

# Fine for construction company after worker injured because of brake failure

A construction company has been fined for failure to maintain the braking system of an articulated dumper truck.

Basingstoke Magistrates' Court heard how Nelson Plant Hire failed to ensure the dumper truck was subject to a regular maintenance regime resulting in a worker being seriously injured.

An investigation by the Health and Safety Executive (HSE) into the incident on 11 May 2018 at Whitehouse Field, Andover, found that during construction operations, the operator of a large Volvo articulated dumper truck was working on a site at the top of a steep slope adjacent to a public road. The operator was reversing the truck to carry out a tipping operation, but the brakes did not function. Consequently, he lost control of the vehicle which careered backwards across a busy A-road and tipped on to its side. The operator's injuries included multiple fractured ribs and a punctured lung.

The HSE investigation determined that the dumper truck had not been subject to a maintenance regime in accordance with the manufacturer's instructions and the brakes did not function correctly.

Nelson Plant Hire Ltd of Homestead Farm, Weyhill Road, Penton Corner, Andover, Hants, pleaded guilty to breaching Regulation 5 of the Provision and Use of Work Equipment Regulations 1998 (PUWER98) for failing to maintain the plant and was fined £10,000- and ordered to pay costs of £8,826.70

After the hearing, HSE inspector Dominic Goacher commented: "It is essential that construction plant is correctly maintained and all plant operators need to follow the manufacturer's recommendations in respect of maintenance. Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards."

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