

# Plant hire company sentenced following fatal incident at construction site

Specialist plant hire company, Ruislip Plant Ltd, has been fined after a worker was fatally injured whilst undertaking maintenance on a piling rig.

Reading Crown Court heard that, on 13 May 2014, Ben Wylie, was assisting the Ruislip Plant Ltd Director Mr Noel Kearney (since deceased) with the maintenance of a high-pressure grease track adjusting mechanism at a construction site in West Street, Maidenhead. During the process, the grease nipple assembly and a stream of high-pressure grease was forcibly ejected from the mechanism and struck Ben Wylie in the shoulder and chest causing fatal injuries.

An investigation by the Health and Safety Executive (HSE) found that the components had been forcibly ejected on the previous day and had sustained damage in that event, reducing the pressure at which it would subsequently fail. Once the fitting had been ejected, it should not have been refitted. Despite the fittings having been previously ejected and damaged, Mr Kearney attempted to modify and refit the grease nipple and adaptor to the high-pressure system. He then began to re-pressurise the tracks by pumping in grease using a hand operated grease gun. The pressure built in the system and at a critical point the damaged and modified components were again ejected. A pressure test with all suitable safeguards was required in these circumstances but there was no safe system of work during which resulted in the modifications to the grease gun bringing Ben Wylie into the danger zone.

Ruislip Plant Ltd of Lea Crescent, Ruislip, Middlesex pleaded guilty to breaching Section 3(1) of the Health & Safety at Work etc. Act 1974. The company has been fined £99,000 and ordered to pay costs of £116, 973.36.

After the hearing, HSE inspector John Glynn said: "HSE guidance is very specific on how this work should be undertaken and previously ejected or damaged parts must not be reused as they were in this case.

"This incident could have been avoided if Ruislip Plant Ltd had instead undertaken a risk assessment and devised a safe system of work. That safe system of work would necessarily have ensured that new parts were used, and that the safety procedure of a pressure test was performed. However, a new component was not used in this incident and the safety procedure was not adhered to.

"That failure to adhere to the correct procedure for pressure testing was directly causative of this incident. No control measures were put in place by Ruislip Plant Limited and that sadly led to the death of Ben Wylie."

## **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](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>

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