



A UCATT Report

# Small isn't Beautiful

## Construction worker deaths 2007/8: Employer size and circumstance

By the Centre for Corporate Accountability

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Construction is the most dangerous industry in the United Kingdom. Every month six construction workers die at work. Each death is an individual tragedy. The deceased will leave behind a family. Often that person is the main breadwinner; families not only lose a loved one but are also faced with an uncertain financial future.

Until now information about deaths has been impersonal, those who have died have become numbers and statistics. The Health and Safety Executive did not reveal the name of those who died, their details or the circumstances surrounding their accident. That policy has changed and the names of those who have been killed are now available. This is a welcome step forward. Safety is not improved in a culture of secrecy, lessons must be learned from every fatality.

It is why this report written for UCATT by the Centre for Corporate Accountability and timed to be released on International Workers Memorial Day, is so important. As far as possible (the information remains less than comprehensive) the report details those who died, the circumstances of their death, their age and the size of the company they worked for.

The reports findings are stark. Of greatest concern is the very high number of deaths of workers in small workplaces. Fifty one per cent of deaths were in companies that employed between 1-49 workers and half of these deaths were in companies where there were between 1-5 workers. This level of deaths is disproportionate to the total number of workers employed in companies of this size.

It has always been thought that such small companies, where work is casualised and safety is rarely the highest priority, were particularly dangerous. This report demonstrates those fears were correct. No amount of warm words and glossy advice leaflets will change the attitude of these companies. The only way that small companies are going to dramatically improve their safety record is through a greatly increased inspection regime, supported by a far higher level of enforcement and prosecutions. Companies must know that safety breaches will be identified and they will be charged.

Greatly enhanced enforcement must be supported by the introduction of statutory director's duties. Companies would be required by law to make a director responsible for health and safety. If a company then flouted health and safety regulations and a worker was killed there would be the option of a prison sentence for the director responsible. This report is a valuable contribution in our ongoing campaign to improve site safety, we will use it to lobby the Government, MPs the Health and Safety Executive and employers to change their practices and ensure that deaths are reduced.

As General Secretary of UCATT I will always ensure that safety is the union's number one priority.

*A. S. Ritchie*

**Alan Ritchie, General Secretary, UCATT**

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## **Section 1: Background to the Report**

This report provides detailed information on the deaths of construction workers reported to the Health and Safety Executive in the year between 1 April 2007 and 31 March 2008, and it considers whether those in the construction sector working for smaller employers are at greater risk of suffering fatal injury than those working for larger companies.

The report was been produced by the Centre for Corporate Accountability for the trade union UCATT.

### **Methodology**

Until very recently a report of this kind could not have been published. Whilst it may have been possible to obtain details about a certain number of deaths in any one year, a comprehensive report could not have been produced. This was because the Health and Safety Executive (HSE) refused to publish the names of those whose deaths were reported to it – making it only possible to find information on those deaths which happened to be reported in local or national newspapers.

However, in July 2008 the Information Commissioner ruled that the HSE should now provide names of the bereaved.<sup>1</sup> This report is the first consequence of that ruling.

This report was put together in the following way: the HSE provided us with the names of workers in the construction sector whose deaths were reported to it in 2007/8 – along with the age of the worker, the date of the death and the area where the death took place.

In relation to each death, this information was used to identify the Coroners' Court, which was holding an inquest into the death. (This was not always straightforward as the 'local authority's name provided by the HSE often related to the location of a company head office rather than the location of the incident where the death took place.) Once we identified the Coroners Court, we could confirm the details that we had been provided by the HSE – spelling of name, the age, the date of death etc. - as well as being able to find out some basic information about the circumstances of the death, and whether or not an inquest had taken place.

Internet searches were then undertaken to see whether there were any media reports at the time of either the death, the inquest (if there had been one) or indeed of any prosecution hearing relating to the death. We also contacted the press officers of the News Distribution Services of the Central Office of Information (who work for the HSE) to check details about the circumstances of the death, the worker's employment status, the employment chain (if there was one), and the business for which the worker was working at the time of the death. Once we had the employer's name, we then found their contact details using the internet, and contacted the relevant business to find out how many people it employed at the end of 2008.

### **Issues relating to the research**

HSE's official statistics state that 72 workers died in the construction sector in 2007/8.<sup>2</sup> However, HSE only gave information on 71 deaths, and on further inquiry, the HSE informed

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<sup>1</sup> [http://www.corporateaccountability.org/press\\_releases/2008/jul24infocom.htm](http://www.corporateaccountability.org/press_releases/2008/jul24infocom.htm)

<sup>2</sup> <http://www.hse.gov.uk/statistics/overall/hssh0708.pdf>

us that one of these 71 deaths was in fact “not construction activity, in accordance with the Health and Safety Enforcing Authority Regulations”.<sup>3</sup> As a result, we only provide details of 70 deaths in this report.

It should be noted that these deaths are in fact not the only ‘construction’ deaths that took place in the year reported to the HSE. In the course of our research we identified a number of other deaths, which appeared to involve construction activity but since they took place within power stations they were categorized as ‘energy’ sector deaths. We ignored these deaths and only focused on those that the HSE officially report as ‘construction’ deaths.

Inevitably, we were able to find out more information on some deaths than others. This in part depended on whether an inquest – or in Scotland, a Fatal Accident Inquiry - into the death had taken place, or whether there had already been a prosecution, as – if there had been - there was much more information in the public domain. Where investigations were continuing or a prosecution decision had still to be made, much less information was provided.

Despite our efforts we have not, however, been able to obtain the name of the employer/business that the worker was working for at the time of his death in 9 of the 70 deaths. These nine deaths are set out in Table 1 below:

**Table 1: Cases where we were unable to obtain employer details**

<b>Name of Workers</b>	<b>Reason why employer details not provided</b>
Peter McGinley	HSE not willing to provide information
Chris White	Information cannot be confirmed
Arlindo Visentin	HSE says that employment falls part of investigations
Christopher Longbottom	HSE not willing to provide information
Mark Evans	HSE says that employment falls part of investigations
Thomas Frazer	Procurator Fiscal not releasing information
Karl Stolze	HSE says that employment falls part of investigations
Andrew Andrews	HSE says that employment falls part of investigations
Kazimierz Solarski	HSE says that employment falls part of investigations

In addition, in relation to a further 9 deaths we were unable to obtain information on the number of staff employed by the relevant organisation/business that employed the deceased worker. The reasons for this failure are set out in Table 2 overleaf.

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<sup>3</sup> This involved the death of Terrence McDonald who died following examination of an existing fall arrest system as part of a routine inspection on a roof

<b>Name of Worker</b>	<b>Company Name</b>	<b>Reason why employer details not available</b>
James Kelly	Stirling Stone	Refused to provide information
Paul Grierson	Greenfield Northern Ltd	Now in Liquidation and no contact available
Anthony Leckey	Needham Building Construction (Swindon) Ltd	No response from company
Gareth Ritson	Ayrshire Building Construction Ltd	No response from company
Paul Nash	Simon Thomas Farm Construction	Could not find contact number
John Summerhill	GAR Ltd	Could not find contact number
Brian Collins	GE International Ltd managed Company	Not able to identify which company
Danny Edwards	BIRAKOS Group	Could not find contact number
Michael Whateley	Peter's Tiling Ltd	Could not find contact number

It is very likely that most of these businesses in Table 2 are micro-companies (1-5) or at least small companies (between 5 and 49 employees) – since other businesses would likely to have some kind of internet presence.

## **Employment status**

It should be noted that this report does not include any information on whether or not the workers who died were registered with the Construction Industry Scheme. The CIS allows construction workers to register as 'self-employed' even if their real employment status should properly be defined as employed. CIS registration is an important issue in the context of health and safety as it has been argued that CIS registered workers may be subjected to higher health and safety risks than those properly employed – since they will often work

**Table 2: Additional cases where we were unable to obtain staff-size**

longer hours, have fewer breaks, lower training and will not have other rights/entitlements that go with being a formal employee. In a recent report, UCATT have estimated that there are about 400,000 false self-employed construction workers – representing between one quarter and one third of the total number of workers in the UK construction sector.<sup>4</sup>

Although we have tried to obtain information on the CIS status of deceased workers – in order to see whether there was any correlation between CIS status and level of workplace deaths - the Health and Safety Executive (HSE) have informed UCATT that during 2007/8, they did not collect this information. This information has only been collected since April 2008.<sup>5</sup>

In this report we only describe a worker as 'self-employed' when the circumstances suggest clearly that the worker was genuinely self-employed – that is to say, where the work is “undertaken for clients by individuals in business on their own account, assuming risk and being rewarded by the price of the contracts and the profits gained thereby.”<sup>6</sup>

<sup>4</sup> “The Evasion Economy: False Self-employment in the UK Construction Sector”, Mark Harvey, Felix Behling (UCATT, 2008)

<sup>5</sup> In a response to a Freedom of Information request from UCATT, the HSE have stated that between 1 April to 31 December 2008, it has been able to confirm that two workers who died were registered under the CIS scheme and that in four others there remained uncertainty as to their status.

<sup>6</sup> P. iv – “The Evasion Economy” Mark Harvey, Felix Behling (UCATT, 2008)

## Section 2: Findings

This section sets out the key findings of the report. Summaries of the circumstances of these deaths can be found in sections 4 and 5 of the report.

### Analysis by age/gender of worker

Column 1 of Table 3 below shows the workers who died were from a cross section of age groups – although a majority of them were over 40 years old. A significant number of the workers who died were over 60. All of the workers who died were male.

Column 2 sets out official HSE statistics on numbers of male ‘employees’ – there are no figures that include the self-employed - who died in all sectors. It is notable that it appears that the only under 16 male employee who died in 2007/8 was in the construction sector.

**Table 3: Analysis by Age**

	<b>Column 1</b>	<b>Column 2</b>
	<b>Construction Sector</b>	<b>All sectors (employee)*</b>
<b>Under 16</b>	1	1
<b>16-19</b>	2	7
<b>20-24</b>	7	15
<b>25-34</b>	8	27
<b>35-44</b>	21	42
<b>45-54</b>	13	30
<b>55-59</b>	10	16
<b>60-64</b>	7	14
<b>65+</b>	1	9
<b>Unknown</b>	-	12
<b>Total</b>	<b>70</b>	<b>173</b>

\* These figures were extracted from: <http://www.hse.gov.uk/statistics/tables/agegen1.htm>

### Analysis by employment status

As Table 4 below shows, at the time of their death, 12 of the 70 workers who died (18% of the total) were not employed. They were in effect ‘self-employed’ - in the sense that they were not working for any company or business at the time, and were undertaking work on residential houses for the owner. Either they were odd-job men, had their own business, or otherwise worked independently.

The other 83% (58 of the 70 workers) were either employed, or working directly for a company or business. Some of these workers may, for tax purposes, have been registered as self-employed under the CIS, but the circumstances and the information provided by the HSE suggest that they were all directly employed.

**Table 4: Analysis by Employment Status**

<b>Status</b>	<b>Number</b>
Self Employed (not working for company, business at the time of death)	12
Employed or working directly for business	58

## Analysis by Kind of incident

Table 5 below shows the kind of incident that resulted in 68 of the 70 deaths.<sup>7</sup> This is the result of our own categorization – rather than that of the HSE. Almost half of the deaths were the result of falls from height. Other common causes were: 8 from moving/toppling vehicles, 7 from falling objects, and 4 from roof/wall collapses.

**Table 5: Analysis by Kind of incident**

<b>Circumstances</b>	<b>Number</b>
Fall from Height	33
Vehicle - Moving/toppling	9
Falling object	7
Wall/roof collapse	4
Electrocution	3
Struck by object	5
Carbon Monoxide	2
Misc.	5
Unknown	2

Of the falls from height, we found that 8 were from a ladder, 6 were from a scaffold, and 5 through a fragile roof. The remaining 14 were falls from roofs or other kinds of structures.

This reflects the overall picture of deaths in all sectors – where falls from height are the highest cause of death.<sup>8</sup>

## Analysis by size of immediate ‘employers’

As stated above:

- in 9 cases, the HSE or the Procurator Fiscal has refused to provide any information concerning the identify of the employer, or indeed whether the worker was self-employed or not. In these cases, it has therefore not been possible for us to identify the size of the business.
- in 9 further cases, where we knew the identity of the employer, we were unable to find details of the employee numbers.

Table 6 below shows that of the remaining 52 workers who died (which is 72% of the total workers who died):

- 13 (25%) had worked for businesses, which had employed between 1-5 employees. This was the size category from which the most number of workers had died.
- 12 (23%) involved workers who were self-employed, that is not working for any company or business other than their own as a sole trader, or as a partner or director in a business, which did not employ anyone else. The Department for Business, Enterprise and Regulatory Reform (BERR) defined these businesses as ones with “no” employees. The size of the business or organisation to which the other deceased workers worked is set out in the table below.
- 7 (14%) had worked for businesses employing between 20 and 49 workers.

<sup>7</sup> We were unable to identify the circumstances of 2 of the deaths.

<sup>8</sup> See: <http://www.hse.gov.uk/statistics/causinj/index-ld.htm#kind1>

**Table 6: Analysis by employee size of immediate employer**

	<b>Numbers of worker deaths in different sized businesses</b>	<b>Percentage of deaths in each of the categories*</b>
0 <sup>9</sup>	12	2
1 – 5	13	25
6 – 9	3	6
10 – 19	3	6
20 – 49	7	14
50 – 99	4	6
100 – 249	2	4
250 – 499	2	4
500 – 999	2	4
1000 +	4	8
<b>Total</b>	<b>52</b>	
<i>Unknown</i>	<i>18</i>	<i>38%</i>

\* All percentages are rounded up

How does this compare to the actual number of employees working for different sized construction businesses? Unfortunately, no data exists for the number of construction sector workers in the staff size categories set out above. The Department for Business, Enterprise and Regulatory Reform (BERR), however, does provide data on a more limited range of employee-number categories.<sup>10</sup>

Column 2 of Table 7 below shows:

- 40% of people working in the construction sector are from businesses which the BERR categorises as having no employees – that is to say “sole proprietorships and partnerships comprising only the self-employed owner-manager(s), or companies comprising only an employee director”;
- 34% belong to businesses employing between 1-49 employees;
- 9% to businesses employing between 50-249 employees; and
- 16% to businesses employing more than 250 employees.

It should be noted that some of these employees may not actually have been construction workers as such – but other staff working for these businesses.

One would therefore expect, all things being equal, that the percentage of deaths in each of the company size categories would be similar to the percentage of employees working in each of these categories. Column 4 of Table 7 below shows that whilst there may appear to be a high number of deaths of ‘self-employed’ workers, in fact this is less than half of what would be expected – 24% of deaths rather than 40% (see column 2). Conversely, it shows that instead of one third of all deaths coming from businesses with less than 50 workers, in fact over 50% of all deaths come from that category. And indeed, it is likely that this gap is in reality much wider as it is fair to speculate that most of the 9 businesses that we were unable to contact (see Table 2 above) employ less than 50 workers.

<sup>9</sup> (self employed, partnership, own business not employing)

<sup>10</sup> Available from: <http://stats.berr.gov.uk/ed/sme/index.htm>. Download the first file and look at page 4 on the excel file, for sector based information

**Table 7: Numbers and Percentages of different sized businesses in the construction sector and the numbers and percentages of deaths involving these businesses.**

	Column 1	Column 2	Column 3	Column 4
	Number of employees working in different sized construction businesses	% of the total employees working in different sized businesses*	Number of deaths of workers working in different sized businesses	% of deaths of worker in the different sized categories.*
None	866,853	40%	12	24%
1 -49	737,793	34%	26	51%
50 – 249	197,892	9%	6	10%
250 +	350,613	16%	8	16%
Total	2,151,000	100%	52	100%

\* All percentages are rounded up

## **Section 3: Conclusions**

This report raises a number of important points:

1. It shows the value of the HSE providing to researchers, the names of people whose deaths were reported to it - allowing researchers to find out details about the circumstances of a comprehensive set of deaths. In this case, it has allowed important information about the size of the businesses, which workers who died were working for at the time of the death to be scrutinised.
2. The research suggests that workers employed by smaller construction businesses are at a higher risk of dying than those who work for large companies. Whilst 34% of workers in the construction sector work for businesses with between 1-49 employees, 51% of the deaths (where we were able to obtain information on the size of the business) worked for this category of business. This therefore raises significant issues about the need for improved regulation of small sized companies – those employing under 50 people.
3. No definitive conclusions can be made about micro companies – that is to say those employing between 1-5 people. It is known that over 90% of the 186,000 companies in construction contracting sector employ fewer than 10 workers' – but it is not known what percentage of workers work in these micro companies. Therefore whilst 24% of the total deaths come from this category, we cannot say with certainty that this was higher than expected. However, the apparently high number of deaths of workers employed by micro companies is of concern.
4. It should be noted that this report does not look at which deaths resulted from a breach of health and safety law or indeed where that breach lay – with the direct employer or a larger company.
5. In relation to the issue of directors' responsibilities, the research raises questions about smaller sized companies. Until now, the arguments in favour of introducing directors' responsibilities have been focused on medium to large sized companies – since it is they who at present are most immune from accountability. However, this research does indicate that the imposition of directors' responsibilities could well benefit smaller companies as well.
6. Falls from height are by far the most common cause of death in the construction sector and the HSE should continue to prioritise this issue.
7. This report was unable to look directly at the relationship between construction deaths and the Construction Industry Scheme (CIS) - which has been shown in a previous report to be responsible for false self employment. This was because the HSE did not inquire into CIS status of any of the deaths in 2007/8. The failure to do so - when this has been recognised as a potential reason for higher and safety risks - is of significant concern. There remains some concern that even now the HSE is not fully collecting information on the CIS status of deceased workers.

Whilst, in determining whether or what offence has been committed, the HSE quite rightly does not give the CIS status any significance, and proceeds on the basis of the reality of the relationship between the worker and the organisation which he or she works for, the CIS status - apart from giving unnecessary financial advantages to construction companies - confuses employment relationship and responsibilities on site.

## SECTION 4: Table summarising details about construction fatalities, 2007/8

Table: Deaths of Construction Workers, 1 April 2007 to 31 March 2008

Date of Death.	Age	Name of Worker	Circumstances	Immediate Employer or business working for	Nos of Employees	Principal/other contractors/ Client
11 Apr 07	42	Keith Nappin	Vehicle - Crushed by Forklift truck	Morgan's Plant Hire	6 – 9	
11-Apr 07	50	Robert Phillips	Fall from height.	Self-employed	n/a	
17-Apr 07	41	Ian Bristow	Vehicle - Hit by Moving Vehicle	Ainscough Crane Hire Ltd	500 - 999	Site run by Dover Harbour Board
18-Apr 07	64	Peter McGinley	Falling object.	Unknown	Unknown	GMJV and Forsyth of Denny
20-Apr 07	62	Satnam Singh	Fall from height - fragile roof	Surjit Singh Kundi, trading as Kundi Electrical	1-5	
23-Apr 07	15	Adam Gosling	Wall collapse	Colin Holton	1-5	Soneca Systems
24-Apr 07	41	Paul Hill	Falling object – load	Practical Developments (SW) Ltd,	6 – 9	A H Gadd
26-Apr 07	67	Gordon Leishman	Fall from height - Scaffold	T E Neville Construction Ltd, Luton	100 – 249	
26-Apr 07	50	James Kelly	Fall from height – scaffolding	Stirling Stone	Unknown	Robertson Construction (main contractor)
03-May 07	44	Timothy Hanson	Fall from height - scaffolding	Bradford Community Housing Trust	500 – 999	
04-May 07	51	Gordon Duffield	Vehicle - Crushed by reversing tipper truck.	Rotherham Metropolitan Borough Council	> 1000	Brocklebank and Company (Demolition) Ltd (employer of driver)
15-May 07	62	Peter Hick	Fall from height - ladder	Self-employed	n/a	
22-May 07	19	Basilio Brazao	Fall from height	Falck Renewables Ltd	10 – 19	Renewable Development Company Scotland
25-May 07	23	Alex Phythian	Vehicle - crushed by overturning dumper truck	JL Knight Roadworks	100 – 249	Site owners: Rialto Homes PLC
04-Jun 07	40	John Alty	Fall from height - Scaffold	Bailey International Steeplejack Ltd,	20 – 49	
12-Jun 07	34	Paul Alker	Fall from height - skylight	Wrexham Roofing Services	1 – 5	

<b>Date of Death.</b>	<b>Age</b>	<b>Name of Worker</b>	<b>Circumstances</b>	<b>Immediate Employer or business working for</b>	<b>Nos of Employees</b>	<b>Principal/other contractors/ Client</b>
13-Jun 07	58	Arlindo Visentin	Wall/roof collapse	Unknown	Unknown	
18-Jun 07	60	Paul Grierson	Fall from height – Scaffold	Director of his own company Greenfield Northern Ltd	Unknown	
20-Jun 07	48	Anthony Lockey	Vehicle - crushed by vehicle	Needham Building Construction (Swindon) Lt	Unknown	Pickerings Plant Ltd (hired out vehicle); John Laing Site
07-Jul 07	58	Paul Morrissey	Fall from height – skylight	Malcolm Dunn, trading as 3D Coatings,	1 – 5	Open Construction Ltd
12-Jul 07	48	Steven Huntley	Fall from height - van	Gutter Maintenance Ltd	10 – 19	
31-Jul 07	56	Dinawaz Khan	Fall from height - ladder	Self-employed	n/a	
29-Jul 2007	50	Witold Jelen	Fall from height	Curot Contracts Limited	20 – 49	
01-Aug 07	47	Jan Tobolski	Falling object - hit by metal girder	B S Construction Ltd	1 – 5	
02-Aug 07	33	John Walker	Wall/Roof collapse	777 Demolition	20 – 49	Multiplex (main contractor). John F Hunt Demolition and Sir Robert McAlpine (main contractor)
06-Aug 07	44	Stephen Griffiths	Fall from height - Scaffold.	GMG Construction	50 - 99	
09-Aug 07	61	Malcolm Hughes	Fall from height - Ladder	Self-employed	n/a	
14-Aug 2007	22	Paul Thorogood	Vehicle - Crushed by vehicle	Somerset Cobblestones Ltd, Cleveland	6 – 9	
14-Aug 2007	45	Chris White	Fall from height.	Unknown	Unknown	Principal Contractor Structurestone
14-Aug 07	40	Mark Evans	Roof /wall collapse	Unknown	Unknown	
28-Aug 07	58	Gerald Fox	Struck - Hit by excavator bucket	Euro Earthworks	250 – 499	

<b>Date of Death.</b>	<b>Age</b>	<b>Name of Worker</b>	<b>Circumstances</b>	<b>Immediate Employer or business working for</b>	<b>Nos of Employees</b>	<b>Principal/other contractors/ Client</b>
29-Aug 07	38	Colin Dickson	Falling object - Crushed by falling steel	Kone Cranes	> 1000	Takuma (main contractor working for Lakeside Energy - a joint venture between Viridor Waste Management and Grundon Waste Management Limited.
12-Sep 07	19	Gareth Ritson	Falling object	Ayrshire Building Construction Limited,	Unknown	Keyline Builders Merchants (employers of delivery driver)
14-Sep 07	20	Reece French	Falling object	Kier Western	50 – 99	The site was run by Kier (Western)
17-Sep 07	55	Frederick Gelhardt	Fall from height	Self-employed	N/a	
28-Sep 07	59	Alwyne Parkinson	Struck - by the excavator bucket	Clark Construction	20 – 49	Working on site of Drax Power Station
3-Oct 07	35	Robert Schmelter	Fall from height - ladder	Ec02 B.V	10 – 19	Incident took place on the Anchor Storage premises.
06-Oct 07	44	Adrianus van Ham	Misc - Crane collapse at sea	Jack-Up Barge	50 – 99	Chicago Bridge and Iron (main contractor)
11-Oct 07	29	James Davies	Electrocuted	Self-employed	n/a	
11-Oct 07	36	Nathan Lawrence	Vehicle - Crushed by digger	Shoreland Projects Limited	1 – 5	The principal contractor was Willmot Dixon. Pool being built for Horsham District Council
17-Oct 07	25	Steven Atkinson	Vehicle - Crushed by JCB	Nottinghamshire County Council	> 1000	Nottinghamshire County Council in control of the site
26-Oct 07	32	Christopher Longbottom	Misc - Machinery.	Unknown	Unknown	
27 Oct 07	45	Kevin Dawson	Misc - Crushed in lift	Schneider Lifts,	> 1000	.
30-Oct 07	21	Daniel Hollington	Fall from height - roof	Self-employed	n/a	

<b>Date of Death.</b>	<b>Age</b>	<b>Name of Worker</b>	<b>Circumstances</b>	<b>Immediate Employer or business working for</b>	<b>Nos of Employees</b>	<b>Principal/other contractors/ Client</b>
01-Nov 07	40	Philip Hames	Falling object - Crushed by concrete block	Creagh Concretes Products Ltd	250 – 499	HBG Construction.
26-Nov 07	52	Carl Dixon	Fall from height - roof	Self-employed	n/a	
27-Nov 07	27	Paul Nash	Vehicle - Crushed by Vehicle	Simon Thomas Farm Construction	Unknown	
30-Nov 07	61	Andrew Andrews	Struck by - JCB bucket	Unknown	Unknown	
02 Dec 07	38	Carl Pearson	Fall from height - roof light	Cladcoat	1 -5	
03-Dec 07	58	Karl Stolze	Fall from height - Ladder	Unknown	Unknown	PC Harrington, and Skanska.
05-Dec 07	44	Babatunde Ibitoye	Carbon Monoxide poisoning	Mr Raj Kumar, trading as Rock Security.	1- 5	
05-Dec 07	45	Mark Wilkin	Misc - Died at quarry	EJ Construction	1 -5	
06-Dec 07	44	Paul Hamlyn	Electrocuted	Self-employed	n/a	
19 Dec 07	64	Ian Smith	Fall from height - ladder	DC Kennedy Homes Ltd	1 – 5	
03-Jan 08	22	Sam James	Unknown	PJC Plastering	1 – 5	P G Bevan Builder Ltd
11-Jan 08	28	Michael Whateley	Struck by - Crushed by arm of falling FLT.	Peter's Tiling Ltd		The site was being developed by Linden Homes.
11-Jan 08	29	Timothy Cross	Struck by - Crushed by Cherry picker	NWP Electrical Ltd.	20 -49	
15-Jan 08	52	Thomas Martin	Fall from height - ladder	F. A. Firman (Harold Wood) Ltd	50 - 99	
19-Jan 08	44	Xhevahir Rexha	Unknown	Self Employed	n/a	
22-Jan 08	40	Russell Samuel	Fall from height	Febrey Ltd	1 – 5	Carillion (principal contractor)
25-Jan 08	56	Thomas Wilson	Fall from height – roof.	Self-employed	n/a	

<b>Date of Death.</b>	<b>Age</b>	<b>Name of Worker</b>	<b>Circumstances</b>	<b>Immediate Employer or business working for</b>	<b>Nos of Employees</b>	<b>Principal/other contractors/ Client</b>
31-Jan 08	49	Kazimierz Solarski	Fall from height	Unknown	Unknown	
31-Jan 08	27	Wu Zhu Weng	Fall from height – skylight	Alcon Construction Ltd, Norwich	1 – 5	
03-Feb 08	29	Noel Corbin	Fall from height	Foxtel Ltd.	20 – 49	AVC group working for Sky Television.
06-Feb 08	37	Thomas Frazer	Carbon Monoxide poisoning	Unknown	Unknown	
07-Feb 08	24	John Summerhill	Misc - Cherry picker	GAR Building Services	Unknown	
17-Feb 08	41	George Connell	Fall from height - ladder	Self-employed	n/a	
25-Feb 08	48	Martin Livingstone	Fall from height	Alincourt Roofing Ltd	20 – 49	Crest Nicholson development
13-Mar 08	52	Brian Collins	Fall from height	GE International Ltd managed company	Unknown	EDF Energy owns the station
19-Mar 08	23	Danny Edwards	Electrocuted	Birakos Enterprises Ltd	Unknown	

## Section 5: Circumstances of the deaths

### APRIL 2007

**42 year old Keith Nappin**, a driver who worked for Morgan's Plant Hire Ltd, died on 11<sup>th</sup> April 2007, when the forklift he was driving turned over and he was crushed in Oakley, Buckinghamshire. At the inquest held at Buckinghamshire and Milton Keynes Coroner's Court in February 2008, the jury returned a verdict of accidental death.

**50-year old Robert Philips**, a self-employed worker, died on 11<sup>th</sup> April 2007 in Burgess Hill West Sussex, when he is thought to have fallen 25 feet from the roof of a house while installing a soil pipe. There were no witnesses to the incident. An inquest jury at West Sussex Coroner's Court returned a verdict of accidental death in August 2007.

**41-year Ian Bristow**, a crane operator who worked for Ainscough Crane Hire Limited, died on 17<sup>th</sup> April 2007 at the Dover Harbour's eastern dock's ferry terminal. Ian was changing a pulley when an articulated lorry, driven by a man also employed by Ainscough Crane Hire Company, reversed into him. The site was run by Dover Harbour Board and the work was a one day job to reconstruct a mooring point. Ainscough Crane Hire Company was in charge of and in control of the work area.

At the inquest held at Central and South East Kent Coroner's Court in February 2008, a verdict of 'accidental death' was returned. The HSE decided to take no action against Ainscough Crane Hire Limited. The driver of the lorry received a formal caution.

**64-year old Peter McGinley** died on 18<sup>th</sup> April 2007 when he was hit by falling pipes on a Scottish Water project. Two companies GMJV and Forsyth of Denny – neither of which were his employers – were convicted of health and safety offences. GMJV were fined £4,000 for its failure to "have in place adequate procedures, and an agreed and effective system of work to ensure that the issue of responsibility for the loading and unloading of a vehicle, namely a flat bed lorry loader was clearly identified and established between the accused and its external contractors and was thereafter communicated to and with employees".

Forsyth of Denny was also fined £4,000 for failing to ensure that "suitable and sufficient risk assessments were carried out of the tasks associated with loading pipes to ensure that the pipes loaded could be off loaded in a safe manner and to ensure adequate co-operation with other employers you were working with to ensure those risks associated with loading and off loading pipes were controlled. Also failure to ensure the stability of pipes during the off loading process." No Fatal Accident Inquiry is to take place into this death.

**62-year Satnam Singh**, who worked for Surjit Singh Kundi, trading as Kundi Electrical from a base in Oldbury, died on 20<sup>th</sup> April 2007 when he fell 6 metres through a fragile roof at a textiles factory in Smethwick.

Work had already been undertaken to replace plastic roof-lights following a burglary at the site and further work was being undertaken by Kundi Electrical to repair recurring roof leaks. Mr Singh was working under the direction of Pervez Mohammed Iqbal who was carrying out the work for Kundi Electrical. The roof of the textiles factory was being accessed up a ladder and across several different types of pitched roofs of several factory units and an adjacent engineering company, below which employees were working.

Both Surjit Singh Kundi and Parvez Mohammad Iqbal pleaded guilty to health and safety offences and were fined £25,000 (at West Bromwich magistrates court in February 2008) and £15,000 (in November 2008 at Wolverhampton Crown Court), respectively. HSE Inspector Georgina Speake said:

“The roofs which were being repaired and those being used for access were totally unprotected, exposing anyone crossing them to the most serious risks. Iqbal failed to undertake a suitable and sufficient risk assessment to identify the risks associated with the work being undertaken. Findings should have been passed on to employees so that they were aware of the hazards and then measures needed to minimize the risks put in place. The risk was wholly predictable, therefore avoidable.”

**15-year old Adam Gosling**, who worked for Colin Holtom, died on 23<sup>rd</sup> April 2007, when a wall collapsed on him that he had been told to demolish in the garden of a house in Hadley Wood in North London. At the time he was unsupervised and had attempted the task because a specialist worker had not turned up for work. He was working on the site, with his 18-year-old brother Dean, earning £25 a day when the pair were asked to demolish a brick wall.

Colin Holtom has been charged with manslaughter and for breaching health and safety offences, and Darren Fowler, a manager, has been prosecuted for health and safety offences. The trial is due to start at the Old Bailey on April 15, 2009.

**41-year Paul Hill**, who worked for Practical Developments (SW) Ltd, died on 24<sup>th</sup> April 2007 in Cullumton in Devon, when he was crushed by roof trusses he was delivering to the construction site. The main contractor on the site was A & H Gadd from Taunton. A jury at the inquest held at Exeter and Greater Devon Coroners court returned a verdict of accidental death on 17<sup>th</sup> February 2009.

**67 year old Gordon Leishman**, who worked for T E Neville Construction Ltd, Luton, died on 26<sup>th</sup> April 2007 when he fell from a scaffold whilst working at Whipsnade Zoo in Bedfordshire.

At the inquest at Bedfordshire Coroner's Court on 11<sup>th</sup> October 2007, the jury heard that he might have touched a live electric wire, which caused him to fall. At the time, he was replacing a glass pane in the Lion enclosure. No burn marks were found, and colleagues said that they heard no cry or shout before he plunged to the ground. He was able to talk and breathe unaided after the fall but later died in hospital. A colleague Graham Davis

who was working on another platform nearby said, "He appeared to step off his platform falling head first to the ground". HSE inspector, Roxanne Barker said, "There is no evidence that Mr Leishamn came into contact with the wire although it came six to eight inches above his head height. There is a possibility he could have touched it." The jury returned a narrative verdict saying that he died a result of a fall from scaffolding which did not have the required safety rail. HSE have not yet made a decision on prosecution.

**50-year old James Kelly**, working for Stirling Stone, died on 26<sup>th</sup> April 2007 when he fell 30 feet from a scaffold at Glasgow Academy in the city's Colebrooke Street. James Kelly was erecting stonework to a sports extension at the school. The main contractor on the site was Robertson Construction Central Ltd. A report is with the Procurator Fiscal.

## **MAY 2007**

**44-year Timothy Hanson**, working for Bradford Community Housing Trust died on 3<sup>rd</sup> May 2007 after falling off scaffolding while working at a modern terraced house in Idle, Bradford. An inquest held at Bradford Coroner's Court in February 2008 returned a verdict of misadventure. The HSE are not prosecuting following this incident.

**51-year Gordon Duffield**, a road worker for Rotherham Metropolitan Borough Council, died on 4<sup>th</sup> May 2007 when he was crushed under the back wheels of a reversing 32 tonne tipper truck. At the time of his death, Gordon was involved in resurfacing work and was walking backwards, pouring strips of tar where a fresh batch of Asphalt was to be laid.

An inquest on 9<sup>th</sup> May 2007 heard that he suffered from some level of deafness and was not likely to have heard the audible beeper from the lorry. The driver of the lorry employed by Brocklebank and Company (Demolition) Ltd said he was using all his mirrors as he backed up towards the asphalt-laying machine. The inquest jury returned a verdict of accidental death. Rotherham Metropolitan Borough Council and Brocklebank and Company (Demolition) Ltd have both been charged with health and safety offences. The first hearing was scheduled for 6<sup>th</sup> March 2009 at Rotherham Magistrates.

**62-year old Peter Hick**, a self employed odd-job man who ran his own maintenance business, died on 15<sup>th</sup> May 2007 when he fell off a ladder while fixing a television aerial at a domestic property in Rugby. He had been carrying out work to re-attach an aerial to the roof of a property let by local estate agent Simon Greenwood. Inquest at Warwickshire Coroner's Court on 17<sup>th</sup> December 2007 returned a verdict of accidental death.

**19-year old Babilio Brazao**, a Brazilian working for Falck Renewables, died on 22<sup>nd</sup> May 2007 when he fell 100 feet inside a wind turbine shaft which was under construction at the Earlsburn windfarm in Touch Hills, near Stirling. The windfarm was being built by the Renewable Development Company Scotland and Falck. A report is currently being considered by the Procurator Fiscal as to whether a prosecution will take place. No further information is being released.

**23-year old Alex Pythian**, a dumper truck driver working for JL Knight Roadworks, died on 25<sup>th</sup> May 2007 when his nine-ton dumper truck overturned on top off him at the edge of a spoil heap on a Rialto Homes PLC site. He was at its Eurocentre site. Following the incident, the Health and Safety Executive imposed a prohibition notice to stop wheeled vehicles driving on the stock pile.

At the inquest at Central and South East Kent Coroner's Court on 1<sup>st</sup> July 2008, the jury heard that Mr Wilks, who had 30 years experience as a ground worker, saw Mr. Pythian driving his dumper truck up the spoil heap. The Coroner said Mr. Wilkes "was the only witness who saw it tilt forward, back and go over the stock pile. He tried to stop him. "He saw him stand up with his arm round the roll bar before it went over."

Health and Safety inspector Peter Collingwood told the hearing that the brake system on the dumper truck was in full working order but that the safety belt was fully retracted. He said that it would have been impossible for Mr. Pythian to stand up while he had his seat belt on. Mr. Collingwood said: "The dumper was fitted with roll-over Protection." The jury returned a verdict of accidental death. No prosecution will take place following this incident.

## **JUNE 2007**

**40-year old John Alty**, a steeplejack working for Bailey International Steeplejack Ltd, Cheshire, died on 4<sup>th</sup> June 2007 when he plummeted 300 feet to his death from Bolton's highest chimney at Swan Lane Mills in Great Lever. John Alty, an experienced steeplejack from Blackburn, was working with two colleagues when he fell as they dismantled scaffolding close to the top of the chimney where they had been carrying out maintenance work. The HSE are examining a harness, which was being worn by John when he fell.

**34-year old Paul Alker**, working for Wrexham Roofing Services, died on 12<sup>th</sup> June 2007 five days after he fell 25 feet through a skylight at a Comet store in Wrexham. This was his fourth day of work with the company. He was working on a fragile roof but was not provided with any safety equipment even though it was recommended in a method statement for the job.

In October 2007 Steven Smith, a director of Wrexham Roofing Services, admitted manslaughter, intending to pervert the course of justice and health and safety breaches. When Mr Alker was leaving in an ambulance, Mr Smith hired three rope systems and brought two harnesses, which he instructed the only other employee of the company, Mr Pugh to attach to the scaffolding. Mr Smith later claimed they were provided before the accident.

The judge said in court that there were three aggravating features to the case. "Firstly you ran a small roofing business when you had no training or qualification to carry out any roofing work. Secondly you engaged Mr Alker to work on a roof when you knew he had no experience of doing such work. And thirdly you make no provision for his safety

although you knew the nature of the provision you ought to have provided.” In November 2007 he was jailed for two and half a years.

**29-year old Arlindo Visentin**, died on 13<sup>th</sup> June 2007 when a basement wall fell on him at an incident in Belgravia, London. An inquest at Inner West London Coroner’s Court on 19<sup>th</sup> March 2009 heard evidence that there was no clear excavation methodology, lack of qualified supervision, and inadequate health and safety training.

**60-year Paul Grierson**, the director of his own company Greenfield Northern Ltd, died on 18<sup>th</sup> June, two weeks after falling 28 feet from scaffolding in a new house in Armthorpe. Experts have been unable to explain why the scaffold boards on the gable end flipped up and dislodged the ladder while 60-year-old Paul Grierson was standing on it. He was about to fit fascia boards to the gable roof of the property. An inquest jury at the South Yorkshire East Coroner’s Court at Doncaster returned a verdict of ‘accidental death’ on 7<sup>th</sup> January 2008. There will be no HSE prosecution.

**48-year old Tony Lockey**, working for Needham Building Construction (Swindon) Ltd, died on 20<sup>th</sup> June 2007 at Red Oaks Primary school on a John Laing Site when he was crushed against a wall when a Benford 3000 vehicle which was on hire from Pickerings plant Ltd hit him. The driver of the vehicle said that the clutch had failed to work. Tony was a father of four.

At the inquest held at Wilshire and Swindon Coroner’s Court in July 2008, an official from the Skills Council for construction said that “with the amount of experience [Tony] had, he should not have placed himself in that position.” He also said that the driver of the vehicle had stalled the vehicle more than once that day, and that it would be difficult to manoeuvre a clutch in that condition. The jury returned a verdict of misadventure +. The jury foreman said access around the area was restricted and manoeuvring difficult for such a large machine. The HSE have decided not to prosecute following this case.

## **JULY 2007**

**58-year old Paul Morrissey** worked for Malcolm Dunn, trading as 3D Coatings, died on 7<sup>th</sup> July 2007 when he fell through a roof-light at Fairview Industrial Estate, Hayes, in Middlesex. 3D Coatings were contracted by Open Contracts Ltd to replace the roof-lights on the roof of the industrial unit. HSE will be prosecuting in this case – though no further details on this are available.

**48-year old Stephen Huntley**, working for Gutter Maintenance Ltd died on 12<sup>th</sup> July 2008, when he fell from his van whilst unloading materials from the roof of his transit van in Bedfordshire. At the time the company was carrying out work on the fascia and guttering of homes on the road. He died from a head injury. An inquest took place on 1<sup>st</sup> December 2008 at Bedfordshire and Luton Coroner’s Court and returned a narrative verdict: “During the course of his daily work routine he fell from the roof of the van sustaining head injuries which resulted in his death at the Royal Free hospital.”

**56-year old Witold Jelen**, a Polish migrant worker for Curot Contracts Limited, died on 29<sup>th</sup> July 2007 after falling 25 feet during work to convert a former ABC cinema in Falkirk into a sports bar. His workmate, site manager David Cairney, also fell and suffered cuts and bruises.

The Bishopbriggs-based firm Curot Contracts Limited was fined £125,000 after they pleaded guilty to health and safety offences at Falkirk Sheriff Court in September 2008. The Court heard that both men had been working with powerful drills on a balcony preparing for new steel work to be installed. Scaffolding, which had been used by sub-contractors who had previously worked at the site, had been removed along with “crash decks” which would have prevented injury in the event of a fall. Prosecutor Neil Bowie told the court: “It was identified that a further hole needed to be cut for steelwork to pass through, and Mr Cairney decided to carry out that work along with Mr Jelen rather than getting the contractors to come back.”

In mitigation, the company’s defence lawyer said: “There was no commercial or financial advantage in the two men carrying out the work rather than getting the contractors back in with their equipment, including crash decks. Mr. Cairney should have consulted with structural engineers to check what he proposed to do was suitable. Ideally, the works should have been carried out by the contractors. Regardless of who should have done it, a crash deck should have been erected for these works.”

**56-year old Dinawaz Khan**, a self-employed worker, died on 31<sup>st</sup> July 2007, two weeks after he fell off a ladder doing an odd job for a neighbour. Dinawaz Khan, a retired roofer, was eight feet up, prising away leaky guttering with a crowbar from a terrace house in Nearcliffe Road, two streets from his home, when the incident happened.

The inquest, which took place on 26<sup>th</sup> February 2008 at Bradford Coroner’s Court, heard that the guttering swung loose, hitting Mr. Khan under the chin and sending him to the concrete bellow. David Smith, of the Health and Safety Executive, said: “in order to carry out this work it would require two hands and a person is less stable on a ladder. For any job longer than 15 to 45 minutes, guidelines recommend a small aluminium tower.” The inquest jury returned a verdict of misadventure.

## **AUGUST 2007**

**47-year old Jan Tobolski**, a Polish worker employed by B S Construction Ltd., died on 1<sup>st</sup> August 2007 after being hit by a metal girder at a Manchester city centre building site. B S Construction Ltd is part of the BSC Group - behind the development of the Canopus Towers at Salford.

**33-year old John Philip Walker**, a demolition worker for 777 Demolition, died on 1<sup>st</sup> August 2007 when he was crushed by a 22-foot concrete beam after a roof collapsed in the five storey house in Elephant Castle, London. John Walker was using a hose to remove dust when a colleague moved some heavy machinery and this caused two concrete beams to fall from the ceiling, one of which struck him. 777 Demolition was

demolishing the house for construction firm Multiplex, which is due to build a 42-storey block of flats on the site. John was a father of two. No date for a full inquest has yet been set.

**44-year old Stephen Griffiths**, a scaffolder working for labour only sub-contractor, GBG Construction, died on 6<sup>th</sup> August 2007 after falling from a scaffold during demolition works being carried out at Watermark Place in the City of London, which is being developed by Sir Robert McAlpine. GBG was working for Sir Robert Macalpine who were just about to take over as main contractor on the site from John F Hunt (the principal contractor at the time of the death). There was a brief handover period when the two firms were working on site and this was when the incident happened. The incident took place during the erection of a scaffolding bridge. Two prohibition notices were imposed on John F Hunt for failing to have an appropriate management system or risk assessment. At the inquest held on 23<sup>rd</sup> March 2009 at City of London Coroner's Court, the jury heard that he fell down a well that was guarded. No one saw the incident. Mr Griffiths was not wearing his safety harness at the time. A verdict of misadventure was returned.

**61-year old Malcolm Hughes**, a self-employed electrician, died on 9<sup>th</sup> August 2007 after falling from a ladder whilst working on a domestic property in Oldham. An inquest in November 2007 at Manchester Coroner's Court returned a verdict of accidental death, and no further action is being taken by the HSE.

**22 year old Paul Thorogood**, a worker for Somerset Cobblestones Ltd, Cleveland, died on 14<sup>th</sup> August 2007 when he was crushed by a van rolling backwards on a driveway in Portishead, North Somerset. No inquest date has yet been set.

**52-year old Chris White**, died on 14<sup>th</sup> August 2007 when he fell from height at St Katherine's House, Kingsway, Camden. The principal contractor on the site was Structurestone. At an inquest held on 28<sup>th</sup> February 2008 at Westminster Coroner's Court the jury returned a verdict of accidental death.

**40-year old Mark Evans**, a builder died on 14<sup>th</sup> August after being crushed by up to 20 tonnes of rubble when a roof of a classroom he was helping to demolish caved in at Moor Park School, in Richards Castle, near Ludlow.

**58-year old Gerald Fox**, a worker for Euro Earthworks, died on 28<sup>th</sup> August 2007 when he was hit by an excavator bucket in Kensington. The inquest at London Inner West Coroner's Court on 4<sup>th</sup> March 2009 heard that a safety pin should have been inserted and there was a malfunction of the check valve on the hydraulics. A prohibition notice was imposed on Euro Earthworks two weeks after the incident to prevent the use of the Hitachi Excavator, which had a possible mechanical fault.

**38-year old Colin Dickson**, a crane installer for Kone Cranes died on 29<sup>th</sup> August 2007 when he was crushed by a falling piece of steel weighing 2.5 tonnes at a waste incinerator construction site - the Lakeside Energy from Waste Ltd facility in Colnbrook, Berkshire.

Kone Cranes was a subcontractor working for Takuma the Japanese main contractor which itself was working for the joint venture company Lakeside Energy. Lakeside Energy from Waste plant is a joint venture between Viridor Waste Management and Grundon Waste Management Limited.

## **SEPTEMBER 2007**

**19-year old Gareth Ritson**, a worker for Ayrshire Building Construction Limited, died on 12<sup>th</sup> September 2007 when he was hit by a pallet of bricks which fell from a lorry-mounted crane while he was underneath it. Ayrshire Building Construction, Keyline Buildings Merchants and one of its employees were prosecuted for health and safety breaches at Ayr Sheriff Court.

At the prosecution Sheriff John Montgomery said it was clear Mr Ritson's death was "wholly avoidable". Gareth was wrongly told to work in an area where the bricks were suspended overhead. He fined the teenager's employer, Ayrshire Building Construction, £4,800, for instructing Mr Ritson to stack a pile of loose bricks in an area where lifting operations were taking place. Garry James Morgan, who was employed at the time of the accident by Keyline Builders Merchants, was fined £1,200. This was for instructing Mr Ritson to insert timber batons into a pallet while a load of bricks was suspended in a crane above him. And Keyline Builders Merchants was ordered to pay £2,400 over its failure to provide Mr Morgan with traffic cones to block off the area below the crane. No Fatal Accident Inquiry will be held into this death.

**20-year old Reece French**, a worker for Kier Western, died on 14<sup>th</sup> September 2007 when he was struck by a small skip of falling bricks at the East End Community Village Enterprise Centre in Plymouth. The site was run by Kier Western – part of Kier Group PLC - and funded by the city council, and the European Regional Development Fund.

Nigel Herring, aged 34, of Southway Drive, has been charged with his manslaughter. Herring, an employee of Kier Western, was at the time operating a forklift truck and lifting a min skip at the time of the incident. However, the CPS decided that there was insufficient evidence to sustain a charge of corporate manslaughter against the company Kier Western and that no further action will be taken against the site manager and site foreman.

**55-year old Frederick Gelhardt**, a self-employed builder, died on 20<sup>th</sup> September 2007 after slipping 4 metres through the rafters whilst re-roofing an out-building at a friends house in Melling, Liverpool three days earlier. An inquest at Knowsley, St Helens and Sefton Coroner's Court in November 2008 returned a verdict of accidental death.

**59-year old Alwyne Parkinson** was working for Grimsby-based building firm Clark Construction died on 28<sup>th</sup> September 2007 when he was struck by the bucket of an excavator digger at Drax Power Station. In April 2008 at Leeds Crown Court, Michael Roys, an excavator operator, pleaded guilty to Alwyne's manslaughter and received a 12

months' jail sentence. Alwyne was struck by a bucket that fell from the semi-automatic quick hitch on the excavator Roys was operating.

## **OCTOBER 2007**

**35-year old Robert Schmelter**, working for Ec02 B.V, died on 3<sup>rd</sup> October 2007 when he fell 10 feet from a ladder while working at Anchor Storage, in Kenton, near Debenham.

**44-year old Adrianus Van Ham**, an oil rig worker from Holland employed by Jack-Up Barge, died on 6<sup>th</sup> October 2007 when a maintenance barge being used as a crane collapsed at the liquefied natural gas terminal at Milford Haven in Wales. Seven other workers were rescued after the giant barge collapsed at the terminal. It is thought that one of the barge's four legs, resting on the seafloor, gave way, tipping the vessel over at a 45 degree angle, and throwing seven men into the water. The main contractor is Chicago Bridge and Iron.

**29-year old James Davies**, a self-employed gas boiler repairman died on 11<sup>th</sup> October 2007 in Cardiff when he was electrocuted as he fixed a gas central heating system at a house in Roath. At the inquest held at Cardiff Coroner's Court in February 2008 the jury heard how Mr. Davies, who was registered with the gas safety watchdog Corgi and was authorised to maintain and install gas central heating, was found by the house's tenant. Mary Hassell, Coroner for Cardiff and the Vale of Glamorgan, said he may not have turned the electricity supply off to allow Mr. Barbosa's children to continue watching television. "He would have known the incoming cable was still live but he was not specially trained in electrics," she said.

"If he had known [that the cable was live], his reason for not turning the electricity off first was either because he did not want to go downstairs to turn it off or because he was allowing Mr. Barbosa's children to continue watching television and playing on the computer." Paul Gilson, an inspector for the Health and Safety Executive (HSE), said: "Mr. Davies was fitting a new control box on a boiler. I think his hand got jammed between the incoming cable of the immersion heater switch and the control panel." He said that "It is supposition, but the only way I can appreciate how he got burn marks on the back of his left hand and blisters on the front would be if his hand got stuck there for a considerable amount of time, minutes if not longer." The inquest jury returned a verdict of 'accidental death'.

**36-year old Nathan Lawrence**, an employee of ground-work contractors Shoreland Projects Limited, was crushed to death on 11<sup>th</sup> October 2007 when he fell under the caterpillar tracks of a digger at the site of a new swimming pool in Billingshurst, which was being built for Horsham District Council. The principal contractor was Willmot Dixon. The inquest is to be held at West Sussex Coroner's Court on 28<sup>th</sup> and 29<sup>th</sup> April 2009.

**25-year old Seven Atkinson**, an employee of Nottinghamshire County Council died on 17<sup>th</sup> October 2007 when a JCB lurched forward and crushed him whilst working in a council road team working on underground pipes improving drainage. The foreman told the inquest at Nottinghamshire Coroner's Court in September 2007 that they were drilling the road, filling a bucket on a JCB, then tipping the spoil into a lorry. Mr Atkinson was in a 6ft hole, clearing away the rubble. Mr Young said, "Steven asked me to move the JCB to give him more room to work. I got in, put my foot on the brake, put it in gear and it just shot backwards. Next thing I heard was 'you're crushing him, you're crushing him' so I lifted the bucket up and stopped." Since the incident JCB has modified its diggers, and the council is also reviewing its practices. The inquest returned a verdict of 'accidental death' on 23<sup>rd</sup> September 2008.

**32-year old Christopher Longbottom** died on 26<sup>th</sup> October 2007 when he suffered fatal injuries in an incident involving a machine while working on the Severn Power construction project next to Uskmouth power station at Nash near Newport in South Wales. There is little public information about this death. Christopher may have been employed by C. Walters (UK) Ltd who was the main contractor on the site

**45-year Kevin Dawson**, an employee of lift contractor Schnidler Lifts, died on 27<sup>th</sup> October 2007 when a lift counter weight fell on him whilst he was working in a lift shaft at Terminal five at Heathrow, London. The principal constructors on the site were: Laing O'Rourke; Mace; Balfour Beatty; and AMEC. An inquest took place on 6<sup>th</sup> October 2008 at London West Coroner's Court, and it returned a verdict of accidental death.

**23-year old Daniel Hollington**, a self-employed roofer, died on 30<sup>th</sup> October 2007 when he fell from a warehouse roof at the Round Spinney Industrial Estate in Northampton.

## NOVEMBER

**40-year old Phil Hames**, a shuttering carpenter working for Creagh Concrete Products Ltd, died on 1<sup>st</sup> November 2007 when he was crushed by a concrete block whilst working on the construction of new student accommodation at the university of Bath. The main contractor was HBG construction. The inquest is due to be held at Avon Coroner's Court.

**52-year old Carl Dixon**, a self-employed gas fitter, died on 26<sup>th</sup> November 2007 when he fell from the roof of a domestic property in Sale, Manchester. An inquest on 24<sup>th</sup> November 2008 at Manchester South Coroner's Court returned a verdict of accidental death.

**26-year old Paul Nash**, working for Simon Thomas Farm Construction died on 27<sup>th</sup> November 2007 at Trewey farm in Zennor, Cornwall when a Dieci telescopic loader (a small crane on a loader) reversed over him. Paul had been building a retaining wall for a slurry pit at James Mann's dairy farm.

Simon Davey Thomas had been using the Dieci telescopic loader to move boulders, one by one, from a stockpile to a narrow corridor between a barn and the pit. After each deposit Mr. Thomas reversed out to allow a third worker, Mr Peters, to drive into the

passageway and position the stone using a caterpillar swing shovel. At about midday, as Mr. Peters sat in the cab of the swing shovel waiting for Mr. Davey Thomas to reverse the loader, he spotted that Paul Nash was trapped by the Dieci. Mr. Nash, who was not wearing his hi-visibility jacket, had been working in the adjacent barn, approximately 30 metres away.

Mr. Davey Thomas told the inquest held at Cambourne Coroner's Court on 30<sup>th</sup> November 2007, that he had no idea Mr. Nash was anywhere near him, adding that there was no reason for him to be at the rear of the Dieci. James Corbridge, a Health and Safety Executive specialist inspector, told the inquest that the Dieci, which was four months old and in good condition, offered "sufficient rear visibility." He said that, "The level of rear visibility was sufficient to see someone crossing in the way I believe (Mr. Nash) did." Mr Davey Thomas used his right under coroners rules not to answer certain questions regarding the way he reversed the vehicle. The jury returned a majority verdict of accidental death by nine to two.

**61-year old Andrew Andrews** died on 29<sup>th</sup> November 2007 when he was struck by the detached bucket of an excavator machine at Sandyholm garden centre in Lanarkshire, Scotland. A prosecution has been initiated relating to this death starting on 11<sup>th</sup> May 2009 at Lanark Sheriff Court. Shaun Thomas McDowall has been accused of health and safety offences.

## **DECEMBER 2007**

**58-year old Karl Stolze**, a German national died on 3<sup>rd</sup> December 2007 when he fell 3 metres from a ladder on a £1 billion PFI development of the Royal London Hospital a few days earlier on 28<sup>th</sup> November. The main contractor was Skanska. An inquest held at London East Coroner's Court returned a verdict of accidental death.

**42-year Carl Pearson**, a causal worker for Cladcoat, died on 2<sup>nd</sup> December 2007 after he fell through a roof-light as he worked with a friend and colleague Guy Blake at a factory unit in Wharfdale Road, Bournemouth.

At the inquest held at Bournemouth Coroner's Court, the managing director of Cladcoat admitted that Carl had no health and safety training and that he relied on him to assess the risks of the job himself. The managing director said that he realises now he should have taken responsibility but added: "I was not a roofing expert. Carl said they would only be up there for a couple of hours." However the inquest also heard that Mr Pearson was an experienced roof worker who knew the risks involved with translucent roof lights. Mr Blake told the inquest that he and Mr Pearson were replacing the roof lights and that he had his back to him at the time of the accident. "I heard a crack and when I turned round he had disappeared - he did not shout."

The jury returned a verdict of accidental death. No decision has been made by the HSE as to whether a prosecution will be made.

**44-year old Babatunde Ibitoye**, a security guard, working for Mr Raj Kumar, trading as Rock Security, died of carbon monoxide poisoning as a result of a generator operating inside a mobile unit on 5<sup>th</sup> December at a construction site at Swinbourne Road in Redditch.

A narrative verdict returned by the jury in the inquest at Worcestershire Coroner's Court on 11<sup>th</sup> March 2009 stated that "Babatunde Ibitoye was last seen alive at 6.15 p.m. on 4<sup>th</sup> December 2007. Sometime between 6.15 p.m. 4<sup>th</sup> December 2007 and 8.00 a.m. on the 5<sup>th</sup> of December 2007, Babatunde Ibitoye died from carbon monoxide poisoning inside a mobile welfare unit at Swinburne Road Redditch. The portable petrol generator was operated inside the mobile welfare unit and Babatunde Ibitoye died as the result of accidentally inhaling carbon monoxide. Babatunde Ibitoye was not given instructions on the safe use of the portable petrol generator."

**45-year old Mark Wilkin**, who worked for EJ Construction, died on 5<sup>th</sup> December 2007 at a quarry in Cliffe Kent. No inquest date has yet been set at Kent North East Coroner's Court.

**44-year old Paul Hamlyn**, a self-employed builder, died on 6<sup>th</sup> December 2007 when he was electrocuted while working on a house in Dedham, Essex. An inquest will be held at Essex and Thurrock Coroner's Court.

**64-year old Ian Smith**, who worked for DC Kennedy Homes Ltd, died on 19<sup>th</sup> December 2007 when he fell off a ladder whilst carrying out redevelopment work at a property in Bolton. The company was the principal contractors at the new build site.

The inquest held on 16<sup>th</sup> February 2008 at Manchester West Coroner's Court returned a verdict of 'accidental death'. A decision has yet to be made as to whether a prosecution will take place.

## **JANUARY 2008**

**20-year old Sam James**, a plasterer employed by PJC Plastering Services, died on 3<sup>rd</sup> January 2008 in Buckinghamshire after he breathed in toxic fumes from a petrol powered generator at a construction site in Eton Place, Marlow. He was found in a cupboard under the stairs. Asthma could have contributed to his death.

Frantic colleagues attempted CPR to revive the youngster, but he was pronounced dead on arrival at Wycombe hospital. The principal contractor on the site was PG Bevan Builders Ltd. A verdict of misadventure was returned at the inquest held on 2<sup>nd</sup> December 2008 at Buckinghamshire and Milton Keynes Coroner's Court. The HSE has not decided on whether to prosecute.

**28-year old Michael Whateley**, a tiler employed by Peter's Tiling Ltd died on 11<sup>th</sup> January 2008 at the Cherwell Gate development in Banbury when the telehandle arm of a

nine tonne fork lift fell on a car in which he was sitting. He had, along with his brother, just driven to work in the car. The site was being developed by Linden Homes.

At the inquest held at Oxford Coroner's Court in September 2008, Mr. Whateley's brother said he saw the telescopic arm of the vehicle falling towards his car. He shouted "duck" and reached for the ignition but before he knew it he was trapped, the inquest heard. He called out to his brother but did not get a reply.

Jurors were told the JCB was left on a slope overnight but was supported by safety extensions. The pressure on the vehicle's tyres was low which may have been a factor along with the wet and windy weather. A jury returned a verdict of accidental death at his inquest. HSE say that no decision on prosecution has yet been taken.

**29-year old Timothy Cross**, employed by NWP Electrical Ltd, died on 10<sup>th</sup> January 2008 at Pavilion Buildings in Chester Business Park while working in a "cherry picker" the day earlier. The inquest took place on 3<sup>rd</sup> of March at Warrington Coroner's Court, and it returned a verdict of accidental death.

**52-year old Martin Thomas**, working for F. A. Firman (Harold Wood) Ltd, died on 15<sup>th</sup> January 2008 following a fall from a ladder four months earlier on 17<sup>th</sup> September 2007 whilst working in Blackhead, London. A. D. Hall Contractors were in charge of the site at the time of the incident.

**44-year old Xhevahir Rexha**, a self-employed worker died on 19<sup>th</sup> January 2008 in Enfield, London.

**40-year old Russell Samuel**, who worked for Febrey Ltd, died on 22<sup>nd</sup> January 2008 at the Ferrera Quay housing development in Swansea when he fell three storeys to his death. At the time of the death, the principal contractor on the site was Carillion, which is building a 350 feet residential tower and three surrounding apartments blocks. The inquest will take place at Swansea Coroner's Court.

**68-year old Thomas Wilson**, thought to be a self-employed worker, died on 25<sup>th</sup> January 2008 when he fell from a roof in East Kilbride. The HSE have given its report to the Procurator Fiscal and no further information has been made available.

**49-year old Kazimierz Solarski** died on 6 February 2008 following an incident a week earlier when he fell from a roof at the Popin Centre in Wembley, London. An inquest will take place at London North Coroner's Court. His employment status is unknown.

**27-year old Wu Zhu Weng**, a Chinese migrant worker who worked for Alcon Construction, died on 31<sup>st</sup> January 2008 when he fell through a skylight on a flat roof whilst building a single storey ground floor extension for a café in Trowse, Norwich.

Open spaces for skylights on the flat roof of the extension were covered with plastic sheeting. Mr Wu stood on one of the sheets and fell about 15 feet (4.6 m) to the ground.

The Director of Alcon construction, Sharaz Butt pleaded guilty to manslaughter and on 31<sup>st</sup> July 2008 at Norwich Crown Court received a one-year jail sentence and was disqualified from acting as a company director for five years. Butt's previous company had gone into liquidation a year earlier.

In court, Judge Jacobs said that not guarding the skylights was "total lunacy." The workers were not English, not registered and paid no tax. "They were probably illegal immigrants grateful for work with no questions asked," he said. The company was also convicted of health and safety offences and fined a symbolic £10 as the company had no money. In mitigation the lawyer defending the company, said the company had been formed in October last year and Butt now had a health and safety supervisor. "This was not a case of failing to heed a warning nor flouting health and safety for profiteering. There were safety hats, boots and clothing on site and the man who died was a sub-contractor."

## **FEBRUARY 2008**

**29-year old Noel Corbin**, an engineer who worked for contractors Foxtel Ltd, died on 3<sup>rd</sup> February 2008 when he fell whilst trying to fix a Sky satellite dish on a fourth storey building in Belsize Park in London. Foxtel was working for the AVC group who was working for Sky Television.

At the inquest held at St Pancras Coroner's Court in March 2009, the court heard how he had been sent to fix a dish belonging to a couple on the upper floor of the building. When he arrived, he was told a second Sky dish and a German satellite dish also needed tending to. Mr Corbin was given access to the roof through a dormer window in the upper flat. After adjusting the dishes he came back inside several times to check both Sky customers' television signals. After adjusting the German dish he climbed back in to check the signal but found he had not been successful. The next sighting of him was by the customer on the lower floor who was standing by the kitchen windows. He saw an object fall which he realised was Mr Corbin, who appears to have slipped, tripped or fallen.

The court heard how engineers had previously visited the Belsize Park site and marked the job as impossible without a specialist team. Mr Corbin had not received safety training in six years and did not have a ladder long enough to reach the roof. He was not told that another engineer who visited the Edwardian property a year earlier to install the dish had rejected the job as a "code 535" - understood by Sky and its contractors to mean "health and safety, complete impossible".

HSE's safety expert Mark Shearon told the inquest that Mr Corbin should have refused the job. "You need to question, can I do the job with the equipment I've got in the van? The answer is no and you should go away and get it assessed," he added. Mr Corbin, who lived in Croydon, had a 10-metre ladder that was not long enough to reach the roof of the building, which was 13.5 metres tall. Sky's safety advisor Anna Singleton told the inquest the company selected contractors by area as "they'll have a knowledge of what the job

might need". Foxtel director Richard Smith said he did not realise Mr Corbin had not had safety training for such a lengthy period. He said: "Waiting for safety certificates can take four to five weeks. We didn't know when he was taken on [that he wasn't safety trained] because we didn't have the certificates." Giving evidence earlier at the inquest, Foxtel's health and safety supervisor David Smith said Mr Corbin had received a safety briefing as part of a one-hour induction. He said: "No one forces them to do a job. If he didn't feel safe he should have called someone. He shouldn't have been doing that job. It needed a specialised two man team." The jury heard Mr Corbin had taken health and safety training in 2002 but had had no further training. An HSE inspector said, "What is clear is that Noel Corbin was not trained to carry out work on that roof. Neither did he have the right equipment." The jury returned a verdict of accidental death. No decision on prosecution has yet been made.

**37-year old Thomas Frazer** died on 6<sup>th</sup> February 2008 in Hamilton, Lanarkshire in a suspected carbon monoxide poisoning. A report is currently with the Procurator Fiscal and no information has been released.

**24-year old John Summerhill**, who worked for GAR Building Services, died on 7<sup>th</sup> February 2008 when he became trapped between a steel beam and the cherry picker he was operating at Eurocentral Business Park in Coatbridge, Lanarkshire. But GAR Building Services - who run the site - insisted they were not to blame for John's death. Managing director George Anderson said: "Under no circumstances was John trained to be using the machinery. He went down on his own accord when everybody else was on their dinner break. He just took a shot on it. We are apportioning no blame for this. It was a tragic accident."

**41-year old George Connell**, a self-employed roofing contractor died on 17<sup>th</sup> February 2007 when he fell from a ladder at McKenzie Drive, Kilmarnock. He was working alone at the time. At the Fatal Accident Inquiry at Kilmarnock in September 2008, the Sheriff's determination stated that: "It appears that Mr Connell was attempting to force the guttering together to fix it into position on his own without assistance. No ladder stabilising devices were used, nor tower scaffold which had been assessed by Mr McAuley, insurance assessor, as necessary equipment to fit the guttering safely. I have heard evidence over the whole day from a number of witnesses and particularly Mr McMinn, Health and Safety Officer. I am satisfied that if Mr Connell had used any of the recommended methods, such as the tower bridge, mobile tower scaffold which is static in one position and then moved along, this accident would not have occurred. Furthermore, if ladders are to be used, a ladder "mate" should be placed at the bottom of the ladders and the top of the ladder should be secured to the building. These measures would have been appropriate." No prosecution will take place.

**48-year old Martin Livingstone**, who had worked for Alincourt Roofing Ltd of Henfield, Ltd for fifteen years, died on 25<sup>th</sup> February 2008 when he fell to the ground at a building site in Burgess Hill, which was being developed by Crest Nicholson. He and his 22-year old son Daniel had been working for sub-contractors Alincourt Roofing Ltd who

were supplying labour for the Crest Nicholson development where 90 housing units were being built.

Martin had gone to climb a ladder to retrieve a wheelbarrow on scaffolding boards that were 15 feet above the ground. The fatal fall happened at approximately 8 am, shortly after Mr. Livingstone and his son had arrived on site. No one witnessed the fall except his son Daniel who heard his father cry out as he fell to the ground.

At the inquest that took place on 21<sup>st</sup> October 2008, at West Sussex Coroner's Court, Barry Corrick, the senior site manager for Crest Nicholson, said health and safety regulations had been strictly adhered to with site inductions for all workers, regular health and safety inspections as well as hourly site observations by Crest Nicholson managers. Denis Bodger, an inspector with the Health and Safety Executive who investigated the accident and examined the scaffolding and ladder, said: "I am satisfied there have been no breaches of the health and safety regulations." The jury returned a verdict of accidental death.

## **MARCH 2008**

**52-year Brian Collins**, a worker employed by a GE International Ltd managed company, died on 13<sup>th</sup> March when he fell 20 metres to his death while working at Sutton Bridge Power Station in Lincolnshire. EDF Energy owns the station.

**23-year old Danny Edwards**, who worked as a carpenter and plumber for Birakos Enterprises Ltd, died on 19<sup>th</sup> March 2008 when he was electrocuted whilst working behind a washing machine at a house in Clifton, Bristol. The inquest will take place at Avon Coroner's Court.





*Image Paul Box/reportdigital.co.uk*

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