the whole area and left significant gaps.

The 36-year-old carpenter sustained nerve and tissue damage to his lower back, whiplash to neck and his little finger was ripped open.

An investigation by Health and Safety Executive (HSE) found that the risk assessments of MP Building Limited were generic. They identified falls from height, but control measures focused on scaffolding and did not mention internal falls and decking. It was also found that operatives on the site were not trained to install the safety decking.

MP Building Limited of Bilton Road, Hitchin pleaded guilty to contravening Regulation 6(3) of the Work at Height Regulations 2005 and Regulation 13(1) of Construction (Design and Management) Regulations 2015. The company has been fined £65,000 and ordered to pay £6,298.82 in costs.

After the hearing, HSE inspector Jenny Morris said: 'This incident could so easily have been avoided by planning work at height to ensure that suitable and sufficient measures were in place to prevent falls.'

'Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards.'

Further guidance to doing it the right way can be found at:

<http://www.hse.gov.uk/work-at-height/key-messages.htm>

## **Notes to Editors:**

1. The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. We seek to 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](http://www.hse.gov.uk)
2. More about the legislation referred to in this case can be found at: [www.legislation.gov.uk/](http://www.legislation.gov.uk/)
3. HSE news releases are available at <http://press.hse.gov.uk>

The post [Construction company fined after carpenter injured in fall from](#)

[height](#) appeared first on [HSE Media Centre](#).

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## **[Drayton Manor to be prosecuted following death of schoolgirl](#)**

A Health and Safety Executive prosecution is being brought following the death of an 11-year-old girl at Drayton Manor theme park.

On 9 May 2017, Evha Jannath died after falling from the park's Splash Canyon water ride.

Drayton Manor Parks Ltd of Drayton Manor Drive, Tamworth, Staffordshire will face a charge under Section 3 of the Health and Safety at Work etc. Act.

The criminal proceedings have not yet commenced, because an inquest into Evha's death, due to be heard in November, needs to take place first.

The post [Drayton Manor to be prosecuted following death of schoolgirl](#) appeared first on [HSE Media Centre](#).

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## **[Roofing company fined for failure to plan work at height safely](#)**

A roofing company has been fined after repeatedly failing to manage health and safety on construction sites.

Westminster Magistrates' Court heard how between 7 March 2017 and 8 October 2018, Superfast Roofing Ltd received 2 prohibition notices. Serious breaches of legislation were found on sites during roofing work they carried out in London and Essex. This included The Old Dagenham Methodist Church Hall, Rainham Road South, Dagenham, Essex.

Inspections by Health and Safety Executive (HSE) found that Superfast Roofing Ltd had failed to plan, manage, monitor and carry out work at height safely. They had repeatedly breached work at height legislation, with uncontrolled fall from height risks at separate sites, with no signs of the company taking steps to improve standards.

Superfast Roofing Ltd of Grange Road, Ilford, Essex was found guilty of breaching:

- Regulation 6(3) of The Work at Height Regulations 2005
- Regulation 15(2) of The Construction (Design and Management) Regulations 2015

The company has been fined £30,000 and ordered to pay costs of £6,000.

After the hearing, HSE inspector David King said: 'Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards, and especially where companies don't heed previous advice.'

Further guidance on doing it the right way is on HSE's website:

<http://www.hse.gov.uk/construction/safetytopics/roofwork.htm>

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## **[Sole director jailed after employee killed by excavator](#)**

Robert Harvey, sole director and employee of Front Row Builders Ltd has been sentenced after an employee, Nicholas Hall was crushed to death by an excavator bucket, which Harvey was operating.

The employee was pinned against the wall of an excavation pit for a vehicle wash bay that was under construction for Peter Lawless Road Planing Limited at Craighead Industrial Estate, Whistleberry Road, Blantyre.



Hamilton Sheriff Court heard that on 7 May 2016 work was being carried out by Front Row Builders Ltd employees to build a wall within an excavation. Robert Harvey operated an excavator to lower cement and blocks down into the hole for three other men who were working in the hole to use. Robert Harvey tipped the bucket to empty the mortar contents and shouted to Nicholas Hall to 'scrape the rest out with a shovel'. Nicholas was pinned against the wall by the excavator bucket and died of blunt force injuries to his chest and abdomen.

An investigation by the Health and Safety Executive (HSE) found that on Robert Harvey, an employee, had failed to undertake a sufficient assessment of the risks to those who had been instructed to work with him, he operated a long reach excavator without receiving the appropriate training or certification and he instructed Nicholas Hall, who was working within the excavation, to remove mortar from the bucket.

Robert Harvey of Reston Drive, Glasgow pleaded guilty to breaching Section 7(a) and Section 33(1)(a) of the Health and Safety at Work Act etc 1974, and was given a 10 month custodial sentence.

Speaking after the hearing HSE inspector Helen Diamond said: "Those in control of work have a responsibility to devise safe methods of working and to provide the necessary information, instruction and training to their workers in the safe system of working.

"If a suitable safe system of work had been in place prior to the incident, the death of this worker could have been prevented."

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## [Recycling company fined after employee suffers amputation](#)

A waste recycling company has been fined after an employee lost part of his arm in a conveyor belt.

Lincoln Crown Court heard on 26 April 2015 that the employee of Mid-UK Recycling Ltd was working as a line operator in the building known as Unit 4 MRF (*Material Recovery Facility*). On the morning of the incident, blockages had occurred on this line and waste had become wrapped around the axle stopping a lower conveyor. It was whilst removing waste from this axle that the employee's glove got dragged into the in-running nip between the belt and the powered roller of the conveyor. This resulted in his left arm being amputated above the elbow.

An investigation by the Health and Safety Executive revealed that the company had failed to prevent access to dangerous parts of the conveyor. The castell key system had essentially been bypassed allowing the system to be operated in automatic mode with persons still inside the enclosure.

Mid UK Recycling Limited (now known as MUKR Limited) of Summit House, Quarrington, Sleaford, Lincolnshire, NG34 8RS pleaded guilty to a breach of section 2 (1) of the Health and Safety at Work etc. Act (1974) and was fined £1.275 million and ordered to pay costs of £45,065.59

Speaking after the hearing, HM inspector Scott Wynne said, "This incident could so easily have been avoided had the company ensured that the system designed to keep people away from dangerous machinery was properly maintained. Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards."

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