

## Holiday hell cash payout

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A MIDLAND postman has won a five-figure payout from a travel giant after a last-minute holiday left him fighting for his life with deadly Legionnaires' disease.

Father-of-two David Higgs, from Smethwick, was hoping to recharge his batteries in Tenerife when it turned into a holiday from hell.

Just one day into the seven-day getaway, booked with First Choice, to the Orlando Club Resort, in Playa de las Americas, David and his daughter Leah fell violently ill after they both used the shower in their apartment.

Postie David suffered hallucinations, vomiting, a fever and diarrhoea, but was told it was a gastric illness by Spanish medics.

Wife Jayne, aged 46, who also works with her 47-year-old husband David at the Royal Mail delivery office in West Bromwich, said that when the family returned home, David's condition worsened with respiratory difficulties.

"I took him to Sandwell Hospital and within hours he was diagnosed with Legionnaires' disease and in intensive care," added Jayne. "Doctors said if we hadn't brought David into hospital that day, he could have been dead within 12 hours. It was devastating."

Jayne, whose lives with David, son Daryl, 17, and Leah, 14, added: "We just wanted some sun, but the apartment was nothing like it had been described. It was so dirty with murky brown water.

"We complained but were told we would have to buy our flight tickets home if we wanted to leave early, which we couldn't afford.

"It isn't about the money, it is about making First Choice realise they cannot brush something like this under the carpet. This is a moral victory."

The nightmare trip happened in September 2002. Afterwards it took David two years before he would take a shower, due to the association in his mind of the infection and the hotel's dirty shower water.

First Choice battled for years against the Higgs' family legal claim, blaming a Legionnaires' disease outbreak in Oldbury a month before the holiday, and forcing David to submit his work route.

Family solicitor Philip Banks, from Irwin Mitchell law firm, said First Choice later admitted liability and gave the out of court settlement when the company was compelled to disclose documents relating to procedures at the hotel.

"Legionnaires' disease is an extremely serious and often fatal condition and although David has thankfully made a good recovery, he is lucky to be alive," said Mr Banks.

"The expert found the hotel had fallen below the standards to be expected.

"I have dealt with many cases of Legionnaires' and the common factor is they could easily have been prevented if appropriate health and hygiene systems had been put in place."

A First Choice spokeswoman confirmed an "amicable agreement" had been reached with Mr Higgs.

"At First Choice, the health and safety of our customers is our primary concern and we would like to reassure customers that every precaution is taken to safeguard their well being whilst abroad", she said.

factfile

Legionnaires Disease is a potentially fatal form of pneumonia which can affect anyone.

It is caused by the Legionella pneumophila bacteria, found naturally in environmental water sources such as rivers, lakes and reservoirs, usually in low numbers.

The bacteria can also be found in purpose built water systems such as cooling towers, evaporative condensers and whirlpool spas and causes symptoms similar to flu, from a cough to muscle pains and feverishness, but can prove fatal if not treated quickly.