

# Sole trader who repaired agricultural and industrial sheds fined after worker injured

William Henry Swanson, trading as LTS Construction has been fined following an incident when a worker suffered serious injuries after falling through a fragile roof light of a grain store. LTS Construction has now ceased trading.

Wick Sheriff Court heard that on 25 September 2019, an employee of Mr Swanson was working on a grain store roof to remove and replace damaged cement roof sheets and fragile roof lights. He stood on a moss-covered roof light which gave way beneath his weight. He fell approximately 4.5m onto the concrete floor below. He sustained injuries to his head, ribs, pelvis and wrist. He suffers from short term memory loss and anxiety and has not worked since.

An investigation by the Health and Safety Executive (HSE) found that Mr Swanson did not have suitable measures in place to access the roof or to prevent the risk of (a) falling from the edge of the roof and (b) falling through roof lights. The accused should have considered the work at height hierarchy of control:

- the use of mobile elevated work platforms (if practicable) to avoid working on a roof containing fragile materials, or
- safe access to roof level, and
- roof edge protection to have prevented falls from the eaves and gable wall sections of the roof, and
- safety nets to have reduced fall risks when removing and replacing roof sheets, and
- the use of staging or crawling boards to spread the weight of persons who worked on areas of the roof that were fragile.

None of these measures were in place at the time of the accident.

William Henry Swanson of Watten, Wick, Caithness KW1 5UP pleaded guilty to breaching the Work at Height Regulations 2005, Regulation 4(1)(a) and (c) and the Health and Safety at Work etc. Act 1974, Section 33(1)(c). He was fined £2,000.

After the hearing, HSE inspector, Liz Hunter said: "Those in control of working at height have a responsibility to implement safe work methods and to lead by example. They should communicate the work method clearly with the workers to demonstrate how fall risks will be prevented or reduced when working on or near fragile roof lights.

"Falls from height remain one of the most common causes of work-related fatalities in this country. I have investigated numerous fatal and serious accidents caused by falls through fragile roof materials during construction and maintenance activities on farm buildings. The life changing injuries

sustained by Mr Swanson's employee were preventable had a combination of safe access, roof edge protection, staging and safety nets been used by trained personnel."

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