

Two construction companies fined after worker seriously injured in excavation collapse

Auberne Homes Limited and groundworks contractor W & E Lammie have been fined after an employee of W & E Lammie was crushed and severely injured during an excavation collapse.

Ayr Sherriff Court heard that, on 20 February 2018, employees of W & E Lammie were carrying out drainage works within an excavation at a construction site at Holmhead Gardens, Cumnock, when a section of the unsupported wall of the excavation collapsed and crushed one of the employees, causing serious injuries.

An investigation by the Health and Safety Executive (HSE) identified that W & E Lammie failed to plan the precautions or practicable steps necessary to prevent danger to any person entering the excavation, failed to provide supports or battering to ensure the excavation did not collapse and failed to provide appropriate training and supervision to the employees carrying out the drainage works. The investigation also identified that in their role as principal contractor, Auberne Homes Limited, failed to plan, manage and monitor the drainage works being carried out on their construction project.

W & E Lammie, a now dissolved partnership, having previously had a place of business at Muirkirk Road, Cumnock pled guilty to breaching Regulation 15(2) of The Construction (Design and Management) Regulations 2015 and were fined £18,000.

Auberne Homes Limited, of Beresford Court, Ayr pled guilty to breaching Regulation 13(1) of The Construction (Design and Management) Regulations 2015 and were fined £35,000.

Speaking after the hearing, HSE inspector Duncan Officer said: "This incident could so easily have been avoided had the excavation work been properly planned and carried out by suitably trained individuals to ensure that the appropriate safety measures were implemented to prevent excavation collapse. Had the principal contractor carried out suitable checks they could have been identified that those carrying out the work were untrained and that safe working practices were not being followed on site.

"The requirement for control measures and safe working practices during excavation work are well-known in the construction industry. HSE will not hesitate to take appropriate enforcement action against those responsible for the excavation works and those in control of the construction site where these required standards are not met."

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. HSE news releases are available at <http://press.hse.gov.uk>[3]

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