
R Oâ?? Donnell Plant & Civil Fined Â£80,000 for LOLER Breach Injuries

Description

On September 12, 2023, R Oâ?? Donnell Plant & Civil Ltd was found guilty and fined Â£80,000 for breaching the Lifting Operations and Lifting Equipment Regulations 1998. The case involved a serious incident that resulted in severe injuries to an employee, highlighting significant lapses in safety protocols and procedures.

The Incident

Date and Location

- **Date:**Â September 3, 2019
- **Location:**Â Fradley Park, Lichfield, Staffordshire

Details of the Incident

Anthony Pennell, a groundworker employed by R Oâ?? Donnell Plant & Civil Ltd, suffered horrific injuries when heavy drainage pipes, each weighing around 160 kg, fell on top of him. The incident occurred while the pipes were being moved using a telehandler. As the telehandler came to a stop, Mr. Pennell attempted to reposition a dangling skid to lower the pack properly. Unfortunately, the load fell on him, causing severe injuries.

Injuries Sustained

- **Fractures:**Â Several fractures to both sides of the pelvis
- **Vertebrae:**Â Fractured vertebrae
- **Spinal Injury:**Â Bleed on the spine

Mr. Pennell was rushed to Royal Stoke University Hospital, where he spent nine days before being discharged. The injuries had a long-lasting impact on his life, preventing him from returning to his job as a groundworker and limiting his ability to perform heavy manual activities.

Investigation and Findings

Health and Safety Executive (HSE) Investigation

The Health and Safety Executive (HSE) conducted an investigation into the incident. The findings revealed that both R Oâ?? Donnell Plant & Civil Ltd and the principal contractor, Readie Construction Ltd, failed to ensure that the lifting operation was properly planned, appropriately supervised, and carried out in a safe manner.

Key Issues Identified

- **Lack of Proper Planning:** The operation was not properly planned by a competent person.
- **Inadequate Supervision:** The lifting operation was not appropriately supervised.
- **Safety Measures:** Suitable control measures were not implemented to secure and safely transport the load.
- **Knowledge and Experience:** Issues related to the level of knowledge and experience of those involved in the lifting operations.
- **Coordination:** Poor management and coordination of telehandler usage between contractors.

Legal Proceedings

Court Hearing

- **Court:** Telford Magistrates' Court
- **Date:** September 12, 2023

Charges and Fines

R Oâ?? Donnell Plant & Civil Ltd, of New Road, Worlaby, Brigg, Lincolnshire, pleaded guilty to breaching section 8 (1) of the Lifting Operations and Lifting Equipment Regulations 1998. [The company was fined Â£80,000 and ordered to pay costs of Â£3,784¹².](#)

[Readie Construction Ltd, the principal contractor, also pleaded guilty to breaching the same section of the regulations and was fined Â£40,000 and ordered to pay costs of Â£3,784².](#)

Impact on the Victim

Anthony Pennell, who was 32 at the time of the incident, faced significant challenges in his recovery. He had to sleep downstairs for about five months and could only use the downstairs toilet. His partner, Zoe, provided essential support during his recovery, helping him with basic activities like washing and changing clothes.

Long-term Consequences

- **Pain:** Continues to experience pain in his right leg.
- **Strength:** No longer as strong as before the incident.
- **Employment:** Unable to return to his job as a groundworker and now works as a landscaper, earning less.
- **Disadvantage:** Faces a disadvantage in the labor market and struggles to find a job that matches his previous earnings.

Conclusion

The case of R O'Donnell Plant & Civil Ltd serves as a stark reminder of the importance of proper planning, supervision, and safety measures in lifting operations. The significant fines imposed on both companies underscore the need for strict adherence to safety regulations to prevent such tragic incidents in the future.

CATEGORY

1. Staffordshire

POST TAG

1. Anthony Pennell
2. Heavy Machinery
3. Lifting Operations and Lifting Equipment Regulations 1998 (LOLER)
4. Nathan Cook (HSE)
5. R O'Donnell Plant & Civil
6. Readie Construction
7. Telehandler
8. Will Gretton (HSE)

Category

1. Staffordshire

Tags

1. Anthony Pennell
2. Heavy Machinery
3. Lifting Operations and Lifting Equipment Regulations 1998 (LOLER)
4. Nathan Cook (HSE)
5. R O'Donnell Plant & Civil
6. Readie Construction
7. Telehandler
8. Will Gretton (HSE)

Date

20/09/2024

Date Created

14/09/2023