



SUBJECT: Falls from Height

RECIPIENTS: Property Services

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Cornwall Council and the father and son partners of a local building company have been fined for breaking safety law after the son was seriously injured in a fall through a fragile roof. The injured person (IP), broke their pelvis after plunging between three and five metres through a cow shed roof at a Farm, near Bude, in August 2012.



The injured worker was today (1 April) prosecuted alongside his father for failing to ensure sufficient measures were in place to prevent the fall. Cornwall Council, who owned the farm, was also convicted following an investigation by the Health and Safety Executive (HSE). Three men, were replacing the roof of the cow shed. The IP was also overseeing the work but he fell through asbestos cement tiles onto the concrete floor below, narrowly avoiding some metal rails. HSE's investigation found that none of the workers employed for the job, or anyone else working for TL Sobey, the family firm, had any roofing qualifications.

There was also no risk assessment for the job, and no safety measures in place that could have reduced the risk or mitigated the effects of a fall. In addition, the workers – one just 17-years-old – were untrained and inexperienced in working at height.

The court was told that although the council was aware the roof was fragile and the work was a high risk activity, it contracted TL Sobey for the job, even though they were general builders and not a roofing specialist. Cornwall Council was fined £6,000 and ordered to pay £7,698 in costs after pleading guilty to breaching Section 3(1) of the Health and Safety at Work etc Act 1974.

Thomas Sobey, of Lower Trevell, Lewannick, near Launceston, was fined £6,000 with £7,782 costs after also pleading guilty to a separate breach of the same legislation.

The IP, of the same address as his father, admitted a single breach of the Work at Height Regulations 2005. He was fined £2,000 and ordered to pay £3,000 costs.

HSE Inspector Helena Allum, speaking after the hearing, said:

"IP sustained serious injuries in a fall that he and his father could have prevented had they properly planned and assessed the roof work and put appropriate safety measures in place, such as a suitable work platform. They also failed to provide adequate training or supervision by qualified roofers for the job at hand.

"Cornwall Council, meanwhile, failed to check the suitability of the family contractors to do the job, even though it knew the roof was fragile and therefore high risk.

If you require further assistance or clarification on the subject please contact:

Your Mouchel Health & Safety Adviser (see George section: Corporate > Information for Working > Risk Management > H&S Advisers)