

Contractor fined after worker left paralysed by falling tree

A contractor from Dorset has been fined after a tree fell onto a forestry worker and left him with life-changing injuries.

The 61-year-old man, who was 58 at the time, is now paralysed from the stomach down after the 21-metre ash tree landed on top of him at The Fonthill Estate in Salisbury, Wiltshire on 12 January 2022.

Gerald Hayward, who had been contracted as part of an ash dieback clearance programme, had been cutting the tree before it fell.

Mr Hayward, trading as G H Hayward Forestry Contractors, had been making a back cut to the tree when it fell in the wrong direction.

It then landed on the injured worker, who was standing in a nearby bridle path.



The tree fell onto the worker, who had been standing in a nearby bridle path

The worker, from Frome in Somerset, sustained eight broken ribs, a broken pelvis, two broken ankles, a collapsed lung and internal bleeding.

He was placed in an induced coma for two weeks and later spent four months in hospital.

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.

HSE inspector James Hole said: “This was a serious incident that has led to an individual sustaining life-changing injuries meaning he is now unable to work and requires lifelong care.

“Mr Hayward failed to create a safe working zone around the tree while it was being cut down – this is a standard working practice for tree felling in woodland.

“He failed to implement the correct control measures and a safe system of work. Had Mr Hayward done this then this incident would have been prevented and the individual would not be paralysed and facing the rest of his life without the use of his legs.”

This HSE prosecution was brought by HSE enforcement lawyer Gemma Zakrzewski and supported by HSE paralegal officer Gabrielle O’Sullivan.

Notes to editors:

1. [The Health and Safety Executive](#) (HSE) is Britain’s national regulator for workplace health and safety. We are dedicated to protecting people and places, and helping everyone lead safer and healthier lives.
2. More information about the [legislation](#) referred to in this case is available.
3. Further details on the latest [HSE news releases](#) is available.
4. HSE does not pass sentences, set guidelines or collect any fines imposed. Relevant sentencing guidelines must be followed unless the court is satisfied that it would be contrary to the interests of justice to do so. The sentencing guidelines for health and safety offences can be found [here](#).

[Cheshire farm owner fined after roofer dies in fall](#)

A Cheshire farm owner has been fined after a man fell to his death from a forklift truck while attempting to repair the roof of a packing shed at his premises in Tarporley.

Denis Thornhill and his company D.S. Thornhill (Rushton) Limited were fined a combined £16,000 after 64-year-old Mark Young was killed at Moss Hall Farm on 1 February 2021.

Earlier this year, both Thornhill and the company been found guilty of breaching health and safety legislation following a six-week trial at Chester Crown Court. The jury cleared 78-year-old Thornhill on a charge of gross negligence manslaughter. They returned to the same court on 11 October 2024 to be sentenced.

During the trial, the court was told that on 29 January 2021, Mr Young, who worked as a roofer, had been asked to make repairs to a roof panel and fix a blocked gutter on the same building. However, as he was walking across the roof, he damaged a second roof panel so a replacement was purchased to carry out an additional repair.



Mark Young had been lifted up to the roof using this forklift truck

He returned with his son three days later to complete the work and asked to be raised up to do it. Denis Thornhill arrived with a forklift truck that had a potato box balanced on its forks. Mr Young was lifted up inside the potato box to a height of around 16 feet, while his son, who was on the roof, attempted to reposition the panel from above. As Mr Young moved to one side of the potato box, it caused it to overbalance and he fell to the floor sustained serious head injuries.

Although paramedics were called, they were unable to resuscitate him and he was pronounced deceased at the scene.

HSE Inspector Ian Betley said after the hearing: "This was a tragic incident that could so easily have been avoided.

"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.

"All companies have a legal duty to ensure the safety of workers they employ or who carry out work for them. If that had happened in this case, then Mark's life wouldn't have been lost."



The potato box used to lift Mark Young was unsecured to the forklift truck with him inside 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.

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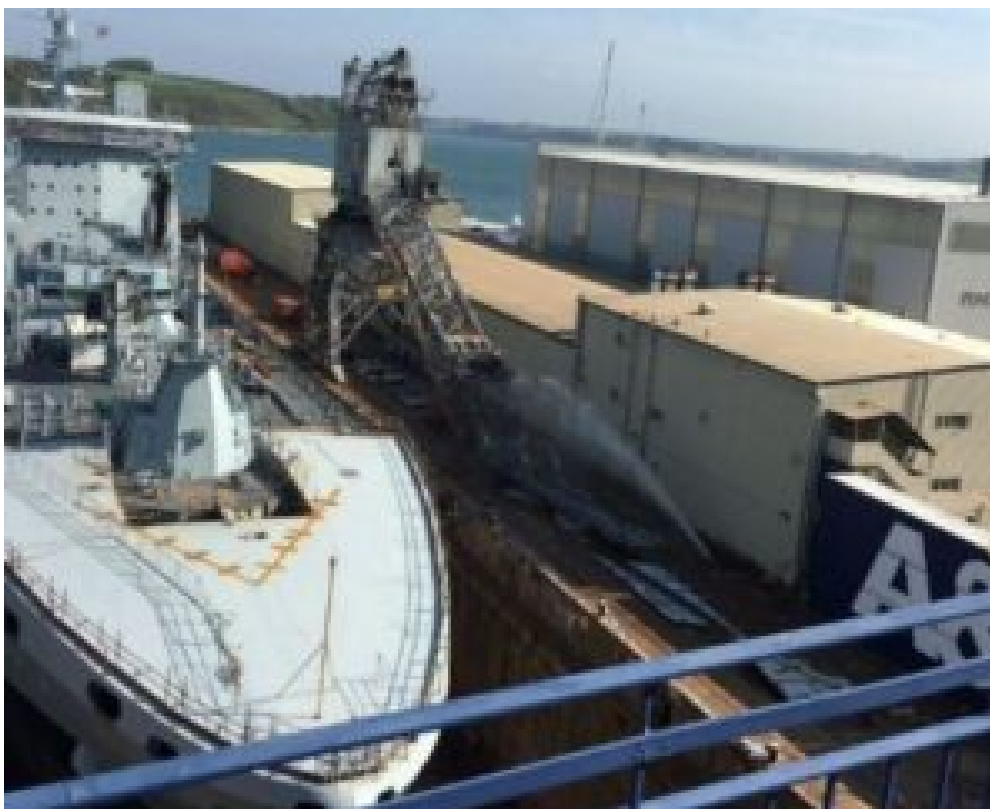
[Company fined following crane collapse](#)

A company has been fined after a crane collapsed at its site on Falmouth Docks, putting more than 250 people at risk.

Emergency services declared a major incident following the collapse at A&P Falmouth on 10 May 2017 with the surrounding area being evacuated and cordoned off.

The crane had been operating above Royal Fleet Auxiliary (RFA) ship, Tidespring, when the driver noticed the jib was descending uncontrollably.

The driver managed to move the crane away from RFA Tidespring and over the dockside before it collapsed, with the jib landing on a cage of acetylene cylinders.



The incident took place at Falmouth Docks

There were approximately 258 workers on site at the time.

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.

HSE guidance can be found at: [Lifting Operations and Lifting Equipment Regulations \(LOLER\) \(hse.gov.uk\)](https://www.hse.gov.uk/lifting-operations-and-lifting-equipment-regulations-loler/)

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.

HSE inspector Melissa Lai-Hung said: “This was a very serious incident and it is fortunate nobody was injured or killed as a result of this catastrophic failure at Falmouth Docks.

“We thoroughly investigated this incident and found that A&P Falmouth Limited’s system of maintenance was not effective in preventing the collapse of the crane.

“This case not only highlights the importance of regular proactive maintenance but also the inspection of lifting equipment. Companies looking for advice in these areas can find readily-available and free guidance on the HSE website.”

This HSE prosecution was brought by HSE enforcement lawyer Vicki Hanstock and supported by HSE paralegal officer David Shore.

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[**Cosmetics firm fined after HSE**](#)

inspection found serious failings

A cosmetics company in Yorkshire has been fined more than £50,000 after an inspection by Britain's workplace regulator uncovered serious electrical failings.

Inspectors from the Health and Safety Executive (HSE) conducted an unannounced inspection at the premises of Sabel Cosmetics Limited on Pellon Lane in Halifax on 5 July 2022.

During the visit, the inspectors uncovered electrical deficiencies that posed serious risks of both electric shock and electrocution to workers.



HSE found there was a systemic failure within the company to address the risks identified with the electrical systems

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 has been fined £56,695 and ordered to pay £5,949 in costs.

After the hearing, HSE inspector Andrea Jones commented: "This case shows the importance of HSE inspections to help ensure health and safety risks are being managed effectively and protect people at work.

"It is essential that electrical wiring installations and electrical equipment are constructed and maintained in a safe condition to prevent injuries or even worse, death.

"In this case, simple inexpensive steps could have been taken to remedy the

most serious defects, instead the company's inaction has resulted in more than £60,000 in fines and costs."

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5. HSE guidance about [electrical safety](#) is available.

[World Mental Health Day: "Employers risk losing valued employees if stress is not managed"](#)

Bosses across the whole of Great Britain have been warned that they risk losing valued team members if they fail to manage their workers' stress levels in the workplace.

The Health and Safety Executive (HSE) is reminding British employers of their legal duties on World Mental Health Day (10 October).

HSE's Working Minds campaign provides readily-available and free resources for employers to help recognise the signs and tackle the root causes of stress.

Around half of work-related ill health is down to stress, depression or anxiety with each person suffering taking an average of 19.6 days off work.

Kayleigh Roberts, Work-Related Stress Policy Lead at HSE, has urged employers to use World Mental Health Day to take the time to assess whether they are carrying out their legal duties and what they can do to prevent employees suffering from work-related stress.

She said: "We find many businesses focus on the 'nice to have' rather than making changes that will have a real impact. That means creating working

conditions and an environment that prevents stress and supports good mental health – designing jobs with realistic workloads and targets, and encouraging people to have a healthy work-life balance.

“Prevention is better than cure – employers need to get proactive on reaching out and recognising the signs and causes of stress and bubbling issues in teams before they become problems. If you suspect you already have a problem, tackle it, it can be daunting but it’s important to address the root cause.

“Failing to manage stress at work could lead to reduced productivity, sickness absence, or even losing a valued member of the team. Our Working Minds campaign has all the resources you need to make a change. You can get started in your own workplace, and you can share the resources to help others to thrive.”

Launched in November 2021, Working Minds now has 35 partners, who have joined HSE’s campaign urging workplaces to take action on work-related stress and mental health.

Working Minds helps employers to follow five simple steps based on risk assessment. They are to Reach out and have conversations, Recognise the signs and causes of stress, Respond to any risks you’ve identified, Reflect on actions you’ve agreed and taken, and make it Routine.

There are six main areas that can lead to work-related stress if they are not managed properly. These are: demands, control, support, relationships, role and change. Factors like skills and experience, age, or disability may all affect someone’s ability to cope.

HSE has a free online learning tool for businesses with over 9,000 people already registered with over 90% saying it was easy to use and felt they could implement what they learned in their organisation.

Helpful resources:

- [register for our free online learning](#)
- [download a risk assessment template](#)
- see the [Talking Toolkit](#) for help structuring your conversations
- [access resources](#) to share with others

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1. [The Health and Safety Executive](#) (HSE) is Britain’s national regulator for workplace health and safety. We are dedicated to protecting people and places, and helping everyone lead safer and healthier lives.
2. To read more about HSE’s Working Minds campaign click [here](#)
3. For press and media enquiries please contact media.enquiries@hse.gov.uk