

SHERIFFDOM OF NORTH STRATHCLYDE AT KILMARNOCK

FATAL ACCIDENT INQUIRY

Under Section 1(1)(a) of the
Fatal Accidents and Sudden Deaths Inquiry (Scotland) Act 1976
Determination by Sheriff Iona S McDonald,
Sheriff for North Strathclyde
following an Inquiry held at Kilmarnock
on 17 September 2008
into the death of Mr George Smith Connell

Kilmarnock: 17 September 2008.

The Sheriff, having considered the evidence led at the Inquiry, Finds that:-

- (1) George Smith Connell, date of birth 25 February 1966, was engaged as a self employed roofing contractor and died on 17 February 2008 at 21.55 following a fall from a ladder at 11 McKenzie Drive, Kilmarnock.
- (2) The cause of death was
 - 1a) Cerebral oedema,
 - 1b) Traumatic brain injury,
 - 1c) Fall from height.

(sgd) Iona S McDonald
Sheriff

Note

I have made a formal finding in this case as there is little doubt from the evidence that the deceased died as a result of a fall from a ladder at 11 McKenzie Drive, Kilmarnock.

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.

This accident occurred because Mr Connell was leaning out of the stiles of the ladder attempting to secure guttering.