

# Company director given suspended sentence after worker crushed to death

A company director has been given a suspended prison sentence after an employee lost his life at a site in St Helens.

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.

The 30-year-old, from Latvia, had been operating the MEWP at a site in St Helens when he was fatally crushed on 8 November 2019.

A Health and Safety Executive (HSE) investigation found that RM Gibbons Ltd failed to properly risk assess the operation of the MEWP and failed to provide its employees with sufficient training.

HSE guidance states hazards such as entrapment, overturning, falling and collisions should be identified within a risk assessment and suitable control measures put in place while operating a MEWP. More on this can be found at: [Construction – Mobile elevating work platforms health & safety \(hse.gov.uk\)](https://www.hse.gov.uk/construction/mobile-elevating-work-platforms-health-safety/)

- RM Gibbons Ltd, of Whiteleys Lane, Lathom, Ormskirk, pleaded guilty to breaching Section 2(1) and Section 33(1)(g) of the Health and Safety at Work etc Act 1974. The company was fined £40,000 and ordered to pay £9,424 in costs at Liverpool Magistrates' Court on 30 May 2024.
- Roger Gibbons, Director of RM Gibbons Ltd, Delph Drive, Burscough, pleaded guilty to breaching Section 2(1) and Section 33(1) of the Health & Safety at Work etc. Act 1974 by virtue of 37(1). He was sentenced to 16 weeks imprisonment, suspended for 12 months and was told to complete 140 hours of unpaid work at Liverpool Magistrates' Court on 30 May 2024.

HSE inspector Mike Lisle said: "This incident could easily have been avoided by simply identifying the risks and putting in place appropriate control measures and ensuring employees have been suitably trained.

"Companies should be aware that HSE take fatal accidents seriously no matter the size of the company and will not hesitate to take appropriate enforcement action against those that fall below the required standards."

This prosecution was brought by HSE enforcement lawyers Matthew Reynolds and Alan Hughes, and supported by HSE paralegal officer Hannah Snelling.

## **Notes to editors:**

1. [The Health and Safety Executive](https://www.hse.gov.uk/) (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.

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

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## [Site manager issued suspended sentence after death of young father](#)

The site manager of a waste and recycling company has been given a suspended prison sentence following the death of a young father at a site in Dewsbury.

Wayne Griffiths, who was also a former director of Arthur Brook Limited, was given a ten-month custodial sentence, which was suspended for 18 months. It followed the death of 26-year-old Sebastian Luke Martin at the firm's Low Mill Lane facility on 21 September 2018.

Father-of-two Mr Martin, known as Luke, was drawn into a conveyor and suffered multiple injuries that resulted in him being taken to hospital where he died two days later.



The aftermath of the incident at the company's Low Mill Lane facility in Dewsbury

An investigation by the Health and Safety Executive (HSE) found that on the day of the incident, a large number of guards including both perimeter and conveyor guards on the machinery known as 'The Frag' had been removed to allow metal containing material to be reprocessed with the aid of a mini digger operated by Luke.

Griffiths was responsible for the Frag – from its initial conception and construction, to the development of systems of work and employee training. He was directly involved in the day to day operation of the machine and this included the maintenance operations. Guards had been removed and not

replaced and yet he allowed Luke to work on the Frag with the machine in a dangerous condition for two days prior to the incident, putting him at risk of serious personal injury. Luke left the digger cab and approached the unguarded machinery. He was drawn into the conveyor crushing his arm and upper body which ultimately lead to his death.

Arthur Brook Limited of Queens Mill, Low Mill Lane Ravensthorpe, Dewsbury pleaded guilty to breaching Section 2(1) of the Health & Safety at Work etc Act 1974. Wayne Griffiths also pleaded guilty to breaching Section 37(1) of the Act as the breach of Section 2(1) by Arthur Brook Limited occurred with his consent, connivance, or neglect. The company has been fined £200,000 and ordered to pay £43,000 in costs.

Wayne Griffiths was sentenced to 10 months for pleading guilty at the first opportunity, suspended for 18 months during which time he must complete 200 hours of unpaid work and pay costs of £10,000.

After the hearing, HSE inspector Louise Redgrove commented: “

“The incident could easily have been avoided if the company and Wayne Griffiths had taken effective measures to ensure all guards were maintained and in place prior to operating the Frag machine.”

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# [Recycling company fined after workers exposed to wood dust](#)

The long-term health of workers at a wood waste recycling centre was put in danger due to excessive exposure to the dust their work created, a Health and Safety Executive (HSE) prosecution has found.

Esken Renewables Limited, a waste and recycling company that specialises in generating biofuel from renewable waste, ran a wood waste recycling centre in Middlesbrough that processed mixed wood waste, hardwood and softwood into biofuel.

Breathing in wood dust excessively can cause asthma and nasal cancer. In particular, dust from softwood wood dust is a known asthmagen while particles from hardwood are a known carcinogen.

A HSE inspector visited the site in April 2022 to investigate the dust exposures on the site. A few weeks earlier, concerns had been raised about wood dust spreading to the surrounding area. The inspector wrote in detail to Esken Renewables with evidence demonstrating the extent of the wood dust exposure to staff, so that the right action could be taken by the company to control the risks.



The company provided a detailed response, and it was accepted that exposures to the surrounding area was in large part due to four storms in quick succession.

However, the HSE investigation found that the control of wood dust to protect employees working on and around the site was not adequate and fell short of the expected benchmark.

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.



Guidance on working in the [woodworking industry](#) is available and an [inspection-led campaign to protect workers continues](#).

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.

Speaking after the hearing, HSE inspector Matthew Dundas said: "The expected standard is to control exposure to as low a level as is reasonably practicable.

"We hope this serves to raise industry awareness for the expectation of control of hazardous substances, namely wood dust, in the wood waste and recycling industry."

This prosecution was brought by HSE enforcement lawyer Iain Jordan and supported by HSE paralegal officer Rebecca Forman.

#### Notes to editors

1. The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. It aims to reduce work-related death, injury and ill health. It does so through research, information and advice, promoting training; new or revised regulations and codes of practice, and working with local authority partners by inspection, investigation and enforcement. [www.hse.gov.uk](http://www.hse.gov.uk)
2. More about the legislation referred to in this case can be found at: <https://www.hse.gov.uk/woodworking/recycling.htm>
3. HSE news releases are available at <http://press.hse.gov.uk>

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## [HSE's Building Safety conference calls for industry to step up and commit to change](#)

- The Health and Safety Executive's second building safety conference saw over 1,300 delegates sharing knowledge and collaborating on solutions to create a safer built environment for everyone
- Translating the new regulatory framework into actionable steps, ensuring the safety of both existing and future buildings
- Calls on industry to commit to building a culture of safety and accountability
- Ensuring residents' voices are heard in the journey towards safer homes.

The Building Safety Regulator (BSR) held its second industry conference in Birmingham this week.

The conference marked a major milestone for BSR as the new building safety regime was fully established in law last month.

With over 1,300 delegates in attendance, the conference provided a platform for industry leaders, regulators and resident representatives to discuss the ongoing transformation of the building safety landscape.

The conference showcased BSR's resident-centric approach, with several sessions dedicated to industry accountability and empowering residents to ensure their voices are heard in building safety decisions which affect their homes.



BSR conference opening session

Sarah Newton, Chair of HSE and Philip White, HSE's Chief Inspector of Buildings and Director of Building Safety Division opened the conference, highlighting BSR's achievements and outlining its future priorities.

Sarah Newton said: "We are committed to putting residents at the heart of everything we do.

"At HSE, we understand that building safety is not just about regulation and compliance; it is about people – their lives, their homes, and their communities.

"The new building safety regime is designed to give residents a stronger voice and for industry to ensure that their homes are safe.

"Today gave those on the building safety frontlines the chance to share our knowledge and collaborate on solutions to translate the new regulatory framework into actionable steps, ensuring the safety of both existing and future buildings."





HSE Chair, Sarah Newton addresses the BSR conference

Philip White said: “So much has happened in the last year, and at such pace – showing how much we can achieve together when we have a common goal.

“More than 12,000 buildings have been registered with the regulator and many of our conference delegates, along with others across the UK have already registered as building inspectors and demonstrated their competence.

“Building control professionals play a critical role in ensuring the safety and quality of our built environment – and above all, being regulated will raise industry standards and increase public trust.”

The conference was also addressed by Minister for Housing Lee Rowley who acknowledged the significant progress made during a time of great change for the industry.

Other key topics discussed at the event included:

- Industry accountability and ownership in delivering safe buildings
- BSR’s firm but fair approach to enforcement
- The critical role of building control professionals in raising standards
- A need for continued collaboration between industry, regulators and residents.

Panel discussions were hosted with the Construction Leadership Council, emphasising the importance of building safety as a strategic priority for the entire industry.

The conference also extended beyond the UK, with Dan O’Brien, CEO of Cladding Safety Victoria in Australia attending as part of an information-gathering visit. His attendance highlighted the vital international collaboration and knowledge-sharing currently taking place in the field of building safety.

The conference sessions and materials will be available online in the coming weeks.

(ends)

**Notes to Editors:**

1. **About BSR:** HSE has established a Building Safety Regulator under the Building Safety Act 2022. We regulate higher risk buildings, ensuring residents feel safe in their homes. We work to improve safety standards for all buildings. And we drive cultural change in the built environment by helping professionals in building control, design, and construction, to improve their competence.
2. **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.
3. **About the Building Safety Act, 2022:** The Building Safety Act gained Royal Assent on the 28 April 2022 and makes ground-breaking reforms to give residents and homeowners more rights, powers, and protections. The Act overhauls existing regulations, creating lasting change and makes clear how residential buildings should be constructed, maintained, and made safe.
4. For media enquiries please email: [media.enquiries@hse.gov.uk](mailto:media.enquiries@hse.gov.uk)