

Bungling handyman sues hotel over his tree blunder

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By Liz Hull

AS DIY disasters go, they don't come much dafter than sawing off a tree branch that you've just leaned your ladder against.

But when he was asked to prune a sycamore tree in the grounds of a luxury hotel, handyman Peter Aspinall propped his ladder against the branch he was removing instead of the tree trunk.

He sawed through the branch and it plummeted 14 feet to the ground. The ladder and Mr Aspinall quickly followed.

The 64-year-old broke his heel, damaged ligaments and spent ten days in hospital after the fall.

Yesterday it emerged that Mr Aspinall, who has been off sick since the accident 18 months ago, is suing Egerton House Hotel, near Bolton, for his injuries.

A court ordered the hotel to pay £2,015 after a health and safety investigation concluded that the owners had failed to carry out a 'risk assessment' on the dangers of sawing a tree branch with a ladder against it and should have trained Mr Aspinall and a colleague on where to place the ladder.

The hotel's solicitor, David Walton, told magistrates: 'It is an

CUT UP MEAT? I'M ONLY A BUTCHER

A SAINSBURY'S customer was stunned when the store's butcher refused to de-bone a joint of lamb - in case he cut himself.

Businessman John Wilkinson was told: 'My bosses won't let me, in case I cut myself and I'm not insured.'

Mr Wilkinson, 41, bought a lamb joint for dinner at his local Sainsbury's and asked staff at the meat counter to remove the bone. But the red-faced butcher, who has been chopping meat for three decades, said he couldn't do it.

Mr Wilkinson said: 'I couldn't believe my ears. He's been doing it for 30 years and we were chatting about how he had been teaching all the young butchers how to cut the meat and joints.'

'But when I asked him to de-bone the joint, he said he couldn't in case he cut himself with a knife and he would not be insured. He looked

unusual accident. Laurel and Hardy do that sort of thing.'

Speaking after the hearing, he added: 'The hotel was very disappointed that common sense did not prevail and that the case was brought against them.'

'The prosecution case was that had there been a routine risk assessment for the gardening activity of pruning trees then it's

unlikely that this accident would have happened. But, even if there had been a risk assessment done, no one would expect two experienced men to do such a thing.'

The court heard the accident happened on July 18, 2008, after Mr Aspinall, a part-time handyman who had worked at the hotel for only two weeks, was asked by gardener Alan Ashworth to help

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really embarrassed.' Mr Wilkinson took the matter to the customer services counter at the large Sainsbury's store in Penylan, Cardiff, and staff confirmed that company policy deemed it to be 'not safe' for the butcher to use knives on a lamb joint.

Mr Wilkinson said: 'It was just hysterical. I went to the desk and the woman there said it was for the butcher's own safety.'

A spokesman for Sainsbury's said: 'Our colleagues who work on the meat counters are all trained to use knives, but some have not received all of the training to safely de-bone a lamb joint.'

'We are sorry we could not help Mr Wilkinson, but hope he will shop with us in future.'

him prune a tree which was shading the lawn.

The two men placed a ladder against the branch which was to be cut but, as Mr Ashworth was left-handed, he felt it was too awkward for him to saw, so asked Mr Aspinall to cut it.

While Mr Ashworth held the bottom of the ladder, Mr Aspinall climbed up and began using a bow

saw to remove the branch. When the branch broke, Mr Aspinall fell to the ground.

Mr Walton said hotel owner Janet Hampton was not on the premises at the time and, if she had been, would have ensured the task was carried out by specialist tree surgeons. He added that Mr Ashworth was embarrassed and sorry about what had happened.

In a statement, Mrs Hampton, who has run the 29-bedroomed, 200-year-old hotel for four years, said: 'Naturally the hotel is concerned that the systems it had in place did not prevent the employees involved in this incident from attempting to cut the branch and that one of those employees should then fall and sustain injury. 'Action has been taken to ensure that this could not happen again.'

The hotel - which won Lancashire Life Hotel of the Year 2009-10 - pleaded guilty to breaching health and safety regulations by failing to undertake risk assessments for employees working in the hotel gardens.

It was fined £1,000 and ordered to pay £1,000 council costs and a £15 victim surcharge by magistrates.

Mr Aspinall, who previously worked for British Aerospace for 24 years, could not be reached for comment.