

Principal contractor sentenced for unsafe excavation work



A principal contractor has been sentenced after he was found to have supervised unsafe excavation work at a site in Denton, which put workers in danger and rendered the neighbouring property unstable.

Manchester Magistrates' Court heard how between 2019 and 2020 Mustapha Matib had employed several groundworkers to excavate land at Gibraltar Lane, Denton in preparation for the construction of a family home. An inspection was carried out at the site in August 2020 after neighbours raised significant concerns, work was stopped when serious fall risks and potential collapse were identified.

An investigation by the Health and Safety Executive (HSE) found that as principal contractor Mr Matib had failed to prepare a construction phase plan, with risk assessments and method statements detailing how the work would be safely carried out. He also failed to appoint a site manager with suitable skills, knowledge and experience to plan, manage and monitor the work; and ensure the health, safety, and welfare of those carrying out the work or others who may be affected by their actions.

Inspectors also identified a large, deep and unprotected excavation, which gave rise to a foreseeable fall risk. In addition, excavations were not

shored or suitably battered back to prevent the risk of collapse. Personal protective equipment had not been provided and some workers were working barefoot on site. The site was not adequately secured to prevent unauthorised persons from entering and a neighbouring property had been undermined with parts of the property at risk of collapse due to the excavation work.

Mustapha Matib of Allerton Road, Bradford pleaded guilty to breaching Regulations 2(1) and 3(1) of the Health & Safety at Work etc. Act 1974. He was sentenced to sixteen weeks imprisonment suspended for twelve months, ordered to carry out 200 hours unpaid work and pay costs of £5,673.

Speaking after the hearing, HSE inspector Phil Redman said: "Inspectors will not hesitate to take appropriate enforcement action against dutyholders who fall below the required standards and put lives at risk."

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