

Building contractor jailed after house collapse in Brighton

A building contractor has been sentenced following an incident in February 2015 in which a house in Brighton partially collapsed.

Hove Crown Court heard how builder Glen Peters (trading as Brow Builders) undermined the structural integrity of the house by digging out the basement. He then failed to act on the advice of a structural engineer on how to remedy the situation, resulting in the gable wall partially collapsing and the ground floor collapsing into the basement. Adjacent properties had to be evacuated and the area cordoned off because there were concerns that members of the public living nearby and passing through the area were at risk.

An investigation carried out by the Health and Safety Executive (HSE) found that the property had bungeroosh walls, common to buildings in the Brighton area which were built in the mid-18th to 19th century. They are constructed with a mixture of rubble, timber, pebbles, stones and flint in a lime mix mortar set between shuttering. The make-up of these walls makes working on this type of building more challenging in terms of structural stability, meaning that those doing so must fully understand what they are dealing with.

The investigation also found that Glen Peters failed to report the incident to HSE as a dangerous occurrence in accordance with the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) 2013.

Glen Peters (trading as Brow Builders) of Woodingdean, Brighton, pleaded guilty to breaching Regulation 25(1) of the Construction (Design and Management) Regulations 2007 and Regulation 7 of the RIDDOR Regulations 2013. The defendant was sentenced to five months imprisonment for count one and two months imprisonment for count two to run concurrently. He was also ordered to pay costs of £7,000.

HSE principal inspector Emma Stiles said "Basement work must be properly planned to ensure the structural integrity of the building throughout the construction work. When this type of work is done badly, workers and members of public are at significant risk of serious injury or death. In addition, we cannot underestimate the impact on the homeowners when their properties are extensively damaged."

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>

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

Company fined after worker falls from ladder

Safestyle UK was sentenced today after a worker fell from a ladder sustaining a fracture to his lower leg.

Sheffield Magistrates' Court heard how, on 1 March 2017, a window installer working for H.P.A.S. Limited, trading as Safestyle UK, was attempting to install a first-floor rear bedroom window at a property on Cemetery Road, Doncaster, when the ladder he was climbing slipped. The ladder was not footed or tied and the operative fell from a height of over three metres, sustaining a broken knee cap which required surgery.

An investigation by the Health and Safety Executive (HSE) found the company's system for planning work at height was inadequate in that it failed to ensure that work was carried out in a safe manner. Windows were found to be not routinely installed from the inside and ladders were used in a way that constituted serious risk. Additionally, there was no system of monitoring or supervision in place and operatives were left to their own devices.

H.P.A.S. Limited trading as Safestyle UK, of Style House, Eldon Place, Bradford, pleaded guilty to breaching Regulation 4(1) of The Work at Height Regulations 2005 and was fined £850,000 with £1,083 in costs.

Speaking after the hearing, HSE inspector Stuart Whitesmith said: "This incident could easily have been prevented had the company implemented reasonably practicable precautions.

"Such precautions include having effective and enforced safe systems of work, whereby windows are installed internally where possible, or by using suitable access solutions which provide edge protection, and having a formal system in place to ensure works are appropriately supervised."

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Company fined after workers suffer serious burns

A Nottinghamshire foundry has been sentenced after two employees suffered serious burns from an electrical flashover.

Southern Derbyshire Magistrates' Court heard how, on 2 September 2016, at BAS Castings Ltd two employees were working to reinstate the power supply to one of the furnaces after repair work had been completed by contractors. After replacing the fuses, they shut the door to the fuse panel which engaged the interlock and tried to close the main switch. As this would not operate they opened the panel door and decided to bypass the interlock using a screwdriver in order to try the main switch again. At this point an electrical flashover occurred. Both employees suffered serious skin burns requiring surgery followed by a two week stay in hospital to recover.

An investigation carried out by the Health and Safety Executive (HSE) found that at the time of the incident, BAS Castings Ltd did not have any electrical safety rules, safe systems of work or a permit system in place, and there were no recorded systems or rules for working with electricity. There was no assessment of risk and the injured employees were not provided with any specific instructions on how to undertake the work safely. The company also allowed employees to work on live conductors without consideration of the conditions which are stipulated in law.

BAS Castings Limited of Wharf Road Industrial Estate, Pinxton, Nottinghamshire, pleaded guilty to breaching Regulation 4 (3) and Regulation 14 of the Electricity at Work Regulations 1989. It was fined a total of £60,000 and ordered to pay costs of £1353.90

HSE inspector Leigh Stanley speaking after the case said: "Those in control of work have a responsibility to devise safe methods of working and to provide the necessary information, instruction and training to their workers in the safe system of working. If a suitable safe system of work had been in place prior to the incident, the injuries sustained by the employees could have been prevented."

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Construction company worker suffers life threatening injuries

A construction company was sentenced today for safety breaches after a worker suffered life threatening injuries.

Sheffield Magistrates' Court heard that, in September 2016, a 48-year-old employee of K. D. S. Construction Company Ltd was working in a 2-metre-deep excavation when he was struck on the head and pinned down by a large segment of concrete. He suffered multiple injuries, including fractures to his skull, ribs, left arm and vertebrae.

An investigation by the Health and Safety Executive (HSE) found that the construction company had been contracted by Abbey Forged Products Limited to carry out groundworks for the installation of a new underground water drainage system at the company's Beeley Wood Works site in Sheffield.

The investigation also found that KDS employees had dug out a number of excavations for the new tanks and pipework. After one tank had been installed, work started on another excavation for a second tank adjacent to the first. While this was being dug, one of the groundworkers was asked to cover over some pipework which was sticking out of the first tank to protect it from being damaged by backfill. When he descended into the excavation to do this, a section of unsupported concrete which was overhanging the excavation broke off and fell onto him.

K.D.S. Construction Company Ltd of Taylors Court, Rotherham pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974 and was fined £70,000 and ordered to pay costs of £4,016.15.

After the hearing, HSE inspector Alison Outhwaite commented: "The employee's injuries were life changing and he could have easily been killed. This serious incident and devastation could have been avoided if basic safe guards had been put in place.

“This case highlights the need to be aware of the risks of working in and near excavations. The groundwork industry need to appreciate the risks even where excavations are thought to be ‘shallow’ or the ground considered to be stable. As HSE guidance states. ‘Any unsupported excavation will be safe ONLY if its sides are battered back sufficiently or if the excavation is in sound rock (HSG150).

“If a suitable safe system of work had been in place prior to the incident, the life changing injuries sustained by the employee could have been prevented.”

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Housing association fined after exposing employees to Hand Arm Vibration Syndrome (HAVS)

A community housing association has today been sentenced after it failed to effectively manage its employees’ exposure to Hand Arm Vibration Syndrome (HAVS) over a prolonged period of time.

Newport Magistrates’ Court heard how, between July 2010 and May 2015, employees of Tai Calon Community Housing Limited were routinely exposed to vibration in their day to day work. Following the company’s introduction of health surveillance in May 2015, a number of employees were diagnosed with HAVS which has side effects such as pain and loss of strength in the hands and has been known to cause distress and sleep disturbance.

An investigation by the Health and Safety Executive (HSE) found Tai Calon failed to adequately assess the risk to employees from the use of vibratory tools, failed to implement adequate measures to reduce employees’ exposure to vibration, failed to place employees under suitable health surveillance and failed to provide employees with suitable information, instruction, and training.

Tai Calon Community Housing of The Rising Sun Industrial Estate, Blaina, was found guilty of breaching Section 2(1) of the Health and Safety at Work, etc Act 1974 and was fined £30,000 and ordered to pay £2789.25 in costs.

Speaking after the hearing, HSE inspector Paul Newton commented: "No one's health should not be made worse by the work they do. In this case, if Tai Calon had understood why health surveillance was necessary, it would have ensured that it had the right systems in place to monitor its workers' health.

"This prosecution highlights the health risks from using vibratory tools and the importance of employers having a health surveillance programme in place. Where vibratory tools are used, employers should monitor the health of employees using them and ensure appropriate systems are in place to manage and control the risk from vibration."

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