
BAM Nuttall Fined Â£2.345 Million for River Aire Drowning Incident

Description

A construction company has faced severe legal consequences following the tragic death of one of its workers. Gary Webster, a 60-year-old employee, lost his life on October 30, 2017, after drowning in the River Aire near Knostrop Weir. This incident, which could have been prevented, highlights the critical importance of safety measures in construction and industrial operations.

Webster, along with another worker, had been tasked with removing debris from the bottom of the weir gates. They were using a boat for this operation. Unfortunately, their boat capsized due to the powerful flow of water over the weir, drawing them into a perilous situation. Webster was repeatedly pulled under the turbulent waters, and despite a diver's efforts to rescue him, he was only recovered 14 minutes later. His colleague managed to swim to safety. Webster was pronounced dead on November 1, 2017, at Leeds General Infirmary.

An investigation by the Health and Safety Executive (HSE) uncovered that BAM Nuttall Ltd, the company responsible, had trained and authorized personnel capable of controlling the weir gates. Adjusting these gates would have reduced the water flow, making the task safer. However, the company failed to implement this crucial safety measure.

As a result, BAM Nuttall Ltd, located on Knoll Road, Camberley, Surrey, admitted to violating Section 2(1) of the Health and Safety at Work etc. Act 1974. Consequently, the company was fined Â£2.345 million and ordered to pay additional costs of Â£25,770.48 at Leeds Magistrates' Court on June 12, 2024.

Jayne Towey, an HSE inspector, condemned the company's negligence, stating, "BAM Nuttall Ltd failed to plan the work. It failed to carry out any assessment of the risks involved with the task. It failed to have any regard to the recognized hierarchy of controls to reduce the risk associated with removing debris from the water. It failed to ensure that suitable safety measures were in place and failed to put in place a safe system of work. This incident could so easily have been avoided by simply carrying out correct control measures and safe working practices."

The case was prosecuted by HSE enforcement lawyer Jonathan Bambro, with support from HSE paralegal officer Sarah Thomas. This tragic event serves as a stark reminder of the imperative to adhere strictly to safety regulations, ensuring that all possible precautions are taken to protect workers' lives.

CATEGORY

1. Yorkshire

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2. Gary Webster

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3. Health and Safety Executive (HSE)
 4. Jayne Towey (HSE)
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