

## HSE Successful Prosecution 2024

### January

Arriva and cleaning firm fined after worker killed at bus depot – **System of works**

- C.L.C Realisations Limited of Wellington Street, Leeds (in administration) offered no plea but was found guilty of breaching Section 2(1) of the Health and Safety at Work Act 1974 and fined a nominal £1,000.
- Arriva Kent Thameside Limited of Doxford International Business Park, Sunderland, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work Act 1974 and have been fined £32,000 and ordered to pay costs of £22,392.

Garden landscaper sentenced after worker dies - **PUWER**

- Mr Fernando Araujo, of Croxley View, Watford, pleaded guilty to breaching Regulation 4(3) of Provision and Use of Work Equipment Regulations 1998 and Section 33(1)(C) of the Health and Safety at Work etc. Act 1974. The 54-year-old was sentenced to six months in prison, suspended for two years, ordered to complete 200 hours of unpaid work and pay £3,467.72 in costs at St Albans Magistrates' Court on 9 January 2024.

NHS trust fined after employee found unconscious in manhole – **Confined space**

- A Health and Safety Executive (HSE) investigation found that Kettering General Hospital NHS Foundation Trust failed to identify the manhole as a confined space, and thereafter, failed to properly risk assess the activity. The trust failed to prevent entry of employees into confined spaces at the site – which was custom and practice for a number of years. The trust also failed to identify a safe system of work or method statement for clearing blocked drains and no precautions were identified to reduce the risk of injury.
- Kettering General Hospital NHS Foundation Trust, of Rothwell Road, Kettering, Northants, pleaded guilty to breaching Section 2(1) of The Health & Safety at Work etc. Act 1974. The trust was fined £480,000 and ordered to pay £4,286.15 in costs at Wellingborough Magistrates' Court on 9 January 2024.

Company fined and director receives suspended prison sentence after scaffolder suffers electric shock – **System of works**

- Work around [overhead power lines](#), no matter how temporary, is high risk with serious or fatal consequences if not carefully planned and carried out. Every year people at work are killed or seriously injured when they come into contact with live overhead power lines. Those responsible for work near overhead lines must have a clear understanding of the associated risks and precautions that need to be taken.
- At Brighton Magistrates' Court on 22 September 2023 Canterbury City Scaffolding Ltd pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. Director, Ian Pepper, 48, of Hoath near Canterbury pleaded guilty to an offence under Section 37(1) of the Health and Safety at Work etc. Act 1974. Sentencing was adjourned to 15 January 2024.

- The company was fined £50,000 and Ian Pepper was sentenced to 18 weeks in prison, suspended for 12 months, and ordered to undertake 200 hours unpaid work and 20 rehabilitation activity requirement days.

#### Man handed community order for illegal removal of asbestos – **CAR 2012**

- A HSE investigation found Faulkner had received the relevant training on how to safely remove licenced asbestos and was therefore fully aware of the legal requirement to hold a licence.
- Faulkner of Berkeley Avenue, Hartlepool pleaded guilty to six charges, three charges at each offence location including contravening Regulations 8(1) and 20(3) of the Control of Asbestos Regulations 2012 and breaching Section 33 (1)(m) of the Health and Safety at Work etc. Act 1974.
- He was given an 18-month community order, which consists of 15 days of rehabilitation, 90 days of monitored alcohol abstinence as well as him carrying out 150 hours of unpaid work. He will also pay costs of £1000.

#### Recycling company fined after worker killed by loading shovel - **Traffic separation**

- The HSE investigation into the incident found Ward Recycling, which went into liquidation in 2021, failed to protect pedestrians from the mobile plant operations it was carrying out at the site. There were no suitable traffic management arrangements in place, meaning pedestrians were at risk of being struck by moving vehicles, including loading shovels. Loading shovels are particularly dangerous if adequate segregation is not in place, in part due to the limitations to the operator's visibility around the machine – a HSE visibility assessment found that an area over 10 metres in front of the vehicle could be obscured from the driver's view.
- Ward Recycling Limited, formerly of St Peter's Square, Oxford Street, Manchester, was found guilty of breaching Section 1 of the Corporate Manslaughter and Corporate Homicide Act 2007, Section 2(1) and Section 3(1) of the Health and Safety at Work etc Act 1974. The company was fined £1.75m for corporate manslaughter and £400,000 for breaching health and safety regulations at Middlesbrough Crown Court on 26 January 2024.

#### Worktops firm fined after repeated failures to protect employees - **PUWER**

- The company pleaded guilty to breaching Section 2(1) of the Health and Safety at Work Act 1974 and were fined £26,000 and ordered to pay costs of £3,708 at a hearing in Manchester Magistrates' Court on 31 January 2024. The prosecution was brought by HSE enforcement lawyer Sam Crockett.

### February

#### Farming company fined £320,000 after death of "much loved" family man – **Work at height**

- The company pleaded guilty to breaching regulation 2(1) of the Health & Safety at Work Act 1974. They were fined £320,000 and were ordered to pay £4,574 costs at a hearing at Wirral Magistrates' Court on 1 February 2024.

Bedding manufacturer fined after employees suffer serious injuries - **PUWER**

- HSE inspectors Leanne Ratcliffe and Elena Pickford investigated the incidents in 2020 and 2021 respectively and found Sartex Quilts and Textiles Limited did not guard the machinery and did not implement suitable and sufficient procedures to isolate machinery from power.
- Sartex Quilts and Textiles Limited, of Castle Mill, Queensway, Rochdale, pleaded guilty to breaching Section 2(1) of the Health & Safety at Work etc. Act 1974 and Regulation 11 of the Provision and Use of Work Equipment Regulations 1998. The company was fined £251,250 and ordered to pay £6,862.63 in costs at Manchester & Salford Magistrates' Court on 14 February 2024.

Farmer fined after friends had to climb tree to escape cow attack – **Farm animal attack**

- Martin Falshaw of Falshaw Partners, Shaws Farm, Swinton, Ripon, North Yorkshire pleaded guilty to breaching Section 3 (2) of the Health & Safety at Work etc Act 1974. He was fined £770.50 and ordered to pay £4,539 in costs.

Engineering company fined after workers loses two fingers - **PUWER**

- A Health and Safety Executive (HSE) investigation into this incident found Edwards Engineering (Perth) Limited had failed to risk assess the task that the employees were required to undertake. On the day of this incident, there was no risk assessment for the work to be done nor was there any safe working procedure.
- Edwards Engineering (Perth) Limited, Glenearn Road, Perth pleaded guilty to breaching Regulation 22 of The Provision and Use of Work Equipment Regulations 1998. The company was fined £10,000 at Perth Sheriff Court on 16 February 2024.

Company fined after worker injured by 300kg batteries – **Safe system of works**

- A Health and Safety Executive (HSE) investigation found Wastecare Limited failed to ensure the health, safety, and welfare of its employees at work. The site was overstocked, bags of batteries had been stacked in an unsafe manner and there was no specific documented risk assessments or safe systems of work for the correct stacking and storage of batteries. This was not an isolated incident.
- Wastecare Limited, of Normanton Industrial Estate, Normanton, West Yorkshire, pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974. The company was fined £120,000 and ordered to pay £4,937.39 in costs at Leeds Magistrates' Court on 21 February 2024.

Care home fined following death of vulnerable resident – **Safe system of works**

- An investigation by the Health and Safety Executive (HSE) found Mrs Greens died because she was able to access the courtyard while unsupervised and had fallen, spending up to an hour and a half outside before staff came to her aid.
- At Edinburgh Sheriff Court on 22 February, care home provider HC-One Limited of Archer Street, Darlington pleaded guilty to breaching Regulations Section 3(1) and Section 33(1)(a) of the Health and Safety at Work etc. Act 1974. They were fined £400,000.

#### Unregistered plumber handed suspended prison sentence – **Gas safety**

- Anthony Rice, of Fullbridge Road, Werrington, Peterborough, pleaded guilty to contravening Regulations 3(1) and 3(3) of the Gas Safety (Installation and Use) Regulations 1998, contrary to Section 33(1)(c) of the Health and Safety at Work etc. Act 1974. He was sentenced to six months in prison, suspended for six months, and ordered to pay £3,000 in costs at Peterborough Magistrates' Court on 26 February 2024.

#### Recycling firm fined after dad killed by shovel loader – **Moving vehicle**

- The HSE investigation also found that although a risk assessment had been produced prior to the work commencing, it was not suitable nor sufficient and did not include work taking place in the wood yard. Additionally, the risk assessment should have identified there was a risk to pedestrians where there were moving vehicles.
- Atlantic Recycling Limited, of Newton Road, Rumney, Cardiff, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £300,000 and ordered to pay £29,917.47 in costs at Merthyr Tydfil Magistrates' Court on 28 February 2024.

### March

#### Company fined after delivery driver suffers brain injury – **Safe system of works**

- A Health and Safety Executive (HSE) investigation found Haldane Fisher Limited, trading as GE Robinson, failed to identify safe systems of work for the delivery of fuel to the temporary generators at its site. There was inadequate segregation of vehicles and pedestrians in the yard. There were no measures in place to prevent forklift trucks from entering the areas in which delivery drivers were working whilst refuelling generators.
- Haldane Fisher Limited, of Shepherds Way, Carnbane Industrial Estate, Newry, Northern Ireland, pleaded guilty to breaching Sections 2(1) and 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £380,000 and ordered to pay £5,934.50 in costs at Birmingham Magistrates' Court on 1 March 2024.

#### Manufacturing company fined after worker fatally crushed - **LOLER**

- An investigation by the Health and Safety Executive (HSE) found that the company had failed to ensure a suitable and sufficient risk assessment was conducted by a competent person to identify well known industry standard control measures. Suitable and sufficient information, instruction, and training was not provided to employees about lifting operations at the site. The company did not properly plan lifts and did not have a system for ensuring that there were adequately qualified supervisors present during lifting operations.
- At Kidderminster Magistrates' Court on 4 March, Mifflin Construction Limited of Worcester Road, Leominster, Herefordshire pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974. They were fined £120,000 and ordered to pay costs of £50,000.

Company and director sentenced after employee crushed to death - **LOLER**

- A Health and Safety Executive (HSE) investigation found Graniteland Limited and its director, Mr Shu Lai Li, failed to implement staff training or develop safe systems of work for the unloading, loading and handling of concrete slabs. There was no evidence that employees had received training in the safe operation of machinery, including the overhead crane. The overhead crane and forklift truck had also not been thoroughly examined, as required by law, and that webbing slings, that could have been used during the unpacking process, were damaged.
- Graniteland Limited, of Lyde Green, Halesowen, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £18,000 and ordered to pay £4,196.03 in costs at Dudley Magistrates' Court on 6 March 2024.
- Mr Shu Lai Li, of Lyde Green, Halesowen, pleaded guilty to breaching Section 37(1) of the Health and Safety at Work etc. Act 1974. He was ordered to complete 120 hours of unpaid work and pay £4,043.42 in costs at Dudley Magistrates' Court on 6 March 2024.

Metal recycling company fined £200,000 after employee's arm severed - **PUWER**

- HSE guidance states employers must take effective measures to prevent access to dangerous parts of machinery. This will normally be by fixed guarding but where routine access is needed, interlocked guards (sometimes with guard locking) may be needed to stop the movement of dangerous parts before a person can reach the danger zone. Further guidance can be found here: [Provision and Use of Work Equipment Regulations 1998 \(PUWER\) \(hse.gov.uk\)](https://www.hse.gov.uk/equipmentregulations1998/)
- F.J. Church and Sons Ltd, of Centenary Works, Manor Way, Rainham, Essex, pleaded guilty to breaching Regulation 11(1) of the Provision and Use of Work Equipment Regulations 1998. The company was fined £200,000 and ordered to pay £5,125.37 in costs at Stratford Magistrates' Court on 5 March 2024.

INEOS fined after employee seriously injured – **Safe system of works**

- A Health and Safety Executive (HSE) investigation into this incident found INEOS had failed to undertake a risk assessment of the work involved. There was also no safe system of work in place. The grating was not secured and there were no barriers in place to prevent a fall into the sump.
- INEOS Chemicals Grangemouth Limited, of Chapel Lane, Lyndhurst, Hampshire, pleaded guilty to an offence under Section 2(1) and Section 33(1)(a) of the Health and Safety at Work etc. Act 1974. The company was fined £400,000 at Falkirk Sheriff Court on 8 March 2024.

Company fined after worker fractures skull – **Work at height**

- An investigation by the Health and Safety Executive (HSE) found Everyone's Energy UK Limited had failed to properly plan, manage, and monitor the work at height. The company had not provided adequate scaffolding around the roof and there was no appropriate means to raise the materials onto the roof.
- Everyone's Energy UK Limited, of Old London Road, Hertford, Hertfordshire, pleaded guilty to breaching Regulation 4(1) of the Work at Height Regulations 2005 . The

company was fined £28,000 and ordered to pay £6,634.56 in costs at Bristol Magistrates' Court on 12 March 2024.

Company fined as worker suffers serious burns – **Electricity at work**

- A Health and Safety Executive (HSE) investigation into this incident found Aberla M&E Limited had incorrectly assumed the guard panel was sufficient separation of the workers from the live bus bars. The company failed to take into account a gap in the guard panel, which risked nuts, bolts, tools and even fingers coming into contact with the bus bars. There was also a failure to issue a permit to work (PTW) on or near live components, which resulted in the main switchboard being left live. There was also a distinct lack of live works monitoring by the company, with the electrical site manager rarely visiting the work area.
- Aberla M&E Limited, of The Parklands, Bolton, Greater Manchester, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £40,000 and ordered to pay £20,000 in costs at Manchester Magistrates' Court on 14 March 2024.

Construction firm fined after worker dies from fall – **CDM 2015**

- An investigation by the Health and Safety Executive (HSE) found Amberley Homes (Kent) Ltd, the principal contractor for the project, had not appointed a person with the necessary skills, knowledge, experience and training to manage the construction site. The company had not ensured that a safe working platform on the scaffold was maintained throughout the different phases of the project. Access to and from the first lift working platform was unsafe as multiple openings had been made which could subsist for several weeks. The openings were unguarded and therefore there was a significant risk of falling circa 1.8 metres from the working platform.
- Amberley Homes (Kent) Ltd, of London Road, Sevenoaks, Kent, entered a guilty plea to breaching Regulation 13(1) of the Construction (Design and Management) Regulations 2015 during a trial at Maidstone Nightingale Court in January 2024. The company was fined £25,000 and ordered to pay £83,842.34 in costs at Canterbury Crown Court on 15 March 2024.

Major pizza maker fined £800,000 after two workers caught up in machinery – **Safe system of work**

- An investigation by the Health and Safety Executive (HSE) found the company did not adequately guard their machinery, did not provide suitable and sufficient checks to ensure that their protective measures were working effectively, and allowed the disabling of guarding systems and access to dangerous parts of machinery.
- Stateside Foods Limited of Lancaster Way, Westhoughton, Bolton, pleaded guilty to breaching Section 2 (1) and 3 (1), of the Health and Safety at Work etc Act. The company was fined £800,000 and was ordered to pay £5,340 costs at a hearing on 15 March 2024 at Bolton Crown Court. The prosecution was brought by HSE enforcement lawyers Sam Crockett and supported by senior paralegal officer Stephen Parkinson.



Health board fined £220,000 following death of patients – **Fall from height**

- The Health and Safety Executive (HSE) investigation revealed a failure to ensure that the patient was in a room which had windows that had been suitably restricted. The patient had undergone surgery which can cause confusion, delirium, and anxiety. It was considered to be foreseeable that patients in a state of confusion could be at increased risk.
- On 23 January 2021, a second patient, then aged 79, was being cared for on the Medial Assessment Unit. He was presenting with hallucinations, confusion, distress and showing signs of delirium. After multiple attempts to abscond over the following days, he left the ward and was found some five hours later in the hospital canteen preparation room having fallen from a first-floor window. He did not regain consciousness and his condition declined until he sadly passed away on 8 February 2021.
- At Edinburgh Sheriff Court on 19 March 2024, Lothian Health Board of Waterloo Place, Edinburgh pleaded guilty to breaching Regulations Section 3(1) and Section 33(1)(a) of the Health and Safety at Work etc. Act 1974. They were fined £45,000 in relation to the first incident and £175,000 for the second on 21 March 2024.

Engineering firm fined following worker's death - **mobile elevating work platform (MEWP)**

- A Health and Safety Executive (HSE) investigation found NG Bailey Limited, the lead contractor for the project, had failed to consider overhead obstructions, especially during the transit of MEWPs on site. The assessments in place did not consider these risks despite HSE and industry guidance highlighting them and the available control measures.
- NG Bailey Limited, of Brown Lane West, Leeds, pleaded guilty to breaching Sections 3(1) and 33(1)(a) of the Health and Safety at Work etc. Act 1974. The company was fined £135,000 and ordered to pay a victim surcharge of £10,125 at Aberdeen Sheriff Court on 21 March 2024.

Company fined after 'perfect' son crushed to death – **CDM 2015**

- A Health and Safety Executive (HSE) investigation found Materials Movement Limited had failed to plan and manage the work at Sarazen Gardens. The company failed to properly supervise the work that James and the excavator driver were undertaking to ensure it was safe. The Baldock firm also failed to ensure the work was planned and managed to eliminate any chance of James working near the excavator.
- Materials Movement Limited, of Royston Road, Baldock, Hertfordshire, pleaded guilty to breaching Regulation 15(2) of the Construction (Design and Management) Regulations 2015. The company was fined £133,330 and ordered to pay £8,500 in costs at Peterborough Magistrates' Court on 22 March 2024.

Bakery company fined £400,000 after employee has left leg amputated – **Safe system of work**

- The company failed to have in place a suitable and sufficient safe system of work when escorting MEWP's from a parked position to point of use. They also failed to provide information, instruction and training for the movement of the MEWP and

use of banksman and also failed to adhere to their normal practice and company policy to ensure a trained MEWP operator acted as banksman.

- Baker & Baker Products UK Limited, of Stadium Road, Bromborough, Wirral, pleaded guilty to breaching section 2(1) and 33(1) of the Health & Safety at Work etc. Act 1974. The company was fined £400,000 and was ordered to pay costs of £7,266 costs. This HSE prosecution was brought by HSE enforcement lawyers Karen Park and Matt Reynolds and paralegal officer Louisa Shaw.

#### Company fined after worker crushed to death - Segregation between vehicles and pedestrians

- A Health and Safety Executive (HSE) investigation into the incident found Erith Plant Services Limited failed to ensure there was a safe method of work while loading and unloading excavators and attachments. The company failed to ensure steps were taken to ensure HGV drivers fully engaged the quick hitch when moving attachments during loading and unloading activities. There was also no defined segregation between vehicles and pedestrians at the firm's Eastern Quarry workshop, nor was there suitable supervision of work activities.
- Erith Plant Services Limited, of Queen Street, Erith, Kent pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £175,000 and ordered to pay £37,804 in costs at Woolwich Crown Court on 27 March 2024.

#### Horticulture company fined after lorry driver suffers life changing injuries – Safe system of work

- A HSE investigation found that Plants Galore Horticulture Limited had failed to provide information and instructions on risks, including locations of overhead power lines and what precautions to take. The company failed to erect ground-level barriers to establish a safety zone to keep people and machinery away from the powerlines.
- Plants Galore Horticulture Limited pleaded guilty to breaching Section 4(2) of the Health and Safety at Work etc Act 1974. The company was fined £3,000 and was ordered to pay £4,000 costs at a hearing at Chelmsford Magistrates' Court on 28 March 2024.

#### Tobacco firm fined £32,000 following machinery failures - PUWER

- An investigation by the Health and Safety Executive (HSE) found that Honeyrose Products Limited failed to put appropriate measures in place to ensure that access to the dangerous parts of machinery was prevented.
- Honeyrose Products Limited of Alpha Business Park, White House Road, Ipswich pleaded guilty to a breach of Regulation 11(1) of The Provision and Use of Work Equipment Regulations 1998 and Regulation 3(1) of The Management of Health and Safety at Work Regulations 1999.
- The company was fined £32,000 and was ordered to pay costs of £12,583 at a hearing at Ipswich Magistrates Court on 28 March 2024.



## April

### Company fined after worker crushed to death – Safe system of work

- A Health and Safety Executive (HSE) investigation into this incident found Booth Mixer Hire Limited failed to carry out a suitable and sufficient risk assessment for replacing the wheels on the wagon. The firm had also failed to put in place a system of work that ensured the work could be carried out safely. It also failed to consider the use of alternative equipment, such as a trolley jack, which would have allowed the vehicle to be jacked from outside the danger zone.
- Booth Mixer Hire Limited, of Bankend Road, Blaxton, Doncaster, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £50,000 and ordered to pay £16,717.15 in costs at Sheffield Magistrates' Court on 2 April 2024.

### Company fined after HSE inspection finds wood dust failures - COSHH

- A subsequent investigation found the company failed to adequately control and prevent its workers' exposure to wood dust. They had been visited by HSE four times in six years, leading to advice and enforcement including an Improvement Notice in relation to controlling staff's exposure to wood dust. Despite this, the firm had an inadequate extraction system on woodworking machinery that was not properly capturing wood dust and they had not provided adequate respiratory protective equipment to protect their workers from wood dust.
- Target Furniture Limited, of Studland Road, Kingsthorpe, Northampton, pleaded guilty to breaching Regulation 7(1) of the Control of Substances Hazardous to Health Regulations 2002. The company was fined £14,700 and ordered to pay £4,869.46 in costs at Leicester Magistrates' Court on 3 April 2024.

### Company fined as worker has leg amputated - PUWER

- A Health and Safety Executive (HSE) investigation into this incident found Howden Enterprises Ltd failed to adequately assess the operation of the filling machine, in particular the cleaning of the machine. The firm failed to ensure there robust isolation and safe operating procedures were in place and followed.
- Howden Enterprises Ltd, of Trew Mount Road, Dungannon, County Tyrone, Northern Ireland, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £73,333.00 and ordered to pay £7,522.60 in costs at Hull and Holderness Magistrates Court on 10 April 2024.

### Aviation company fined after worker death at Heathrow Airport - LOLER

- A Health and Safety Executive (HSE) investigation found that the operators' visibility of the area underneath the rear of the platform was almost completely obscured.
- However, Dnata did not have any engineering controls installed on its high-loaders, such as sensors, to detect if people were underneath raised platforms before they were lowered, or to stop movement of platforms in these circumstances. It also did not have any mandatory communication systems in place to ensure operators were informed that it was safe for them to lower platforms.
- Dnata Limited, of Dakota House, Poyle Road, Colnbrook, Berkshire pleaded guilty to breaches of Regulation 8(1) of the Lifting Operations and Lifting Equipment

Regulations 1998 and Regulation 5(1) of the Provision and Use of Work Equipment Regulations 1998. The company was fined £160,000 and ordered to pay £6,494.25 in costs at Westminster Magistrates' Court on 17 April 2024.

#### Shipping Services company fined after worker loses finger - **PUWER**

- An investigation by the Health and Safety Executive (HSE) found that the table saw did not have a blade guard or a guiding fence, and that no push-stick had been provided. HSE issued a Notification of Contravention to the Company, outlining the material breaches identified during the investigation.
- Rix Shipping (Scotland) Limited of Meridian Street, Montrose pleaded guilty to the contravention of The Provision and Use of Work Equipment Regulations 1998,
- Regulations 11(1) and 11(2) and were subsequently fined £16,000 with a Victim Surcharge of £1200.

#### Rogue trader spared immediate spell behind bars after unsafe gas work – **Gas Safe**

- A self-employed rogue trader has been handed a suspended prison sentence after carrying out illegal gas work in Gloucestershire.
- Christian Davis, of Callington Road, Brislington, Bristol pleaded guilty to breaching Regulations 3(1), 3(3) and 3(7) of the Gas Safety (Installation and use) Regulations 1998. He was given a 48-week custodial sentence, suspended for two years. He must also pay £3,000 in compensation to the homeowner and £5,000 in costs. The prosecution was brought by HSE enforcement lawyer Samantha Wells and paralegal Helen Jacob.

#### Haulage firm fined after man went to work and didn't come home – **Safe systems of work**

- An investigation by the Health and Safety Executive (HSE) found that Chorlton Express Transport Limited of Meek Street in Oldham, had failed to put sufficient safe systems of work in place regarding vehicle movements, or to ensure that all fork lift truck drivers were compelled to wear seat belts. A court heard that, had Mr Dawson been wearing a seat belt, it is highly likely that this would have saved his life.
- The company pleaded guilty to breaching regulation 2(1) of the Health and Safety at Work etc Act 1974. They were fined £86,710 and was ordered to pay £5,903 costs at a hearing at Manchester Magistrates Court on 17 April 2024.

#### Housing company fined more than £500,000 after worker suffers burns – **CDM 2015**

- An investigation by the Health and Safety Executive (HSE), found that MHS Homes often excavated the ground. However, they never provided any information to employees on the location of underground services and did not provide suitable equipment to detect and safely excavate underground services. They had previously identified the risk of underground services in a risk assessment in 2017.
- MHS Homes of Broadside, Leviathan Way, Chatham, Kent pleaded guilty to breaching Regulation 16(2), by virtue of non-compliance with Regulation 25(4), of The Construction (Design and Management) Regulations 2015. The company was fined £528,000 and must pay £4,122 in costs following a sentencing hearing on 24 April 2024.

Farming business fined for multiple health and safety risks – **Safe systems of work**

- A site visit carried out in November 2022 identified multiple, serious health and safety failings.
- Seymour Stevens Limited pleaded guilty to breaching section 2(1) of the Health and Safety at Work etc. act 1974 and was fined £12,000 and ordered to pay £4,830 in costs at a hearing at Maidstone Magistrates' Court on 24 April 2024.

Fine issued after workers exposed to asbestos during hotel demolition – **CAR 2006**

- An investigation by the Health and Safety Executive (HSE) into the control of asbestos at the site came after the hotel had been almost entirely demolished in August 2020. The company had overall control over the assessment and removal of all asbestos containing materials (ACMs) on site.
- Paul Stephens of Bar Meadows, Malpas, Truro, Cornwall pleaded guilty to breaching regulations 16 of the Control of Asbestos Regulations 2012 by virtue of Section 37(1) of the Health and Safety at Work etc. Act 1974. He was fined £65,813 and ordered to pay costs of £26,116 at Truro Crown Court on 24 April 2024.

Company fined after agency worker injured using unguarded machine – **PUWER 1998**

- A Health and Safety Executive (HSE) investigation found that the company had failed to carry out a suitable and sufficient risk assessment, resulting in a failure to provide a suitable guard, allowing access to the exposed parts of the saw blade.
- At Sheffield Magistrates' Court on 25 April, Loadhog Limited of The Hog Works, Hawke Street, Sheffield pleaded guilty to breaching Regulation 11 of the Provision and Use of Work Equipment Regulations 1998 and Regulation 3 of the Management of Health and Safety at Work Regulations 1999. They were fined £100,000 and ordered to pay £3,139.75 in costs.

Company and director fined after workers exposed to asbestos – **CAR 2006**

- A subsequent HSE investigation found the asbestos removal work was carried out under the direct control and instruction of Eye Track Limited director Selcuk Pinarbasi, who was fully aware of the potential dangers of asbestos. Mr Pinarbasi had some months earlier instructed a suitably qualified asbestos surveyor to carry out an asbestos demolition survey which had identified in detail the presence of both licensed and unlicensed materials throughout the site. Mr Pinarbasi was therefore fully aware of the risks the site posed from the presence of asbestos materials on his site prior to any demolition work taking place.
- Eye Track Limited, of Talbot Road, Stretford, Manchester, pleaded guilty to breaching Section 2(1) and Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £20,000 and ordered to pay £18,783.61 in costs at Manchester Crown Court on 25 April 2024.
- At the same hearing. Selcuk Pinarbasi, of Bankhall Lane, Hale, Greater Manchester, pleaded guilty to breaching Section 3(1) and Section 33(1)(g), by virtue of Section 37(1), of the Health and Safety at Work etc. Act 1974. He received a custodial sentence of 20 weeks, suspended for 12 months. He was also fined £75,000 and ordered to pay costs of £18,783.61.

#### Contractor fined after young carpenter dies – Safe system of work

- An investigation by The Health and Safety Executive (HSE) found that KM Carpentry Contractors Limited had failed to identify the risk of wind loading, and the effect this could have on the stability of the spandrel panel prior to being secured in place. The method statement for the installation of the spandrel panels included lifting and placing them on the roof only after the roof trusses had been installed and permanently secured. This could not be followed as they had both been placed on the roof at the same time as the roof trusses the day before.
- At Cambridge Magistrates' Court on 25 April 2024, KM Carpentry Contractors Limited, of High Street, Higham Ferrers pleaded guilty to breaching Section 2(1) of the Health & Safety at Work etc Act.
- The Company was fined £8,000 and ordered to pay £6,974 in costs.

#### May

#### Recycling company fined £1.2m after worker hit by a wagon - Segregation of vehicles and pedestrians

A Health and Safety Executive (HSE) investigation found that at the time of the incident the site was not organised in such a way that pedestrians and vehicles could circulate in a safe manner. A suitable and sufficient workplace transport risk assessment was not in place for the segregation of vehicles and pedestrians. The company had failed to take steps to properly assess the risks posed by the movement of vehicles and pedestrians. The incident could have been prevented by adequately assessing the risks and implementing appropriate control measures such as physical barriers and crossing points.

At Sheffield Magistrates' Court on April 25 CF Booth Limited of Clarence Metal Works, Armer St, Rotherham, pleaded guilty of breaching Section 2 of the Health and Safety at Work etc. Act 1974. They were fined £1.2million and ordered to pay costs of £5,694.85.

#### Motorsport engineering firm fined for failing to ensure the health, safety and welfare of its employees - Occupational Asthma and Occupational Hypersensitivity Pneumonitis

- The subsequent investigation found the business had not maintained work equipment and staff were seen operating Computer Numerical Control (CNC) machines with safety panels removed allowing access to dangerous moving parts. In addition, the company had done little to prevent employees from being exposed to water-mix metal working fluid mist, a known cause of Occupational Asthma and Occupational Hypersensitivity Pneumonitis.
- Hispec Motorsport Limited, of Watling Street, Dartford, Kent, pleaded guilty to breaching Section 2(1) of The Health and Safety At Work Etc Act 1974. The company was fined £6,500 and ordered to pay costs of £7,378 and a victim surcharge of £2,000 at Westminster Magistrates' Court on 3 May 2024.

#### Individuals and company sentenced after mother catapulted from fairground ride – Safe system of work

- The Health and Safety Executive (HSE) investigation found the ride's seat restraint system was designed with electrical and mechanical failings by the manufacturer, Perrin Stevens Limited. The ride control system was set up in such a way that it would not have detected all failures. Derek Hackett, the ride owner trading as

Hackett Fairs, failed to properly maintain the ride, this was in part due to Perrin Stevens' operator manual lacking in information on inspection and maintenance of the seat restraint system.

- Perrin Stevens, of Oakley Green Road, Windsor, Berkshire, pleaded guilty as a director of Perrin Stevens Ltd (dissolved) that their offence under Section 6(1)(a) and Section 6(1a)(d) of the Health and Safety at Work etc. Act 1974 was attributable to his consent, connivance and/or neglect, whereby he was guilty of an offence contrary to Section 33(1)(a) by virtue of Section 37(1) of the Act. He was handed a custodial sentence of 32 weeks, suspended for 18 months, ordered to complete 150 hours of unpaid work and pay £11,444 in costs.
- Derek Hackett, of School Street, Radcliffe, Manchester, pleaded guilty to breaching Section 3(2) of the Health and Safety at Work etc. Act 1974. He was given a custodial sentence of 18 weeks, suspended for 18 months, and ordered to pay £4,800 in costs.
- DMG Technical Ltd, of Wenlock Road, Hackney, London, pleaded guilty to breaching Section 3(2) of the Health and Safety at Work etc. Act 1974. The company was fined £51,000 and ordered to pay £30,000 in costs.
- David Geary, of Wenlock Road, Hackney, London, pleaded guilty to breaching Section 3(2) of the Health and Safety at Work etc. Act 1974. He also pleaded guilty as director of DMG Technical Ltd that their offence as attributable to his consent, connivance and/or neglect, whereby he was guilty of an offence contrary to Section 33(1)(a) by virtue of Section 37(1) of the Health and Safety at Work etc. Act 1974. He was handed a custodial sentence of 44 weeks, suspended for 18 months, and ordered to pay £24,000 in costs.

HSE issues MoD (Army) with Crown Censure following death of soldier – **Safe system of work**

- Errors were made while producing written instructions and some staff lacked confidence while producing them. The finalised written instructions differed to how the exercise was being conducted. There should have been an additional supervisor with the firers on the night of the incident, due to the soldiers' lack of experience when carrying out night time firing.
- Mandated 'night time' specific safety tasks were not carried out prior to firing commencing. Incorrect and unauthorised night vision equipment was being used by some soldiers. Officers who were not sufficiently experienced in controlling such an activity were not properly mentored or supervised to deal with an exercise of such complexity.
- By accepting the Crown Censure, the MoD (Army) has admitted breaching its duty under Section 2(1) of the Health and Safety at Work etc. Act 1974 and Regulation 5 of the Management of Health and Safety at Work Regulations 1999.
- <https://www.hse.gov.uk/enforce/enforcementguide/investigation/approving-enforcement.htm>

Double glazing company boss avoids jail after worker dies – **Safe system of work**

- The HSE investigation also found My Best Group Limited, had failed to assess the risks associated with storing and handling the panes of glass, implement a safe system of work and provide adequate training and supervision. Its director, Mr Noor, was aware of the failings but failed to implement the measures required to ensure

the safety of his employees and members of the public that had access to the glass storage shed.

- At Southwark Crown Court on 8 May 2024, My Best Group Limited, which is now in liquidation pleaded guilty to breaching Sections 2(1) and 3(1) of the Health and Safety at Work etc. Act 1974. The company would have been fined £120,000 but due to its liquidation status this was reduced to a nominal fine of £2,200. Director Ayman Noor was given 20 weeks and 14 weeks custodial sentences that will run concurrently, but they were suspended for 12 months. He will also pay costs of £9,294 for breaching section 37 of the same Act.

#### Company fined as worker falls through roof and fractures back – **Work at Height Regulations 2005**

- A Health and Safety Executive (HSE) investigation found Hightech Roofing N/W Limited failed to ensure the work on the roof was properly planned, appropriately supervised and carried out in a manner that was as safe as reasonably practicable. While on the roof, operatives used orientated strand boards as crawl boards to move around the roof. The boards were placed where employees needed to step, but did not cover the roof lights, which led to the worker falling.
- Hightech Roofing N/W Limited, of Grimshaw Street, Failsworth, Manchester, pleaded guilty to breaching Regulation 4 of the Work at Height Regulations 2005. The company was fined £20,000 and ordered to pay £5,858.46 in costs at Preston Magistrates' Court on 9 May 2024.

#### Companies fined as worker injured at Pirelli factory - **Management of Health and Safety at Work Regulations 1999**

- A HSE investigation found the skips were routinely placed on the tyres so they will be reduced in size prior to them being transported off site. The truck was positioned to stabilise the skips. This improvised working method was approved by Pirelli, and carried out by workers at International Rubber and Tyre Recycling Limited and DCS Multiserve Limited. There had been no effective control over access to the truck and the ignition key was routinely left in the cab. There was a lack of clarity over which contractor was responsible for this activity and as a result no risk assessment had been made and no safe system of work existed.
- Pirelli Tyres Limited, of Derby Road, Burton-On-Trent, Staffordshire, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974 and Regulation 11(1) of the Management of Health and Safety at Work Regulations 1999. The company was fined £280,000 and ordered to pay £4,703.43 in costs at Carlisle Crown Court on 10 May 2024.
- International Rubber and Tyre Recycling Limited, of Moorhead Lane, Shipley, West Yorkshire, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974 and Regulation 11(1) of the Management of Health and Safety at Work Regulations 1999. The company was fined £9,000 and ordered to pay £4,566.13 in costs at Carlisle Crown Court on 10 May 2024.
- DCS Multiserve Limited, of Mylord Crescent, Camperdown Industrial Estate, Newcastle, pleaded guilty to breaching Regulation 11(1) of the Management of Health and Safety at Work Regulations 1999. The company was fined £2,600 and ordered to pay £15,000 in costs at Carlisle Crown Court on 10 May 2024.



### Waste management company fined after worker suffers burns to body and face – Electricity at work

- An investigation by HSE into the incident found this task was not part of the normal workload for the injured worker and that he had not received any training with regards to undertaking electrical work. The task had not been properly planned nor risk assessed and the electrical cables were not isolated before work began. In addition, the level of supervision provided was inadequate and safety devices on the electrical supply had been set inappropriately, prioritising continuity of supply over safety of the electrical circuit.
- New Earth Solutions (West) Limited, of Station Road, Caythorpe, Grantham, Lincolnshire, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £200,000 and ordered to pay £12,466.60 in costs at Lincoln Magistrates' Court on 10 May 2024.

### Farming partnership sentenced as dad crushed by hay bales – Safe system of work

A Health and Safety Executive (HSE) investigation found the poorly constructed stack of bales had not been stacked on firm, dry, level, freely draining ground but instead on top of old pallets as the barn floor was uneven and prone to waterlogging. The bales were placed in vertical columns and were not 'tied in' by alternating the layers so the bales overlap and stop the stack from splitting. The company had also failed to identify safe working methods for unstacking bales, keeping the face racked back as bales were removed.

F Conisbee and Sons Ltd, of Ockham Road South, East Horsley, Surrey, pleaded guilty to breaching Regulation 10 (4) of the Work at Height Regulations 2005. The company was fined £36,000 and ordered to pay £4,986 in costs at Staines Magistrates' Court on 15 May 2024.

### Farmer given suspended jail sentence after man killed by cattle – Safe system of work

- An investigation by the Health and Safety Executive (HSE) found that Martin Mitchell had failed to ensure that the risks to members of the public were controlled, including that, where possible, cows with calves were suitably segregated from the public footpath.
- Martin Howard Mitchell of Netherton, Wakefield pleaded guilty to breaching Section 3(2) of the Health & Safety at Work etc Act 1974. In addition to his suspended sentence he was also ordered to pay a fine and make a contribution towards costs.

### Recycling company fined after workers exposed to wood dust – COSHH 2002

- The company failed to design and operate processes and activities to minimise emission, release and spread of wood dust. One solution would be through the use of local exhaust ventilation, the enclosure of machinery or the designing of the processes such as using vacuum systems as opposed to compressed air for cleaning and maintenance.
- Esken Renewables Limited, who operated the site at Port Clarence Road, Port Clarence, Middlesbrough, pleaded guilty of breaching Regulation 7(1) of the Control of Substances Hazardous to Health (COSHH) Regulations 2002 and were fined £160,000 and ordered to pay £5,310.35 in costs at Teesside Magistrates' Court on 23 May 2024.

Skip hire and waste recycling company fined after worker is injured - **PUWER**

An investigation by the Health and Safety Executive (HSE) found that the company failed to provide a safe system of work for changing the cutter blades. This included a failure to provide sufficient information, instruction, and training on how to isolate the granulator when changing the cutter blades or carrying out other maintenance.

At Dunfermline Sheriff Court on 30 May 2024, WM. Russell & Sons Limited of Lilliehill, Dunfermline pleaded guilty to breaching the Health and Safety at Work etc Act 1974, Section 2(1), and 33(1)(a) between 2 April and 9 April 2021, both dates inclusive. and were fined £24,000.

Company director given suspended sentence after worker crushed to death - **MEWP**

- Roger Gibbons, the director of RM Gibbons Ltd, was given a 16 weeks custodial sentence, which was suspended for 12 months. His company was also fined £40,000 following the death of Uldis Sankans, who died after being crushed between a girder and the basket of a mobile elevating work platform (MEWP) while working for RM Gibbons Ltd.

## June

Construction company fined following death of HGV driver - **PUWER**

Tragically, as the mast of the rig was being lowered in preparation for its transportation, it suddenly collapsed and struck Mr Dobinson. Site workers and the emergency services raced to the scene to try to help him, but he sadly died from his injuries.

An investigation by Police Scotland and the Health and Safety Executive (HSE) found that insufficient measures had been taken to maintain the piling rig in a safe condition prior to the incident. Specifically, the securing lug for one of the mast's retaining pins was badly corroded and failed, allowing the pin to displace, causing the mast to topple.

Van Elle Limited, of Southwell Lane, Kirkby-in-Ashfield, Nottinghamshire pleaded guilty to breaching Regulation 5 of the Provision and Use of Work Equipment Regulations 1998. The company was fined £233,000 at Dumfries Sheriff Court on 4 June 2024.

Tata Chemicals fined following young father's death – **Safe system of work**

- On 30 November 2016, during the course of this work, Mr Densmore stepped over a trough which contained milk of lime – which had been heated to approximately 90 degrees centigrade. His right foot slipped on an unfastened lid covering the trough, resulting in him sustaining chemical and thermal burns to his foot and ankle.
- Tata Chemicals Europe Limited, of Winnington Lane, Northwich, Cheshire pleaded guilty to breaching Section 3(1) of the Health and Safety at work etc. Act 1974. The company was fined £1.125 million and ordered to pay £60,603.54 in costs at Chester Crown Court on 5 June 2024.

Openreach fined following death of engineer – **Safe system of work**

- The investigation found that there was no safe system of work in place for work on or near water, nor had Mr Owen – and others working by the river – received training, information or instruction on safe working on or near water.

- Openreach Limited pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc. Act 1974. The company was fined £1.34 million and ordered to pay costs of £15,858.35 at Llandudno Magistrates' Court on 5 June 2024.

Car wash firm fined for failing to protect workers and the public – **Enforcement notices**

- Investigators from the Health and Safety Executive (HSE) carried out multiple visits to Best Car Wash Ltd in Tavistock between July 2021 and November 2022. They found employees were carrying out car washing outdoors, using electrical appliances such as pressure washers and vacuum cleaners. However, the company had failed to ensure the installation had been constructed or maintained to prevent danger to both the employees and members of the public. As a result of the electrical hazards identified, the company was issued with five enforcement notices.
- Best Car Wash Ltd of Plymouth Road, Tavistock, Devon did not provide representation at Plymouth Magistrates' Court and were found guilty in their absence of breaching Section 3(1) of the Electricity at Work Regs and Reg 33 (1)(g) of the Health & Safety at Work Act 1974. They were fined £40,000 and ordered to pay costs of £3,164 on 6 June 2024.

Construction company fined £2.345m after worker drowned in river – **Risk Assessment**

- BAM Nuttall Limited, of Knoll Road, Camberley, Surrey, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £2.345 million and ordered to pay £25,770.48 in costs at Leeds Magistrates' Court on 12 June 2024.
- HSE inspector Jayne Towe said: "BAM Nuttall Ltd failed to plan the work. It failed to carry out any assessment of the risks involved with the task. It failed to have any regard to the recognised hierarchy of controls to reduce the risk associated with removing debris from the water. It failed to ensure that suitable safety measures were in place and failed to put in place a safe system of work."

Equipment supplier fined after worker injured – **Safe system of work**

- A Health and Safety Executive (HSE) investigation found Harper UK (Aberdeen) Ltd, a supplier of equipment to a number of industries including oil and gas, failed to implement an adequate means of protection. At the time of the incident, there was no chuck guard in place, an absence of tooling to allow the task to be undertaken safely and no risk assessment for this particular lathe.
- Harper UK (Aberdeen) Ltd, of Albyn Place, Aberdeen, pleaded guilty to breaching Section 2(1) and Section 33(1)(a) of the Health and Safety at Work etc. Act 1974. The company was fined £10,000 at Aberdeen Sheriff Court on 18 June 2024.

Man spared jail for carrying out unsafe work on his own home – **Work at height**

- A fixed safe scaffold could and should have been erected around the perimeter of the roof, but Mr Rehman chose to put cost cutting at the expense of safety to ensure the replacement roof to his property was completed. cost-cutting at the expense of safety.
- An investigation by the Health and Safety Executive (HSE) found that Abdul Rehman, from Manchester, chose to ignore the issue of an enforcement notice and continue

to instruct operatives to work on the roof without any form of fall protection under the hours of darkness.

- He pleaded guilty to breaching regulations 4(1) and 6(3) of the Work at Height Regulations 2005, and section 33 1(g) of the Health and Safety at Work Act 1974. He was given a custodial sentence of 12 months, but this was suspended for 18 months. During that time he must also complete 180 hours of unpaid work. He must also pay £6,450 in costs at a hearing at Manchester Magistrates' Court on 18 June 2024.

#### Housing company fined after worker killed by concrete blocks – Safe system of work

- The Health and Safety Executive (HSE) investigated and found that Avant Homes (Scotland) Limited as the principal contractor on site should have ensured there was a safe system of work for the unloading of the delivery vehicle driven by Mr Morgan. It also found Regen Waste Ltd had not carried out a suitable and sufficient assessment of risk for the drivers delivering to remote sites not under its control.
- On 19 June at Hamilton Sheriff Court, Avant Homes (Scotland) Limited of Edinburgh Park, Edinburgh pleaded guilty to a breach of Section 3(1) of the Health and Safety at Work etc. Act 1974 and were fined £333,000. Regen Waste Limited of Newry, County Down pleaded guilty to breaching Regulation 3(1)a of the Management of Health and Safety at Work Regulations 1999 and were fined £23,000.

#### Livestock auctioneers fined after man, 75, killed by cow – Effective control measures

- A Health and Safety Executive (HSE) investigation found J.J. Morris Limited, which has operated Whitland Livestock Market for over 30 years, failed to implement basic, physical control measures to prevent cattle from escaping. Additionally, the company's risk assessment was not suitable nor sufficient as it referenced control measures that were not present at the market.
- J.J. Morris Limited, of High Street, Haverfordwest, Pembrokeshire, pleaded guilty to breaching Section 2(1) and Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £75,000 and ordered to pay £5,047.55 in costs at Llanelli Magistrates' Court on 20 June 2024.

#### Company fined after delivery driver electrocuted – CDM 2015

- A Health and Safety Executive (HSE) investigation found BBM Contracts Limited, the principal contractor, ordered the delivery and chose the area where the crushed concrete would be delivered. However, the delivery area was located below an 11kv overhead powerline. The company was aware of the presence of overhead powerlines but did not consider whether there was an alternative way of working which avoided them, nor did it put in place demarcations or warnings. An alternative delivery route was subsequently used following the incident.
- BBM Contracts Limited, of Aldbourne Avenue, Earley, Reading, pleaded guilty to breaching Regulation 13(1) of the Construction (Design and Management) Regulations 2015. The company was fined £30,000 at Reading Magistrates' Court on 20 June 2024.

#### Companies fined after 16-year-old worker exposed to asbestos – CDM 2015

- A Health and Safety Executive (HSE) investigation found that Alt Berg Holdings Limited had failed to carry out an asbestos refurbishment and demolition survey of the property, which would have identified the asbestos. P Turnbull Joinery and Building Services Ltd had not properly assessed the work and failed to prevent the worker being exposed to asbestos.
- P Turnbull Joinery and Building Services Ltd, of Attwood Terrace, Wolsingham, Durham, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £2,000 and ordered to pay £500 in costs at Peterlee Magistrates' Court on 20 June 2024.
- Alt Berg Holdings Limited, of Moor Road, Melsonby, Richmond, North Yorkshire, pleaded guilty to breaching Regulation 4(4) of the Construction (Design and Management) Regulations 2015. The company was fined £6,000 and ordered to pay £1,950 in costs at Peterlee Magistrates' Court on 20 June 2024.

#### Charitable trust fined following death of volunteer – Safe system of work

- The trust routinely used volunteers to assist in work to undertake tasks including clearing rubbish and overgrowth from various canal sites and general gardening type duties but had increasingly used volunteers for light construction works.
- Wilts & Berks Canal Trust, of Dauntsey Lock, Chippenham, Wiltshire, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974. The trust was fined £30,000 and ordered to pay £10,822 in costs at Swindon Magistrates' Court on 24 June 2024.

#### Explosives manufacturer fined £670,000 after worker dies – Safe system of work

- An investigation by the Health and Safety Executive (HSE) found that Chemring Countermeasures Limited of Romsey, Hampshire, had failed to carry out a suitable and sufficient risk assessment. They had also failed to identify that explosive material was building up within work equipment, or to identify the sensitiveness of these explosives and had not put in place controls to ensure that this build-up of material did not present a serious risk to workers. Furthermore, workers were poorly supervised, allowing routine non-compliance with process instructions to take place.
- Chemring Countermeasures Limited pleaded guilty to breaching Regulation 2(1) of the Health and Safety at Work etc Act 1974. They were fined £670,000 and was ordered to pay £12,835 costs at a hearing at Swindon Magistrates' Court on 27 June 2024. The prosecution was supported by HSE enforcement lawyer Alan Hughes and paralegal officer Ellen Garbutt.

#### July

#### Council fined as school technician loses finger - PUWER

- A Health and Safety Executive (HSE) investigation found West Sussex County Council, the local authority in charge of the school, failed to ensure Mr Soday was trained to use the bench circular saw. Mr Soday had used the saw many times but had not been trained on how to use it safely.
- West Sussex County Council pleaded guilty to breaching Regulation 9 of the Provision and Use of Work Equipment Regulations 1998. The local authority was

fined £16,000, ordered to pay £4,294.60 in costs and a victim surcharge of £190 at Brighton Magistrates' Court on 3 July 2024.

Company and director fined after worker fractures skull – **Safe system of work**

- A Health and Safety Executive (HSE) investigation found that Code-A-Weld (Great Yarmouth) Ltd failed to carry out a suitable and sufficient risk assessment; control risks from welding in confined spaces; and to provide the full training required.
- The investigation also found that company director, David Fowler, failed to provide safe systems of work in relation to metal fabrication work, despite previous HSE interventions regarding failure to risk assess activities in the fabrication workshop.
- Following a sentencing hearing at Chelmsford Magistrates' Court on 20 June 2024, DJ Williams issued their written judgment on 5 July:
  - Code-A-Weld (Great Yarmouth) Ltd, of Harfreys Industrial Estate, Bessemer Way, Great Yarmouth, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £24,000 and ordered to pay £3,500 in costs.
  - David Fowler, of Harfreys Industrial Estate, Bessemer Way, Great Yarmouth, pleaded guilty to breaching Section 37(1) of the Health and Safety at Work etc. Act 1974. He was fined £2,000 and ordered to pay £1,500 in costs.

Engineering firm fined after employee sustains serious injuries at HS2 site – **Work at height**

- A Health and Safety Executive (HSE) investigation found that EMC Elite Engineering Services Ltd failed to ensure the work at height was properly planned, appropriately supervised, and carried out in a manner that was as safe as reasonably practicable.
- EMC Elite Engineering Services Ltd, of Heronsgate Trading Estate, Paycocke Road, Basildon, Essex pleaded guilty to breaching Regulation 4(1) of the Work at Height Regulations 2005. The company was fined £52,500 and ordered to pay £6,871.12 in costs at St Albans Magistrates' Court on 15 July 2024.

£240,000 fine for company after fall left man paralysed – **Work at height**

- An investigation by the Health and Safety Executive (HSE) found that Wood Transmission and Distribution Limited failed to ensure that the work at height was properly planned, appropriately supervised, and carried out in a manner that was, so far as was reasonably practicable, safe. The company had not considered the work at height hierarchy as part of its planning and had not assessed the risks associated with bolt cracking. Furthermore, it had not adequately resourced the task in line with its own safety documentation, and had failed to put in place a process for transferring work between teams and ensuring safety critical information was recorded and communicated effectively.
- On 12 April 2024, Wood Transmission and Distribution Limited, of Booths Park, Chelford Road in Knutsford pleaded guilty at Birmingham Magistrates Court to breaching regulation 4(1) of the Work at Height Regulation 2005. At a hearing on 17 July 2024 they were subsequently fined £240,000 and ordered to pay costs of £14,142.



#### Recycling company fined £3m after one man died and another seriously injured – Safe system of work

- An investigation by the Health and Safety Executive (HSE) identified serious failings with the planning and the risk assessment which did not adequately cover the planned works. Shortcomings in supervision of the incident were also identified. The company did not risk assess the skirt pile being removed as it was considered low risk. As a result there was no cutting plan or safe system of work for the skirt pile.
- Veolia ES (UK) Limited of Pentonville Road, London, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. At a sentencing hearing at Ipswich Crown Court, on 22 July 2024, the company was fined £3,000,000 and ordered to pay £60,000 in costs.

#### Recycling company director sentenced after worker loses leg

- An investigation by the Health and Safety Executive (HSE) found that Daisy Ning Bai, introduced a working platform in front of the baler to make the job of filling the hopper easier for the operatives. The introduction of the platform in front of the hopper permitted easy access to the baling chamber including access to the dangerous moving parts of the baler itself.
- Daisy Ning Bai, director of BW Recycling Limited of Ridge View Drive, Huddersfield, West Yorkshire pleaded guilty to breaching Section 37(1) of the Health & Safety at Work etc Act 1974. She was given a 12-month community order and must complete 160 hours of unpaid work. She was also ordered to pay £5,843 in costs.

#### Company fined £160,000 after worker loses legs – Safe system of work

- An investigation by the Health and Safety Executive (HSE) found that William Stobart & Son Limited failed to ensure this area of the warehouse was organised so that vehicles and pedestrians were segregated and circulated in a safe manner and loads were secured so far as was reasonably practicable.
- William Stobart & Son Limited, of Ashville Way Industrial Estate, Sutton Weaver, Runcorn, Cheshire pleaded guilty to breaching regulation 2(1) of the Health and Safety at Work etc Act 1974. The company was fined £160,000 and ordered to pay £4,478 costs at a hearing at Warrington Magistrates Court on 30 July 2024.

#### Wolverhampton company fined after worker hit by forklift truck – Vehicle separation

- An investigation by the Health and Safety Executive (HSE) revealed that there were inadequate measures to segregate pedestrians and vehicles at the site, including the weld shop where the accident happened. It was commonplace for forklifts to enter the welding areas and pens whilst pedestrians were in close proximity.
- Fablink UK Limited of Stafford Road, Wolverhampton pleaded guilty at Dudley Magistrates Court to breaching Section 2 (1) of the Health and Safety at Work etc. Act 1974. They were fined £30,000 and ordered to pay costs of £6,104.

## August

### Companies fined after dad crushed to death by machine

- The HSE investigation found that two contractors, Premier Engineering Projects Ltd and M&M Mobile Crane Hire Ltd, failed to ensure the safety of those involved in carrying out the replacement of the Trisomat screen. The work being undertaken was not properly planned, supervised or carried out safely, and the assessment of the risks arising from the work was both unsuitable and insufficient. Mr Hartley was working with nine other engineers, also hired by Premier Engineering Projects, as well as three workers from M&M Mobile Crane Hire Ltd at the site.
- Premier Engineering Projects Ltd, of Industry Road, Carlton, Barnsley, South Yorkshire, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £28,000 and ordered to pay £9,277.48 in costs at the Old Bailey on 1 August 2024.
- M&M Mobile Crane Hire Ltd, of David Road, Colnbrook, Slough, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £48,000 and ordered to pay £9,500 in costs at the Old Bailey on 1 August 2024.

### Company fined £1m as employee suffers serious injuries – Safe system of work

- The HSE investigation found Southampton Container Terminals Limited had failed to ensure there was a system of work that ensured the replacement of the glass floor and routine maintenance work could be carried out safely at the same time. The company also failed to ensure there was a risk assessment in place and failed to implement its own policy for the use of permits to work whilst working at height.
- Southampton Container Terminals Limited, of Palace Street, Westminster, London pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £1 million and ordered to pay £11,664.59 in costs at Southampton Magistrates' Court on 2 August 2024.

### Builder avoids immediate prison sentence after failing to protect workers – Falls from height

- A proactive investigation by HSE found Beadle allowed workers under his control on at least three occasions to continue using a scaffold which was not properly constructed. It was a potentially dangerous structure at risk of collapse and in breach of the prohibition notice.
- Sixty-three-year-old Beadle also failed to ensure that suitable and sufficient measures were in place to prevent workers falling a distance that would have caused personal injury. No edge protection had been installed to the side of the roof, the flat dormer roof, the front elevation of the roof, and safe access was not provided.
- He was given a 26-week custodial sentence, suspended for 12 months and was told to complete 150 hours of unpaid work.
- Beadle of Rochester Way, London, pleaded guilty to breaching Regulation 6(3) of the Work at Height Regulation 2005 and 33(1)(g) of the Health and Safety at Work etc. Act 1974. He was also ordered to pay £6,043 in costs at the hearing at Bexley Magistrates Court on 7 August 2024.

#### Multi-national food company fined after worker loses fingers - **PUWER**

- An investigation by the Health and Safety Executive (HSE) established that there were no fixed guards preventing access to the blades from the underside. It also found there were not any interlocked guards which would stop the rotating parts if any component on the underside of the mixer were to be removed.
- Kerry Ingredients (UK) Limited of Bradley Road, Bristol pleaded guilty on 26 July 2024 to a contravention of The Provision and Use of Work Equipment Regulations 1988, Regulations 11(1) and (2) and the Health and Safety at Work etc. Act 1974, Section 33(1)(c). At a further hearing on 8 August 2024, the company was fined £360,000.

#### Grampian Health Board prosecuted after death of patient

- An investigation by the Health and Safety Executive (HSE) found that Grampian Health Board had failed to adequately manage the risks posed to a patient's health and safety.
- On 8 August 2024, Grampian Health Board pleaded guilty to breaching Sections 3(1) and Section 33(1)(a) of the Health and Safety at Work etc. Act 1974 and were fined £60,000 with a £4,500 victim surcharge.

#### East Sussex body fined as dog walkers struck by tree

- A Health and Safety Executive (HSE) investigation found The Conservators of Ashdown Forest failed to identify the risk to members of the public from tree felling. This meant precautions, such as posting warning signs and using barriers and banksmen, were not implemented to prevent members of the public from accessing areas where the tree felling was taking place.
- The Conservators of Ashdown Forest pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974. The trust was fined £8,000 and ordered to pay £3,589.80 in costs at Brighton Magistrates' Court on 12 August 2024.

#### Woodworking company fined following collision death – **Vehicle separation**

- An investigation by the Health and Safety Executive (HSE) found that John Brooke (Timber Treatments) Limited did not properly organise its workplace to keep pedestrians safe. There were no control measures, such as physical barriers, to prevent pedestrians accessing areas where loading shovels, lorries, forklift trucks and 360 grabs operated. It failed to properly assess the risks from operating machinery with reduced visibility and did not properly train, instruct and monitor employees.
- Every workplace must be safe for the people and vehicles using it and traffic routes must be suitable for the people and vehicles using them. HSE has [guidance on workplace transport](#) with advice on keeping traffic routes safe and separating people from vehicles.
- On 20 August 2024, John Brooke (Timber Treatments) Limited of Fosse Way, Widmerpool, Nottingham pleaded guilty to breaching regulation 17(1) of the Workplace (Health, Safety and Welfare) Regulations 1992 and section 33(1)(c) of the Health and Safety at Work etc. Act 1974 at Nottingham Crown Court. They were fined £22,500 and agreed to pay costs of £44,227.28.

#### Farmer gives grandchildren rides in tractor: footage released

- A HSE inspector who investigated Mr Walters says the law is “very clear”. Children under 13 are specifically prohibited from driving or riding on or in any agricultural machine, including the tractor cab.
- Howard Walters, of Tirmynydd Farm in Birchgrove, Swansea, pleaded guilty to breaching section 33(1)(g) Health and Safety at Work etc Act 1974. He was given a 12 month community order and ordered to pay £3,000 in costs.

#### Company fined after worker died in excavation

- An investigation by HSE found the collapse was caused by a lack of support to the vertical walls of the excavation. Carrig Construction Services Limited, a company that specialises in groundworks and drainage works, failed to identify the risks from working in the excavation and did not ensure there were practicable steps in place to ensure workers were protected while inside the excavation.
- Carrig Construction Services Limited, of Hunters Way, Lochwinnoch, Argyll, pleaded guilty to breaching Section 2(1) and Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £75,000 at Glasgow Sheriff Court on 28 August 2024.

### September

#### Fine for rogue landlord who put tenants lives at risk

- Despite the Improvement Notice served on Ms Holliday to undertake gas safety checks, she ignored this and further requests from HSE. She also claimed the tenants had moved out and had not been paying rent, the investigation found this claim to be completely untrue.
- On the 2nd September 2024 at Sevenoaks Magistrates Court, Dawn Holliday, of Golden Leas Holiday Park, Plough Road, Minster on Sea, pleaded guilty to three charges under Health and Safety at Work etc Act 1974 Section 21 and Gas Safety (Installation & Use) 1998 36(2) and 36(3) and was sentenced to imprisonment of 26 weeks, suspended for a period of 12 months, District Judge Leake also imposed an electronically monitored curfew on Ms Holliday at her address for a period of 4 months with the curfew hours of 20:00-06:00 and awarded HSE £750 in costs. Additionally the Judge made a remediation order pursuant to section 42 of the 1974, for Ms Holliday to undertake the gas safety inspection required of her by the 6th December 2024.

#### Tyre firm fined after worker dragged into machine - **PUWER**

- An investigation by the Health and Safety Executive (HSE) found that D&D Commercial Services Limited had failed to ensure that the hold-to-run controls were working as they should, and that the brake on the bladed rotating rasp was operational. The brake should have stopped the rasp moving immediately on letting go of the controls, but in fact, would continue to freewheel for approximately five minutes before coming to rest.
- HSE prosecuted D&D Commercial Services under Section 2(1) of the Health and Safety at Work etc. Act 1974 for its failure to ensure the health, safety, and welfare of its employees. The company did not enter a plea.

- The court found the company guilty following a hearing at Westminster Magistrates Court on 4 September 2024. They were fined £54,000 and ordered to pay costs of £6,000.

Routine HSE inspection results in £150,000 fine for food manufacturer - **PUWER**

- Identical guarding failings were again found at the inspection in October 2023, demonstrating that the company had not only failed to sustain improvements, but had effectively ignored HSE's previous enforcement action by continuing to use these machines in an unsafe manner.
- On 4 September 2024, at Westminster Magistrates' Court, Oriental Delight (UK) Limited pleaded guilty to three breaches of Regulation 11(1) of The Provision and Use of Work Equipment Regulations 1998 and was fined £150,000 and ordered to pay costs of £3,020.

National Grid fined £3.2million after pylon worker suffers serious burns – **Safe system of work**

- An investigation by the Health and Safety Executive (HSE) found that 4 Power Ltd who are based at Unit 1b, Iddenshall Hall Farm in Cheshire, failed to properly plan and assess the risk. Had this been done, it would have identified that the arms of pylon were too short to do the work safely, while maintaining the specified safety distances as per industry standard. National Grid Electricity Distribution (South Wales) Plc who are based at Avonbank, Feeder Road, Bristol failed to ensure that the electricity was off in order to do this work safely on the pylon.
- 4 Power Ltd pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974 and have been fined £80,000 and ordered to pay costs of £14,123.
- National Grid Electricity Distribution (South Wales) Plc pleaded guilty to breaching Regulation 14 of the Electricity at Work Regulations 1989 and have been fined £3.2million and ordered to pay costs of £20,460.

Construction firm fined as worker loses life and another injured - **LOLER**

- The HSE investigation found the incident could have been prevented had Balfour Beatty implemented better controls and put in place better communication between contractors. There were contractors at the site that were moving the hydraulic units into place with the overhead travelling gantry crane, and another team who were installing internal cladding. Balfour Beatty, as principal contractor on site, had a duty to ensure communication and co-operation between these contractors. There was also no lift supervisor present at the time of the incident.
- Balfour Beatty, of Churchill Place, Canary Wharf, London, pleaded guilty to breaching Regulation 8(1) of the Lifting Operations and Lifting Equipment Regulations 1998. The company was fined £285,000 and ordered to pay £21,768.88 in costs at Birmingham Crown Court on 16 September 2024.

Company fined after 'loving' grandad dies from fall – **Working at height**

- A Health and Safety Executive (HSE) investigation found Cooper and Westgate failed to adequately secure the hole as its employees were not properly trained. The

company had also failed to undertake a suitable and sufficient risk assessment, nor a method statement for the work involved.

- Cooper and Westgate Co. Ltd, of Navigation Court, Calder Park, Wakefield, West Yorkshire was found guilty of breaching Section 2(1) and Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £150,000 and ordered to pay £50,000 in costs at Leeds Magistrates' Court on 17 September 2024.

Manufacturing company fined as worker suffers six bone fractures – [Safe system of work](#)

- An investigation by the Health and Safety Executive (HSE) found Screening Consultancy and Supplies Ltd had failed to undertake a suitable and sufficient assessment of the risk associated with this work activity, and subsequently failed to implement a safe system of work.
- Screening Consultancy and Supplies Ltd, of Somers Road, Rugby, Warwickshire, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £28,000 and ordered to pay costs of £3,616 at Birmingham Magistrates' Court on 19 September 2024.

Chemicals firm fined following explosion - [The Dangerous Substances and Explosive Atmospheres Regulations 2002](#)

- A Health and Safety Executive (HSE) investigation found Rathburn Chemicals had an inadequate system in place which failed to control the amount of steam and heat being generated during its distillation process. The company also failed to adequately detect any signs of overheating which could lead to flammable vapour being ignited.
- Rathburn Chemicals (Manufacturing) Limited, of Caberston Road, Walkerburn, Peeblesshire, pleaded guilty to breaching Section 2(1) and Section 33(1)(a) of the Health and Safety at Work etc. Act 1974. The company was fined £40,000 and ordered to pay a victim surcharge of £3,000 at Lothian and Borders Sheriff Court on 20 September 2024.

## October

Crown Censure issued following death of soldier

- The Health and Safety Executive (HSE) has on, Thursday 3 October, issued the Ministry of Defence (MoD) with a Crown Censure following the death of a reservist soldier in Yorkshire.
- Staff Sergeant John McKelvie of Drongan in Ayr, was killed after the Jackal vehicle he was driving rolled multiple times down a steep hill at Catterick Training Area on 29 January 2019.
- An investigation by the HSE identified that the training course involved hazardous activities, which gave rise to the potential for the vehicle to roll. This meant those taking part in the training were exposed to risk – however, that did not mean the activity itself should not have taken place. There were other steps that should have been taken to control the dangers with driving the vehicles, however these were not undertaken.
- It also found a failure in oversight, meaning the course programme devised progressed too quickly and prevented trainees from developing the necessary



expertise and skills before attempting more challenging obstacles on the off-road element of the course.

- The risk assessments were not suitable and sufficient, and despite numerous previous 'rollover events', the Army failed to foresee what could go wrong.
- The investigation also found that standing orders and directions had not been properly followed.

Leading sandwich bread baker fined after worker loses finger – **safe system of work**

- An investigation by the Health and Safety Executive (HSE) found that Jacksons Bakery Limited failed to ensure, so far as is reasonably practicable, the health, safety and welfare of all their employees.
- In this instance there was a failure to implement a safe system of work ensuring that machinery was isolated and then locked off during maintenance work when fixed guards would be removed.
- Additionally, HSE found that engineers were unclear on when to isolate and 'lock out tag out' machines due to an absence of adequate training and instruction – and the fact that it was custom and practice to not robustly isolate and lock off illustrated an absence of adequate supervision and monitoring.
- Jacksons Bakery Limited of The Riverside Building, Liverstone Road, Hessle, East Yorkshire, HU13 0DZ, pleaded guilty to contravening a requirement of section 2(1) of the Health and Safety at Work etc Act 1974.
- The company was fined £366,666 and was ordered to pay £5,386 costs at a hearing at Wellingborough Magistrates Court on 3 October 2024.

Cosmetics firm fined after HSE inspection found serious failings – **Electricity at work**

A subsequent investigation by HSE found there was a systemic failure within the company to address the risks identified with the electrical systems. The inadequate construction and maintenance of the electrical system at the premises presented an immediate risk of employees coming into direct contact with exposed live parts on equipment and machinery within the company premises. The company allowed the breaches to subsist over a long period of time.

Sabel Cosmetics Ltd of Pellon Lane, Halifax, West Yorkshire pleaded guilty to breaching Regulation 4 (1) of the Electricity at Work Regulations 1989. The company was fined £56,695 and ordered to pay £5,949 in costs at Leeds Magistrates Court on 10 October 2024.

Company fined following crane collapse - **LOLER**

- A Health and Safety Executive (HSE) investigation found A&P Falmouth had failed to properly maintain the crane. Although the crane had been examined by a third-party, its recommendations regarding defects were not acted on by A&P Falmouth.
- A&P Falmouth Limited, of Wagonway Road, Hebburn, Tyne and Wear pleaded guilty to breaching Section 2(1) and Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £750,000 and ordered to pay £26,792.30 in costs at Truro Crown Court on 11 October 2024.

#### Cheshire farm owner fined after roofer dies in fall – Work at height

- “The forklift truck and potato box were the wrong pieces of equipment for the job and never a suitable platform for working at height. The work should instead have been carried out using a tower scaffold, scissor lift, or a cherry picker.
- “In bringing the forklift truck and potato box and using it to lift Mark at height, the company was in control of the work but had failed to implement proper planning and safe execution of it.
- A joint investigation by Cheshire Constabulary and the Health and Safety Executive (HSE) found that on the day of the accident there was no safe system of work implemented for working at height and unsuitable work equipment was used. The potato box did not have the required safety features for a non-integrated work platform and had not been secured in a way to prevent it overbalancing. Additionally, the forklift truck had not been subjected to a thorough examination at the required frequency and was unsuitable for lifting people and Denis Thornhill was not formally trained in operating the forklift truck. Enforcement action was taken and a Prohibition Notice was served on the company prohibiting further work until a safe system was devised.
- Denis Thornhill of Eaton Lane, Tarporley, Cheshire was cleared of manslaughter but was also found guilty of breaching Section 37 of the Health and Safety at Work etc. Act 1974, by virtue of 37(1) of the Act and was fined £4,000 and ordered to pay costs of £4,000.
- D.S. Thornhill (Rushton) Limited of Moss Hall Farm, Moss Hall Lane, Tarporley, Cheshire was found guilty of breaching Section 3(1) of the Health and Safety at Work etc. Act 1974 and was fined £12,000 and ordered to pay costs of £10,000.

#### Contractor fined after worker left paralysed by falling tree – Safe system of work

- An investigation by the Health and Safety Executive (HSE) found Mr Hayward, who was in charge of the tree felling, failed to implement a safe working zone around the tree as it was being felled. A safe working zone is usually twice the size of the tree, with only the felling operator permitted inside the zone. The tree fell in the unintended direction as the cut made by Mr Hayward did not leave a functioning hinge.
- Gerald Hayward, of Blandford Forum, Dorset pleaded guilty to breaching Section 3(2) of the Health and Safety at Work etc. Act 1974. He was fined £1,000 and ordered to pay £1,000 in costs at Salisbury Magistrates’ Court on 15 October 2024.

#### Farmer handed suspended prison sentence after worker dies from fall – Work at height

- An investigation by the Health and Safety Executive (HSE) and Hampshire Constabulary found Mr Tickner failed to put arrangements in place to either avoid working at height, prevent a fall or mitigate the consequences of a fall. None of the team of workers were competent enough to work at height as they lacked the understanding of the risks and the associated controls to manage the risks while working at height.
- Philip Tickner, of Upper Lanham, Old Alresford, Alresford, Hampshire, pleaded guilty to breaching Section 2(1) and Section 3(1) of the Health and Safety at Work etc. Act 1974. He was handed a six-month custodial sentence, suspended for 18 Months, and ordered to pay £2,000 in costs at Winchester Crown Court on 18 October 2024.

#### Residents put at risk of deadly disease as company fined £900k – L8

- A Health and Safety Executive (HSE) investigation found Sanctuary Housing poorly managed the risk of legionella in the water system of Vincent Naughton Court, with staff inadequately trained and supervised. The residents were a particularly vulnerable group due to their age and underlying health issues, putting them at a higher risk of contracting Legionnaires' disease.
- The HSE investigation found that legionella was detected during testing on 16 and 31 July, which prompted a letter being written by Sanctuary Housing to residents, advising that work would be carried out on the water system on 6 August.
- The letter, dated 3 August, misleadingly stated that the contaminated tap water could be stored in sinks and boiled in kettles. More importantly, the letter failed to inform residents that they should avoid using their showers, which would lead to residents being exposed to the risk of Legionnaires' disease.
- Further testing on 8 and 15 August confirmed legionella was still present as work to fix the water system was carried out. The residents were later evacuated on 24 August.
- Sanctuary Housing Association, of Castle Street, Worcester pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £900,000 and ordered to pay £11,480.60 in costs at Liverpool Crown Court on 22 October 2024.

#### Routine inspection lands metal recycling firm with £650,000 fine – Traffic management

- HSE inspector, Emma Page, visited ASM Metal Recycling at its Griffin Lane premises in Aylesbury on 3 and 8 August 2023. While there, she observed dangerous working practices, including a failure to [segregate moving vehicles from pedestrians](#) as waste was being manually sorted.
- The subsequent HSE investigation further identified that ASM Metal Recycling Ltd had previously identified the risks of pedestrian-vehicle collision but had failed to implement effective control measures to prevent this. At these times, pedestrian workers were exposed to risks of being struck by a vehicle.
- HSE had previously served enforcement notices on ASM Metal Recycling Ltd in 2010, 2014, 2016, 2018. HSE also wrote Notification of Contravention letters to the company in 2021 and 2023.
- ASM Metal Recycling Ltd, of 55 Station Road Beaconsfield Buckinghamshire HP9 1QL, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act. They were fined £650,000 and was ordered to pay £5,885 costs at a hearing at Oxford Magistrates Court on 22 October 2024.

#### Company fined as employee fractures skull – Safe system of work

- A Health and Safety Executive (HSE) investigation found Grayshill Limited failed to implement a safe system of work for the use of quick hitches on the telehandler. A quick hitch is a latching device that enables, in this case, the bucket, to be connected to the arm of the telehandler and changed quickly. A manual quick hitch requires an operator to manually insert a metal pin from the latching device to secure the attachment.
- Grayshill Limited, of Mollins Road, Cumbernauld, Glasgow, pleaded guilty to breaching Section 2(1), Section 2(2)(a) and Section 33(1)(a) of the Health and Safety

at Work etc. Act 1974. The company was fined £80,000 and ordered to pay a victim surcharge of £6,000 at Airdrie Sheriff Court on 28 October 2024.

#### Man spared immediate spell behind bars over unsafe gas work – **Gas safe**

- When the matter was then referred to the Health and Safety Executive (HSE) for investigation, it became clear that Kalyoncu had previously been served with a prohibition notice to not undertake any further gas work unless he was Gas Safe registered.
- Mehmet Kalyoncu, of no fixed abode, pleaded guilty to breaching section 33(1)(g) of the Health and Safety at Work etc Act 1974 and Regulations 3(3) and 6(2) of the Gas Safety (Installation & Use) Regulations 1998. He was sentenced to 12 months imprisonment, suspended for 12 months, and ordered to pay costs of £600 at a trial at Preston Crown Court on 29 October 2024.

#### School trust fined after pupil injured – **Safe system of work**

- A Health and Safety Executive (HSE) investigation into the incident found GLF Schools, the trust that runs Danetree Primary School, had failed to identify the risk to its Key Stage 1 pupils while using the toilets. This meant hinge guards were not installed on the toilet doors of the building where Key Stage 2 pupils were taught.
- GLF Schools, of Picquets Way, Banstead, Surrey, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974. The trust was fined £6,000 and ordered to pay £6,875.70 in costs at Staines Magistrates' Court on 30 October 2024.

#### Fine for construction company after father of three left paralysed – **Work at height**

- An investigation by the Health and Safety Executive (HSE) found that Paul Freeman Limited failed to ensure that work at height had been properly planned and, as such, no measures had been implemented to prevent falls during the construction of the first floor. Mr Clifford had not been provided with suitable instruction as to how the work should be carried out and was therefore left to work this out on his own.
- Paul Freeman Ltd of Synergy House, Acorn Business Park, Commercial Gate, Mansfield, Nottinghamshire, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work Act 1974 at Derby Magistrates' Court on 4 November 2024. They were fined £40,000 and ordered to pay costs of £6,263.

#### Manchester engineering firm fined after apprentice loses fingers - **PUWER**

- An investigation by the Health and Safety Executive (HSE) found that he was being taught how to weld as part of his apprenticeship placement. This process required multiple sections of steel to be available to practice welding on. After a brief period of verbal training he was permitted to cut lengths of steel into these sections using a horizontal bandsaw, which was located in a shipping container some distance away from the main workshop.
- The company pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974 at Manchester Magistrates' Court. They were fined £500,000 and ordered to pay £5,317 costs at a hearing at on 6 November 2024.

## November

### Fine for council after man 'who loved life' killed by falling tree – Robust management system

An investigation by the Health and Safety Executive (HSE) found that when same tree had shed another large limb in September 2019, no investigation was carried out by those responsible to assess whether the tree posed a future safety risk. The council, who controlled the park, did not have a formal overarching tree strategy to manage the risks from trees in public places, and their grounds services contractor, Ansa Environmental Services Limited, had no robust tree management policy.

Cheshire East Council pleaded guilty to breaching Section 3(1) of the Health and Safety at Work Act 1974. They were fined £500,000 and ordered to pay £7,284 costs at a hearing at Chester Magistrates Court on 8 November 2024.

There was no separate penalty for Ansa Environmental Services Limited of Middlewich, Cheshire, who also pleaded guilty to breaching 3(1) of the Health and Safety at Work Act 1974. They were ordered to pay a nominal fine of £500. In passing his sentence, the District Judge said it would have been disproportionate to impose fines on both.

### Company fined after worker killed by telehandler – Traffic route

- An investigation by the Health and Safety Executive (HSE) and Police Scotland found Merchant Homes Partnership Limited, the principal contractor at the site, had not risk assessed the traffic route where the incident occurred.
- Merchant Homes Partnership Limited, of George Square, Glasgow, pleaded guilty to breaching Regulation 27(2) of the Construction (Design and Management) Regulations 2015. The company was fined £160,000 at Glasgow Sheriff Court on 12 November 2024.

### Ginsters owner fined £1.28m after employee crushed to death by lorry – Traffic management

- A Health and Safety Executive (HSE) investigation found Samworth Brothers had not assessed the risks associated with the temporarily installed strip curtains and that there was no safe system of work to move them out of the way when the lorries reversed into the loading bay. The strip curtains had been installed in place of a faulty roller door.
- Samworth Brothers Limited, of Samworth Way, Melton Mowbray, Leicestershire, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £1.28 million and ordered to pay £24,106 in costs at Plymouth Magistrates' Court on 7 November 2024.

### Wood panelling firm fined £400,000 after injured worker loses leg – Safe system of work

- An investigation by the Health and Safety Executive (HSE) found that a colleague of Mr Hughes had loaded a flatbed trailer with waste MDF sheets for him to transport across the site to be destroyed. When he began to take off the straps holding the sheets in place, a pack fell off the trailer and landed on top of him. The road across the site was poorly maintained and had lots of potholes.
- The investigation also found that there was no suitable risk assessment or system of work in place specifically relating to the risks associated with the stacking, movement and loading of waste MDF sheets.

- Kronospan Limited of Chirk, Wrexham pleaded guilty to breaching Section 2(1) of the Health & Safety at Work etc. Act 1974. They were fined £400,000 and ordered to pay costs of £4,701 at Wrexham Magistrates Court on 19 November 2024.

#### **Two companies fined after man falls through roof of Salford skate park – CDM & Work at Height**

- An investigation by the Health and Safety Executive (HSE) found that H2O Renewables Limited (H2O) were the principal contractor engaged for work to install solar panels to the roof of the indoor skate park and had engaged Green Projects Ltd (GPL) as sub-contractor to fit the roof mounted system. H2O planned the work during which time they were aware of multiple fragile rooflights in close proximity to where the solar panels would be fitted.
- H2O Renewables Limited of Hazel Grove, Stockport, pleaded guilty to breaching regulation 13(1) of the Construction (Design and Management) Regulations 2015. They were fined £106,720 and ordered to pay £4,995 costs at a hearing at Manchester Magistrates Court on 20 November 2024.
- At the same hearing, Green Projects Ltd of Albert Street, Oldham, pleaded guilty to breaching regulations 6(3) of the Work at Height Regulations 2005. They were fined £13,340 and ordered to pay £1,600 costs.

#### **Company fined after an explosion seriously injured two employees – Environmental Protection Act**

- A company which produces electricity from food waste by anaerobic digestion, has been fined more than £300,000 after an explosion caused two employees to suffer life changing injuries.
- A joint investigation by the Health and Safety Executive (HSE) and the Environment Agency found that the company had failed to ensure the health and safety of its employees and others nearby. The company had kept and treated waste in a manner likely to cause pollution to the environment. The explosion was caused by multiple failures in the company's management system and exacerbated by multiple breaches of the company's environmental permit.
- At a hearing at Nottingham Crown Court on 22 November 2024, Bio Dynamic (UK) Limited, of Colwick Industrial Estate, Nottingham:
  - pleaded guilty to breaching Section 2(1) and Section 3(1) of the Health and Safety at Work etc. Act 1974.
  - pleaded guilty to breaching regulation 38(2) of the Environmental Permitting (England & Wales) Regulations 2016 (EPR), and s.33(1)(c) of the Environmental Protection Act 1990 (EPA).
  - They were fined a total of £304,500 and ordered to pay £229,988 in costs.

#### **Company fined £1.6m following the death of 'happy-go-lucky' 24-year-old - LOLER**

- An investigation by the Health and Safety Executive (HSE) and Sussex Police found Brand Energy & Infrastructure Services UK Ltd, trading as Lyndon SGB, failed to properly plan the lifting operation of the work platform. The company, a provider of temporary access equipment, had failed to identify a requirement for safe exclusion zones. The company also failed to have a suitable robust system in place to ensure



all accessories had been thoroughly examined or disposed when expired. This resulted in out-of-date slings being used.

- Brand Energy and Infrastructure Services UK Ltd, of Kingston Road, Leatherhead, Surrey pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £1,600,000 and ordered to pay £23,193.60 in costs at Brighton Magistrates' Court on 27 November 2024.

#### **Plastics manufacturer fined as worker suffers multiple leg fractures – Safe system of work**

- A Health and Safety Executive (HSE) investigation found a number of measures lacking at the site in Sittingbourne:
- FloPlast Limited had no documented safe system of work and that nobody was following the measures the firm thought were in place
- CCTV footage showed multiple drivers and pedestrians circulating in close proximity
- A site inspection by HSE found employees were not observing one way systems or following systems of work
- HSE also established that there was no system in place to monitor compliance or to remind employees and drivers of the systems of work
- Finally, it was found that nobody had assessed the vehicles being used by workers to ensure they provided good visibility.
- FloPlast Limited, of Eurolink Business Park, Sittingbourne, Kent, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £400,000 and ordered to pay £5,567 in costs at Maidstone Magistrates' Court on 14 November 2024.

#### **December**

#### **Company and contractor sentenced as failures led to evacuation in village - CDM**

- The HSE investigation found Belper Skip Hire Limited was made aware of the location of the gas main and had been advised by Cadent, the asset owner, in May 2022 that no ground penetrating works were to be carried out in the vicinity. Despite acknowledging receipt of this information, the company failed to pass it on to Mr Kirk and allowed the work to continue. Mr Kirk failed to obtain underground service diagrams prior to starting the work, and failed to take any other steps to check for the presence of underground services.
- Belper Skip Hire Limited, of Ascot Drive, Derby, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £26,667 and ordered to pay £3,173 in costs at Derby Magistrates' Court on 2 December 2024.
- Elliott Henry Kirk, of Castle Gate, Nottingham, pleaded guilty to breaching Regulation 16(2) by virtue of Regulation 25(4) of the Construction (Design and Management) Regulations 2015. He was fined £800 and ordered to pay £3,173 in costs at Derby Magistrates' Court on 2 December 2024.

#### **Company failed to manage legionella risk as prisoner dies – L8**

- The investigation, carried out by HSE inspector Aaron Rashad, found Amey Community Limited, which provided facilities management services at HMP Lincoln, failed to act on a risk assessment carried out in 2016, failed to put in place a written scheme for preventing and controlling legionella risks, failed to ensure that

appropriate water temperatures were maintained and failed to monitor water temperatures in the water system in October and November 2017. This allowed legionella bacteria to multiply rapidly.

- Amey Community Limited, of Furnival Street, London, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £600,000 and ordered to pay £15,186.85 in costs at Lincoln Magistrates' Court on 3 December 2024.

#### **Plastic manufacturing company fined after death of young dad – Suitable training (Competency)**

- The HSE investigation found that Nathan had been on a late shift and was operating a lathe in the tool room to create a work piece for a machine. He applied emery cloth by hand to the workpiece to debur the metal. Emery cloth is similar to sandpaper and can be used to polish metal workpieces. However, it became entangled and wrapped around the workpiece, drawing him in. His sweatshirt sleeve also became entangled pinning him against the rotating workpiece and causing fatal head injuries.
- The investigation found that Maynard and Harris Plastics had failed to provide suitable health and safety training regarding the use of emery cloth on lathes. The company did not have a suitable and sufficient risk assessment for use of alternative methods, such as application of emery cloth using a stick.
- Maynard and Harris Plastics, of Ellough, Beccles, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act. They were fined £330,000 and ordered to pay £4,373 costs at a hearing at Chelmsford Magistrates Court on 5 December 2024.

#### **Company and director sentenced for putting workers at risk – Work at height**

- A roofing firm has been fined while its director has been handed a suspended prison sentence after putting the lives of workers at risk during a roof renovation in Surrey.
- The HSE investigation found workers were seen operating without any scaffolding or edge protection on the roof of a house on Flint Hill, Dorking, on 21 February 2023. This put the workers at risk of falling from height, while there were also no measures to mitigate a fall, with the likes of harnesses not being used. Workers were also observed using the lights from their phones and torches while working on the property at night.
- Weather Master Roofing Limited, of Muswell Hill, Broadway, London, pleaded guilty to breaching Regulation 4(1) of the Work at Height Regulations 2005, Section 33(1)(c) and Section 33(1)(g) of the Health and Safety at Work etc. Act 1974. The company was fined £4,000 and ordered to pay £1,500 in costs as well as a victim surcharge of £1,600.
- Jack Avanzo, of Ballyspillane, Killarney, County Kerry, Republic of Ireland, pleaded guilty to breaching Regulation 4(1) of the Work at Height Regulations 2005, Section 33(1)(c) and Section 33(1)(g) of the Health and Safety at Work etc. Act 1974. He was handed a six-month prison sentence, suspended for two years, ordered to complete 120 hours of unpaid work and disqualified from being a director for three years. He was also ordered to pay £1,500 in costs.

### **Metal firm fined after injured worker loses leg – Safe system of work**

- An investigation by the Health and Safety Executive (HSE) found that London Gates and Railings Ltd failed to properly assess the risk for loading lorries and provide a suitable safe system of work. The FLT operator had not been trained and access to and use of the FLT was not adequately controlled. There were also inadequate measures in place to segregate pedestrians, including members of the public, from workplace transport and associated lifting operations.
- London Gates and Railings Ltd of Guilmore Farm, Sandy Lane, Watford, pleaded guilty to breaching Section 2(1) and 3(1) of the Health and Safety at Work etc Act 1974. They were fined £40,000 and ordered to pay £5,114 costs at a hearing at St. Albans Magistrates Court on 10 December 2024.

### **Engineering company fined after 'caring and loving' man killed – Safe system of work**

- The investigation also found that Partwell Special Steels Limited of Stanley Street, Blackburn, had not undertaken an assessment of the risks involved with moving the machine and that the task had not been suitably planned and no safe system of work had been provided to the employees. Additionally, it was found that neither employee had been provided with suitable and sufficient training to ensure they had the necessary relevant competence to undertake the task. A suitable and sufficient assessment of the suitability of the work equipment provided would have shown that the skates used were unsuitable for this work.
- The company pleaded guilty to breaching regulation 2(1) of the Health and Safety at Work etc Act 1974. They were fined £80,000 and was ordered to pay £6,713 in costs at a hearing at Preston Magistrates Court on 16 December 2024.

### **Council fined after employees exposed to risks from vibrating tools – Safe system of work**

- Rotherham Metropolitan Borough Council pleaded guilty to an offence contrary to Section 33(1)(a) of the Health and Safety at Work etc Act 1974, for their failure to ensure, so far as was reasonably practicable, the health, safety and welfare at work of their employees in accordance with section 2(1) of the Act. On Tuesday 17 December, the Council was fined £60,000 and ordered to pay full costs of £5,775.70.

### **Fine for fairground operator after man 'everyone fell in love with' dies – Moving vehicle**

- A Health and Safety Executive (HSE) investigation found that Premier Attractions Limited had failed to ensure the health and safety of employees. The company pleaded guilty and was fined £28,000 at South Tyneside Magistrates Court on 17 December 2024.
- Premier Attractions Limited of Little Hulton, Manchester, pleaded guilty to failing to comply with section 2(1) of The Health and Safety at Work etc Act 1974 – an offence contrary to s.33(1)(a) of that Act. They were fined £28,000 and ordered to pay £5,976 costs.

### **Company fined after worker "full of hopes and dreams" dies at wind farm construction site – Risk Assessment**

- The HSE investigation found the company had failed to identify the risks of the bale arm falling and failed to put in place a safe system of work to ensure that anyone using, maintaining or cleaning the skip would be protected from harm.

- BAM Nuttall Limited, of Knoll Road, Camberley, Surrey, pleaded guilty to breaching Section 2(1) and Section 33(1)(a) of the Health and Safety at Work etc. Act 1974. The company was fined £800k with a £60k victim surcharge at Inverness Sheriff Court on 18 December 2024.

#### **Drinks giant fined after worker sustains serious burns - PUWER**

Diageo Scotland Limited, of Lochside Place, Edinburgh, pleaded guilty to breaching Sections 2(1), 2(2)(a), 2(2)(c), 33(1)(a) and 33(1)(c) of the Health and Safety at Work etc. Act 1974. The company was fined £500,000 at Inverness Sheriff Court on 16 December 2024.

#### **School Academy Trust fined £300,000 after student death – Risk assessment**

- An investigation by the Health and Safety Executive (HSE) found that none of the staff in Owen's class team had received any specific training on the management of safety risks associated with Pica.
- The HSE investigation also found that students at the school have individual risk assessments which detail any specific health and safety risks, which relate to them, and the control measures that need to be in place at to protect against that risk. The risk of choking associated with Pica was identified on Owen's risk assessment and a "named person" was supposed to supervise him to make sure he did not eat anything that could cause him harm.
- Unity MAT, c/o Woodlands School Packington Lane, Coleshill, Birmingham, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974. They were fined £300,000 and ordered to pay £10,750 in costs at Coventry Magistrates Court on 18 December 2024.

#### **Food manufacturer fined following machinery incidents - PUWER**

- David Wood Baking Limited of Calverley Road, Oulton, Leeds, pleaded guilty to breaching Regulation 11(1) of the Provision and Use of Work Equipment Regulations 1998. The company was fined £573,344 and was ordered to pay £12,288 costs at a hearing on 19 December 2024 at Manchester Magistrates' Court.

#### **Company fined as worker breaks leg from fall – Work at height**

EE Renewables Limited, of Salterns Lane, Fareham, Hampshire, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £120,000 and ordered to pay £4,716 in costs at Swindon Magistrates' Court on 23 December 2024.