

Company fined after worker “full of hopes and dreams” dies at wind farm construction site

An engineering company has been fined after a labourer died during the construction of a wind farm on the Shetland Islands.



Picture of Liam MacDonald

Liam MacDonald, from Tain, Ross-shire, lost his life on the morning of 5 June 2022 while removing dried concrete from a skip at the Viking site on Upper Kergord.

His mother has said the 23-year-old was “full of hopes and dreams” and is now missed “beyond words.”

Mr MacDonald, an agency worker who had started working on the site just over a month earlier on 4 May 2022, had been using a hammer to chip away the concrete when the skip’s bale arm fell on top of him.

The 23-year-old was found motionless with the skip’s bale arm pinned against his chest, which led to an alarm being raised at the site.

Colleagues subsequently performed CPR on Mr MacDonald, before administering a defibrillator, but he was sadly pronounced dead at the scene by the emergency services.

Jackie Randell, the investigating inspector from the Health and Safety Executive (HSE), found the principal contractor BAM Nuttall failed to secure the bale arm from falling.

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

Wendy Robson, Mr MacDonald's mother, said: "Liam loved life, his family and friends. He was just at the start of his adult life, still finding who he was, and full of hopes and dreams.

"We have been robbed of having Liam here today, and in all our tomorrows, and in sharing those dreams with him. We will never meet the children he so wanted to have one day.



Picture of skip

"We can't adequately describe who Liam was, and what he means to us. We love and miss him beyond words."

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.

Jackie Randell said: "This was a tragic incident which led to the death of a young man. Our thoughts remain with Mr MacDonald's friends and family at this time.

"BAM Nuttall had failed in its duty to ensure the safety of their workforce. This prosecution should serve as a reminder for all contractors to implement suitable risk assessments and safe systems of work.

"We thoroughly investigated this incident, with our findings identifying that BAM Nuttall had failed in its duty to ensure the safety of their workforce. This prosecution should serve as a reminder for all contractors to implement suitable risk assessments and safe systems of work.

"Up to date safety information provided by manufacturers of work equipment must be reviewed as part of this risk assessment process. It is of crucial importance that safety information from manufacturers is highlighted to the workforce and rigorous monitoring is carried out to ensure that everyone is kept safe."

Debbie Carroll, who leads on health and safety investigations for the Crown

Office and Procurator Fiscal Service (COPFS) said: “The death of Liam MacDonald could have been prevented if BAM Nuttall Limited had suitably and sufficiently assessed the risks involved in the maintenance and cleaning of the concrete column skip at the site.

“Their failure to identify the hazards represented by the skip’s bale arm and ensuring that it was secured prior to the cleaning operation beginning led to Mr MacDonald’s death.

“My thoughts are with his family and friends at this difficult time.”

Further information:

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 in England and Wales can be found [here](#) and for those in Scotland [here](#).
5. Further guidance can be found at: [Provision and Use of Work Equipment Regulations 1998 \(PUWER\) – HSE](#)