

## Hotel chain fined for lift death

**A hotel chain has been fined £400,000 after a trapped guest died trying to escape from a lift which had broken down 40 times in three years.**



Edinburgh Sheriff Court heard that Jarvis had failed to act on 30 recommendations to repair the lift in the Learmonth Hotel.

The court heard 30 suggestions for repairs had been made

Richard Fareham, 61, from Stafford, plunged down the lift shaft during an attempted rescue.

The chain admitted two breaches of health and safety regulations.

Mr Fareham, UK managing director of electrical engineering firm Kanthal, had called reception from his mobile phone to complain the that outdated lift was stuck and the lights had gone out.

Workers at the hotel in Learmonth Terrace near the city's west end, said that at first, he was calm but annoyed.

When an engineer said he would take 30 minutes to arrive, staff tried to rescue Mr Fareham.

**“ The group did intend to fully modernise the lift but it did not do so in time ”**

Gerald Hanretty  
Defence counsel

The businessman, who was due to give a speech to a conference the following day, died from multiple injuries after falling down the shaft.

Mr Fareham, who said he needed fresh air, had tried to lower himself from the lift to the second floor.

### Higher priority

Prosecutor Laura Thomson told Sheriff Isabella McColl that separate maintenance firms had made 30 suggestions that the lift control equipment should be replaced.

A manager for the company - which has a previous conviction - said the £20,000 needed for the improvements was not immediately available at the time.

Advisers deemed that another obsolete lift in a Kent hotel owned by Jarvis required more urgent attention.

Health and safety experts said that if a steel apron had been fitted underneath the cage of the elevator, which is standard in modern lifts, it would have caught Mr Fareham.

Defence counsel Gerald Hanretty, QC, said Jarvis advisers had not brought home the full danger of the lift.

### **Inadequate training**

"This is not an example of turning a blind eye. The group did intend to fully modernise the lift but it did not do so in time."

He stressed that if Mr Fareham had stayed within the elevator he almost certainly would have been saved by a repair engineer.

One of the charges involved Jarvis failing to adequately train staff and the other of failing to provide a sufficient risk assessment.

Sheriff McColl said if the company had not pleaded guilty she would have fined it £300,000 on each charge.

The lift was subsequently repaired and made fully safe. The company has since sold the hotel to Festival Breweries.