

HSE Successful Prosecution

March 2022

Farmer fined after worker becomes entangled in potato harvester

- Alan Down of Main Road, Sellindge, Ashford, Kent pleaded guilty to breaching Regulation 11(1)(b) of the Provision and Use of Work Equipment Regulations 1998. He was fined £4,992 and ordered to pay costs of £5,805.

Principal contractor sentenced for unsafe excavation work

- Mustapha Matib of Allerton Road, Bradford pleaded guilty to breaching Regulations 2(1) and 3(1) of the Health & Safety at Work etc. Act 1974. He was sentenced to sixteen weeks imprisonment suspended for twelve months, ordered to carry out 200 hours unpaid work and pay costs of £5,673.

Livestock auction mart fined after fatal incident involving a dairy bull

- Gisburn Auction Marts Ltd of The Auction Mart, Gisburn, Clitheroe, Lancashire pleaded guilty to breaching Section 2(1) of the Health & Safety at Work Act 1974. The company was fined £18,000 and ordered to pay costs of £8,819.

Spring manufacturer sentenced after worker severs fingers

- Hanson Springs Ltd of Hanson Place, Gorrells Way, Rochdale, Lancashire pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc. Act 1974. The company was fined £200,000 and ordered to pay costs of £5,394.

Company fined after worker suffered fall from height

- Infiniti Roofing and Construction Ltd of Cayton Low Road, Scarborough, North Yorkshire pleaded guilty to breaching Section 3 (1) of the Health & Safety at Work etc Act 1974. The company has been fined £22,667 and ordered to pay £7,228 in costs.

Fine for construction company after worker injured because of brake failure

- Nelson Plant Hire Ltd of Homestead Farm, Weyhill Road, Penton Corner, Andover, Hants, pleaded guilty to breaching Regulation 5 of the Provision and Use of Work Equipment Regulations 1998 (PUWER98) for failing to maintain the plant and was fined £10,000- and ordered to pay costs of £8,826.70

Farmer sentenced after child fatally injured in fall from farm vehicle

- Brian Nutter of Tynedale Shippon, Newchurch-in-Pendle, Lancashire pleaded guilty to breaching Section 3 of the Health and Safety at Work etc. Act 1974. He was given a 26-week prison sentence suspended for 18 months, a community order, which included 250 hours of unpaid work and ordered to pay costs of £5,154.

Construction company prosecuted after workers fall from height

- H Cumberbirch & Son Limited of Fence Avenue in Macclesfield pleaded guilty to breaching Regulation 4(1) of the Work at Height Regulations 2005. The company was fined £36,000 and ordered to pay costs of £2,824.

A letting company and its director have been fined for gas safety failings

- Belleview Property Limited of Station Road, St Ives, pleaded guilty to breaching the Gas Safety Installation and Use Regulations 1998, Regulation 36(3) and failing to comply with

the requirement to provide information under Health and Safety at Work etc Act 1974, Section 20 was fined £12,000 with £2,245.28 costs.

- Contractor fined for failing to comply with health and safety regulations
- Mr Tamasaukas, formerly of 27 Neterfield Gardens, Barking and now resident in Romford, Essex, pleaded guilty to breaching Regulation 15(2) of the Construction (Design and Management) Regulations 2015 and two counts of breaching Section 33(1)(g) of the Health and Safety at Work Act 1974. He was ordered to serve a community order, which involves undertaking 280 hours of unpaid work within the next 12 months and ordered to pay costs of £5,000.

Company fined after a worker falls from height when platform collapses

- Able UK Limited of Able House, Billingham Reach Industrial Est, Haverton Hill Road, Cleveland, pleaded guilty to breaching Regulation 2(1) of The Health and Safety at Work act 1974 and was fined £200,000 with £20,991.24 costs by Teesside Magistrates Court.

Company, director and excavator operator fined after two workers sustain severe injuries in separate incidents

- *J Murphy Aggregates Ltd of Viaduct Street Pudsey Leeds West Yorkshire pleaded guilty to breaching Section 2 (1) and Section 3 (1) of the Health & Safety at Work etc Act 1974. The company was fined £70,000.*
- *Shaun Murphy, Director, of Viaduct Street, Pudsey, Leeds pleaded guilty to breaching Section 2 (1) and Section 3 (1) by virtue of section 37(1) of the Health & Safety at Work etc Act 1974. He was sentenced to an eight-month custodial sentence, suspended for two years, and 160 hours of community service. He is also required to attend 20 rehabilitation activity requirement days and pay £2,242.50 costs.*
- *James Duggan, Excavator Operator, of Snawthorne Grove, Castleford West, Yorkshire pleaded guilty to breaching Section 7 (a) and Section 3 (2) of the Health & Safety at Work etc Act 1974. He received an eight-month custodial sentence, suspended for two years, and order to pay £2,242.50 costs.*
- *J Murphy Aggregates Ltd of Viaduct Street, Stanningley, Pudsey, West Yorkshire pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974. For this offence, the company was fined £50,000. J Murphy Aggregates Ltd was ordered to pay a total of £8,750 costs.*

School fined after teaching assistant injured in fall from height

- Todmorden Church of England Junior Infants and Nursery School of Burnley Road, Todmorden pleaded guilty to breaching Section 6 (3) of the Work at Height Regulations 2005. The school has been fined £4,000 and ordered to pay a surcharge of £181 and £747.80 costs.