

# Three construction companies fined after worker fall

Three companies from Essex have been fined after a worker fell over seven meters through a fragile roof he was replacing.

Chelmsford Crown Court heard how Rafal Myslim was standing on the fragile roof at Dengie Crops Ltd in Asheldem, when the asbestos sheeting gave way and he fell 7.5m onto a concrete floor, hitting a number of pipes within the building on the way down. There was no safety netting or other protective equipment to prevent him from falling and he suffered a hematoma on the brain.

An investigation by the Health and Safety Executive found three companies at fault for the fall. Dengie Crops Ltd contracted Ernest Doe & Sons Ltd, who are an agricultural machinery supplier, to help the company replace their roof. Ernest Doe & Sons Ltd did not have the appropriate experience and subcontracted the work to Balsham (Buildings) Ltd who worked out how the roof replacement should take place. Balsham then subcontracted the actual replacement of the roof to Strong Clad Ltd.

Ernest Doe & Sons Ltd were unable to act effectively in their role as principal contractor because they had no experience of working in construction. They could not effectively oversee Balsham (Buildings) Ltd plans that had highlighted the risk of a fall. None of the parties involved put in place safety measures for 40% of the roof that did not have netting below. They relied too heavily on the verbal briefings to workers reminding them of where the netting was rather than putting in place effective safety measures for the whole roof.

Ernest Doe & sons Ltd, of Ulting, Essex, pleaded guilty to breaching Regulation 22 of the Construction (Design and Management) Regulations 2007. They were fined £360,000 and ordered to pay costs of £10,000


Balsham (Buildings) Ltd, of Balsham, Cambridge, pleaded guilty to breaching 4(1)(a) and 4(1)(c) of the Work at Height Regulation 2005. They were fined £45,000 and ordered to pay costs of £7,000

Strong Clad Ltd, of Castle Hedingham, Essex, pleaded guilty to breaching 4(1)(a) and 4(1)(c) of the Work at Height Regulation 2005. They were fined £7,000 and ordered to pay costs of £3,000

HSE inspector Adam Hills said: "The dangers of working on fragile roofs are well documented. Every year too many people are killed or seriously injured due to falls from height while carrying out this work.

"Work at height requires adequate planning, organisation and communication between all parties. This incident was entirely preventable and Mr Myslim is lucky to be alive."

## Notes to Editors:

1. The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. It aims to reduce work-related death, injury and ill health. It does so through research, information and advice, promoting training; new or revised regulations and codes of practice, and working with local authority partners by inspection, investigation and enforcement. [www.hse.gov.uk](http://www.hse.gov.uk)<sup>[1]</sup>
2. More about the legislation referred to in this case can be found at: [www.legislation.gov.uk/](http://www.legislation.gov.uk/) <sup>[2]</sup>
3. HSE news releases are available at <http://press.hse.gov.uk>

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