Prosecution by the Health & Safety Executive Dunoon Sheriff Court, 18th August 2010

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The Health and Safety Executive has reported the prosecution of Argyll and Bute Council after a man drowned when he accidentally drove his car into the sea off the unprotected edge of a car park on the pier at Dunoon.

Dunoon Sheriff Court heard that when Argyll and Bute Council officially turned the former coal pier into a visitor car park in 2006, the Council failed to carry out an adequate risk assessment which would have identified the need for barriers at the edge of the pier. There were 19 parking bays that were positioned right next to the edge of the pier along a low concrete curb, with a sheer drop to the sea below.

The Council pleaded guilty to breaching Section 3(1) of The Health and Safety At Work Act 1974 by failing to ensure public safety and was fined £20,000.

Following the incident, the Council closed the car park and carried out a[page130image4340736]

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detailed risk assessment of the car park and the pier, as a result of which they installed a traffic barrier and pedestrian handrails.