

£100,000 fine following death of a road worker

The Health and Safety Executive (HSE) today issued a reminder to the construction industry of the need to properly control reversing vehicles on sites. The reminder follows last week's prosecution of a principal contractor.

XXXXXXXXXXXX of Bridge Road East, Welwyn Garden City, were fined a total of £100,000 and ordered to pay £32,183 in costs, by Stafford Crown Court. The prosecution followed HSE's investigation of an incident in which a sub contractor was crushed to death during road improvement works.

XXXXXXXXXXXX was run over and killed by a slow reversing agricultural trailer during road widening work at Wheaton Aston, near Stafford.

XXXXXXXXXXXX pleaded guilty to two charges of breaching of health and safety law:

Regulation 3 (1) of the Management of Health and Safety at Work Regulations 1999, for failing to make a suitable and sufficient assessment of the risks to persons not in its employment whilst they were at work in connection with the conduct of its undertaking; and

Section 3 (1) of the Health and Safety etc Act 1974 for failing to ensure, so far as was reasonably practicable, that persons not in its employment were not thereby exposed to risks to their health and safety by the virtue of the construction work involving the movement of vehicles.

HSE Principal Construction Inspector, Joy Jones, said after the case:

"The risk to 'banksmen' from reversing vehicles is well known and has to be properly controlled. Banksmen are often used as the first or only line of protection for pedestrians from reversing vehicles, instead of proper precautions being implemented to eliminate or reduce reversing and providing aids such as audible alarms.

Notes to editors

Section 3 (1) of the Health and Safety etc Act 1974 states:

"It shall be the duty of every employer to conduct his undertaking in such a way to ensure, so far as is reasonably practicable, that persons not in his employment who may be affected thereby are not thereby exposed to risks to their health or safety."

Regulation 3 (1) of the Management of Health and Safety at Work Regulations 1999 states:

"Every employer shall make a suitable and sufficient assessment of - the risks to the health and safety of his employees to which they are exposed whilst they are at work; and the risks to the health and safety of persons not in his employment arising out of or in connection with the conduct by him of his undertaking."