

Devon construction company fined over safety risk

A Devon based construction company has been fined after placing employees and members of the public at risk of serious injury by failing to suitably maintain their fleet of lorry mounted elevated work platforms (MEWP).

Following a fatal incident in Dawlish on 13 December 2014, a subsequent investigation by the Health and Safety Executive (HSE) found that the MEWP involved in the incident failed to automatically stop before overslewing, increasing the risk of vehicle overturn.

Exeter Crown Court heard that, prior to December 2014, there was an almost complete lack of a planned preventative maintenance systems at the company. The investigation also found that workers had not been given adequate information or instruction regarding how to use or maintain the machines or how to carry out pre-use checks. There is no suggestion that the failings of the company caused the fatal incident in Dawlish.

T J Smith Contracting Ltd of Pellew Arcade, Teign Street, Teignmouth was found guilty of breaching Regulation 2 (1) and 3 (1) of the Health and Safety at Work etc. Act 1974 and has been fined £60,000 and ordered to pay costs of £70,000.

Speaking after the hearing, HSE inspector Sue Adsett said: "Owners of high risk work equipment such as cherry pickers have a responsibility to ensure that they are safe. The manufacturers' maintenance regime should be followed, rather than simply carrying out repairs when the machine breaks down."

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>
4. The machine should automatically have stopped itself from rotating more than 180 degrees because only half of the stabilising legs were deployed. However, it 'overslewed' i.e. rotated further than it should have done, became unstable, and then overturned.
5. Further information about safe techniques can be found at: <http://www.hse.gov.uk/construction/safetytopics/mewp.htm>
6. New industry guidance on "Managing the safe condition of MEWPs" can be found at: <https://www.cpa.uk.net/sfpsq/#MEWPs>

Journalists should approach HSE press office with any queries on regional press releases.