

# Leeds bird farm fined after worker suffers serious burns in shed blaze

A bird farm in Leeds has been fined £26,680 after a fire in a rearing shed resulted in serious injuries to one of its employees.

The incident happened at Yorkshire Game Farm, in Woodlesford, on 6<sup>th</sup> May 2020. The employee suffered second and third degree burns, and was kept in an induced coma at Pinderfields Hospital for five days, and not released from hospital until 12 days later.

Leeds Magistrates' Court heard that the employee had been installing gas heaters in a pheasant rearing shed, ready for a new crop of birds. Upon turning on the gas supply and lighting the heaters, the shed burst into flames, causing him significant burns and totally destroying the shed.



The extent of the damage following the fire at Yorkshire Game Farm

An investigation by the Health and Safety Executive (HSE) found that when the employee came to commission the heaters, it was highly likely that a leak of gas ignited, setting fire to the shed and the bedding put down for the birds.

The reason for the gas leak was not identified as all the gas piping within the building was destroyed, but gas equipment outside the building was cracked and perished, indicating that it had not been maintained.

Yorkshire Game Farm of Woodlesford, Leeds, West Yorkshire pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974. The company has been fined £26,680.00 and ordered to pay £6495.20 in costs.

HSE inspector Howard Whittaker said: "This fire was most likely caused by gas leaking from poorly maintained equipment, and could have led to this young man's death. He was very lucky to escape with his life, but he will suffer increased sensitivity to sunlight for the rest of his life.

"The gas pipelines and equipment we found outside the shed was perished and

cracked, indicating that it had not been maintained in a safe condition leading to the leak of gas causing an initial flash, followed by a fire inside the shed.

“In addition, a gas tightness test should have been carried out once the equipment had been installed and before the gas equipment was used, to identify if there were any leaks.

“In sentencing Yorkshire Game Farm, the district judge remarked this was an accident waiting to happen.

“Had the equipment been properly maintained and operated, in line with industry standards and good practice, this dreadful accident would not have happened.

This prosecution was supported by HSE enforcement lawyer Jayne Wilson and paralegal Louisa Shaw.

#### **Notes to Editors:**

1. The Health and Safety Executive (HSE) is Britain’s national regulator for workplace health and safety. We prevent work-related death, injury and ill health through regulatory actions that range from influencing behaviours across whole industry sectors through to targeted interventions on individual businesses. These activities are supported by globally recognised scientific expertise. [gov.uk](http://www.hse.gov.uk)
2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](http://www.legislation.gov.uk/)
3. HSE news releases are available at <http://press.hse.gov.uk>
4. Guidance is available, including on the [safe use of work equipment](#)

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## **[Three companies fined after engineer electrocuted in hospital kitchen](#)**

Three companies have been fined a total of £600,000 after an engineer was fatally electrocuted while repairing an appliance in a hospital kitchen.

Craig Stocker, working for Serviceline (part of AFE Group), died on 13 December 2017 while fixing a macerator (food waste disposal unit) at Bishops Wood Hospital, operated by BMI Healthcare (now known as Circle Health Group Limited) in Northwood, Middlesex.

The 36-year-old, who was originally from Stevenage, Hertfordshire, but lived in Letchworth, came into contact with a metal section of the macerator that had been electrified as water had entered the machine’s wiring.



Bishops Wood Hospital kitchen area – sink and macerator underneath

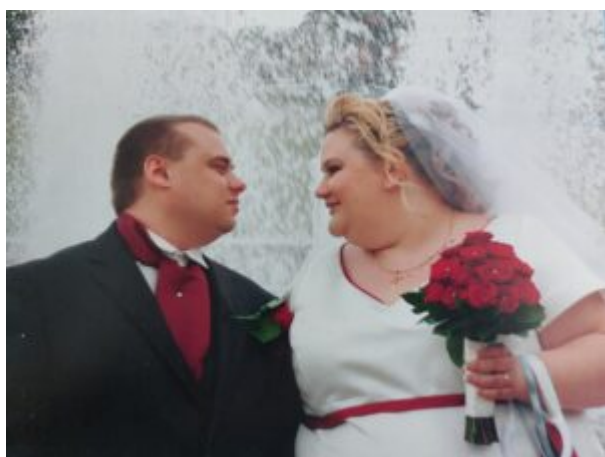
The macerator was not protected by an earth wire and there was no residual current device (RCD) to prevent fatal exposure to the electrical current.

A Health and Safety Executive (HSE) investigation into this incident found that Imperial Machine Company's design of the macerator had serious flaws. The earthing wire could be connected in a way that meant it was ineffective, and the equipment was also permanently live.

When the macerator was installed by McFarlane Telfer in 2013, they had not acted on the manufacturer's instructions, which required that a residual current device (RCD) was fitted.

BMI Healthcare did not identify that the RCD had not been fitted and the machine was operated for several years before the incident occurred.

HSE guidance on electrical safety can be found here: [Electrical safety – HSE](#)



Craig's wife Leah said: "Craig and I would enjoy dinners out, trips to the cinema, day trips to the seaside and we loved to go on holidays, with Tenerife being a particular favourite. Craig was a family man, both with his own family and my family and not forgetting his lads holidays with Martin, Owen and many other of his friends. Craig would also enjoy spending time with his childhood friend Mark who he spent a lot of time with sharing his interests with Mark, particularly American football (NFL) and WWE shows.

“He was a kind-hearted man who was a hardworking, caring individual. Craig had a passion for American football, WWE wrestling and listening to music from morning until night and many other hobbies. He was the life and soul of any party.

“On the day that Craig died, our lives changed in many ways, nothing can prepare you for this, nothing can prepare you for the psychological and emotional turmoil this causes to one’s mental health, Craig is missed by many people, myself and his mum Dianne in particular. Craig you are missed, you will always be missed but forever in our thoughts and hearts you will remain.”

Following a trial at Southwark Crown Court:

- BMI Healthcare (now Circle Health Group Limited), of Cannon Street, London, 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 £450,000 and ordered to pay £106,895 in costs on 3 October 2023.
- McFarlane Telfer Limited, of Westacott Way, Littlewick Green, Maidenhead, 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 £70,000 and ordered to pay £106,753 in costs on 3 October 2023.

AFE Group Limited (trading as Serviceline) were found not guilty of breaching the Health and Safety at Work etc Act 1974.

On 2 March 2022, Imperial Machine Company Limited, of Whisby Road, Lincoln, pleaded guilty to breaching Section 6(1) of the Health and Safety at Work etc. Act 1974. The company was fined £80,000 and ordered to pay £12,945 in costs at Southwark Crown Court on 3 October 2023.

HSE inspector Kevin Shorten said: “Our thoughts today are with the family of Mr Stocker. He should have returned home safely at the end of his working day but, because of the failings of these three companies, he did not.

“The fines imposed should underline to manufacturers, contractors and building owners that the courts, and HSE, take a failure to ensure electrical safety extremely seriously.

“We will not hesitate to take action against companies which do not do all that they should to keep people safe.

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4. Guidance on electrical safety can be found here: [Electrical safety – HSE](#)
5. Following a trial at Southwark Crown Court, AFE Group Limited was found not guilty of breaching Section 2(1) and Section 3(1) of the Health and Safety at Work etc Act. 1974.

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## **BSR register of high-rise buildings represents major momentum for building safety**

- Registration deadline for existing high-rise residential building in England has now passed
- Over 13,000 dutyholders have started or completed their application
- Registration is a legal duty brought in by the Building Safety Act 2022, following the Grenfell fire

The Building Safety Regulator's new regulatory regime has moved further ahead in its vital registration programme of in-scope high-rise residential buildings, that are at least 18 metres or seven storeys tall, with two or more residential units.

Building registration is a major step in a package of measures to ensure high-rise residential buildings are safe for residents and users. The registration information provided by dutyholders will be used by the BSR to help it prioritise buildings for the building assessment certificate process from April 2024.

Principal Accountable Persons (PAP's) were given until the 1 October 2023 to register all high-rise residential buildings in England. It is now an offence to allow residents to occupy an unregistered building.

Chris Griffin-McTiernan, Deputy Chief Inspector of Buildings at BSR, said: "We are encouraged to see that since the HRB registration service opened in April, the majority of Principal Accountable Persons (PAP's) have recognised their mandatory registration obligations. When the registration deadline was reached on 1 October, over 13,000 applications had been started.

"We are now urgently reminding the minority of dutyholders who have missed the deadline for completing their registration application, that they could now face significant sanctions, including prosecution. Please respond to your legal duty – act now and register to avoid action being taken against you."

Detailed guidance for owners and managers of high-rise buildings on their legal duties for registering their building, and information on how to

complete the application, including the key building information, has been available since April 2023.

BSR's recent programme of over thirty stakeholder sessions have focussed on supporting people with completing their registration applications, ready for the Regulator to begin the building safety certification process.

Further guidance and support for building owners and managers is available on the 'Making Buildings Safer' campaign website [here](#).

**Notes to editors:**

**About BSR:** The Building Safety Regulator (BSR) is established within the Building Safety Act 2022, as an independent regulator within the Health and Safety Executive (HSE). BSR will raise building safety and performance standards and oversee a new stringent regime for high-rise residential buildings, as well as overseeing the wider system for regulating safety and performance of all buildings and increasing the competence of relevant regulators and industry professionals.

**About HSE:** The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. We prevent work-related death, injury and ill health through regulatory actions that range from influencing behaviours across whole industry sectors through to targeted interventions on individual businesses. These activities are supported by globally recognised scientific expertise.

**About the Building Safety Act, 2022:** The Building Safety Act gained Royal Assent on the 28 April 2022 and makes ground-breaking reforms. The Act overhauls existing regulations and creates new powers that will enable lasting change across the built environment.

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**[Respiratory risks in construction:  
early findings from HSE's latest Dust  
Kills health campaign](#)**





Dust Kills campaign

A snapshot of good and bad practices of how workers' exposure to dust is being managed and controlled on construction sites across Great Britain has been revealed.

As part of its Business Plan, the Health and Safety Executive (HSE) carried out more than 1,000 inspections between May and July, focusing on what businesses and workers were doing to prevent or adequately control the risks from construction dust.

HSE's [Dust Kills campaign](#) supported the site inspections, which raised awareness of the inspections, provide helpful advice, information, and links to guidance, for employers and workers. Almost two million connections were made to the campaign via the social media channels alongside extensive stakeholder and press coverage.

The inspections by Britain's national regulator for workplace health and safety revealed examples of good practice on sites and within companies. These included; the use of motorised water suppression alongside face fit tested FFP3 respiratory protective equipment (RPE) to reduce exposure to silicosis and lung cancer causing respirable crystalline silica (RCS); air fed hoods (or powered air respirators) being used when using high powered cutting saws during carpentry to prevent exposure to asthma causing wood dust; and the inclusion of details of HSE's campaign within company health, safety & environmental newsletters to raise awareness of the effects of dust exposure and the importance of effective control measures to improve the long-term health of construction workers.

However, HSE's inspectors also found many examples of poor practice, including no on-tool extraction in place on high powered cutting saws that generate silica and wood dust, along with poorly maintained extraction equipment such as hoses and units making it ineffective; suitable RPE not being made available on site for workers to use or making it available but not ensuring it is used; and the health of workers not being considered when carrying out the simplest of tasks such as sweeping up indoors, which

requires damping down to control the dust generated and the provision of suitable face-fit tested RPE.

A key area of concern for the regulator is that inspectors are still finding sites where the hierarchy of controls are simply not considered at all; where no effective design or planning has taken place to eliminate risks from dust, such as considering the use of pre-cut materials, and nothing being in place to minimise the risks by use of suitable control measures, such as water suppression and on-tool extraction and the use of RPE.

HSE's Acting Head of Construction Division Mike Thomas said: "Regularly breathing in the dust generated by many construction activities can cause diseases like lung cancer, asthma, chronic obstructive pulmonary disease (COPD) and silicosis.

"Every year we see construction workers die from these diseases caused or made worse by their work because the necessary precautions required to protect their long-term lung health have not been taken by employers and workers themselves.

"The 1,000 plus inspections completed took place across a range of construction sites to check the action businesses are taking to ensure their workers' health is being protected. Some of the examples of good practice found on sites during the campaign are really pleasing. But, as can be seen by some of the poor practices found by our inspectors, where planning around the risks of dust and controls to prevent exposure are not even considered, it shows there is still plenty of room for improvement.

"A full evaluation of the inspection data is underway, and we will release more information in due course."

The early findings come at the start of UK Construction Week that runs from 3-5 October in Birmingham.

The law requires employers to prevent the ill health of their workers as far as reasonably practicable, which includes prevention or adequate control of workers' exposure to construction dust.

Ideally, elimination of the risk of exposure to dust for workers should be achieved by good design and planning. Where this is not possible, measures should be put in place to control dust and provide workers with appropriately fitted RPE. Employees should also play their part by taking responsibility for wearing and maintaining RPE provided.

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by globally recognised scientific expertise.

2. Further details of HSE's Business Plan can be found: [HSE annual business plan – HSE](#)
  3. HSE partnered with construction and occupational health organisations to highlight the control measures required on site to prevent exposure to dust. The network of *Dust Killspartners* includes Construction Industry Advisory Committee (CONIAC) and Civil Engineering Contractors Association (CECA), Construction Leadership Council (CLC), Health in Construction Leadership Group (HCLG) and Construction Dust Partnership. For more information visit the [Work Right campaign page](#).
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## [Dockside company sentenced after worker seriously injured on trawler](#)

A dockside warehousing company has been fined £127,500 after a worker fell 25ft through an open hatch on a trawler which had no edge protection.

David Eggins, a father-of-two, was working aboard a fishing vessel docked at the quayside at Cattedown Road, Plymouth on 16 December 2019.

While acting as a banksman for a crane lifting pallets of frozen fish from the vessel's hold, Mr Eggins was knocked through an unguarded hatch by an unsecured wheeled bin, as the vessel moved on the water. He fell between 25/30ft onto the floor below suffering multiple fractures to his head, neck, back, pelvis and ribs. He also sustained internal bleeding and spent over three months in hospital.

An investigation by the Health and Safety Executive (HSE) found that Cattedown Wharves Limited had failed to take appropriate precautions to ensure the safety of workers during the operation. They were in charge of the unloading operation and should have taken adequate measures to ensure the safety of their employees.

HSE has guidance available for [safety on fishing vessels](#).

Cattedown Wharves Limited, of Fisher House, Barrow-in-Furness, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act.

The company was fined £127,500 and was ordered to pay £13,767 costs at a hearing at Plymouth Magistrates' Court on 29 September 2023.

After the hearing, HSE inspector Emma O'Hara said: "David Eggins was seriously injured in a fall which should not have been able to happen.

"The fine imposed on Cattedown Wharves Limited should underline to companies that the courts, and HSE, take a failure to follow the regulations extremely

seriously. We will not hesitate to take action against companies which do not do all that they should to keep people safe.”

This HSE prosecution was supported by HSE enforcement lawyer Alan Hughes.

**Notes to editors:**

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2. More information about the [legislation](#) referred to in this case is available.
3. Further details on the latest [HSE news releases](#) is available.