

# Construction company fined following death of HGV driver

A Nottinghamshire-based engineering and groundworks contractor has been fined £233,000 for safety breaches after a 52-year old HGV driver was struck and killed by the mast of a piling rig at a house build site in Annan, Dumfries and Galloway.

On 21 January 2021, Gary Dobinson, who was employed by another company, visited the Hallmeadow development off Elm Road with his lorry to collect and transfer the piling rig owned by Van Elle Limited.

Tragically, as the mast of the rig was being lowered in preparation for its transportation, it suddenly collapsed and struck Mr Dobinson. Site workers and the emergency services raced to the scene to try to help him, but he sadly died from his injuries.

An investigation by Police Scotland and the Health and Safety Executive (HSE) found that insufficient measures had been taken to maintain the piling rig in a safe condition prior to the incident. Specifically, the securing lug for one of the mast's retaining pins was badly corroded and failed, allowing the pin to displace, causing the mast to topple.

HSE guidance on maintaining and inspecting plant can be found here: [The safe use of vehicles on construction sites: A guide for clients, designers, contractors, managers and workers involved with construction transport – HSG144 \(hse.gov.uk\)](#)

Van Elle Limited, of Southwell Lane, Kirkby-in-Ashfield, Nottinghamshire pleaded guilty to breaching Regulation 5 of the Provision and Use of Work Equipment Regulations 1998. The company was fined £233,000 at Dumfries Sheriff Court on 4 June 2024.

HSE inspector James Caren said: "All work equipment should be subject to suitable inspection and maintenance to ensure that it can be used without risk to the safety of those using it and those in the vicinity. Construction plant are exposed to harsh conditions and require effective inspection and maintenance regimes to avoid safety defects developing.

"The company should have had robust measures in place to maintain the piling rig so that it was structurally sound and could be operated safely."

## **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.

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 guidance on protecting the public can be found here: [Public protection – construction industry health & safety \(hse.gov.uk\)](#)