

## Council fined after wall collapses onto child

**Basildon Borough Council has been fined more than £130,000 after a brick boundary wall it part-owned collapsed and seriously injured a six-year-old girl.**

Basildon Crown Court heard how, on 14th August 2016, a wall spanning the back of two houses in Fleetway, Vange collapsed onto the girl during a family barbecue. She was placed in an induced coma after sustaining serious and life-threatening injuries. She was in intensive care for seven days and in hospital for 10 days in total. She has made a good recovery but still suffers some physical and emotional problems.

An investigation by the Health & Safety Executive (HSE) found that Basildon Borough Council had failed to take any action despite private tenants raising their concerns about the wall's condition two years prior to the incident. Wider concerns about the poor condition of brick walls in the vicinity, including council-owned walls, were not passed to building control or the council's inspections teams.

Basildon Borough Council failed to implement a system of intelligence-led inspection, maintenance and repair, to adequately identify and remedy the risks of collapses to boundary walls, both owned solely by the council, or jointly with private residents.

Basildon Borough Council pleaded guilty to breaching Section 3(1) of the Health and Safety at Work Act 1974. It was fined of £133,333 and ordered to pay costs of £21,419.55.

HSE inspector Tania van Rixtel said after the case: *"This was a wholly avoidable incident which could easily have been fatal. If Basildon Borough Council had properly recorded residents' concerns about the state of the walls, then a suitably qualified individual could have been engaged to identify the level of risk and instigated the required remedial action. Despite the low frequency of wall collapses, they are high consequence events requiring those with the responsibility for structural safety to take proactive measures to ensure that boundary walls and other structures are safely maintained."*



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