

[Fined for refusing HSE inspectors entry to construction site](#)

A man who was in control of a construction site in Scotland has been fined for not allowing two HSE inspectors access to the site to deal with unsafe work activity.

In 2021 multiple concerns about unsafe work at a construction site in Irvine had been sent to the Health and Safety Executive (HSE). On 16 March 2021, two HSE inspectors attended the construction site and observed unsafe work at height taking place on a steel structure.

The inspectors tried to gain entry to the site, but the gates were locked. They spoke to the person in control of the site, Baldev Singh Basra, but he refused to unlock the gates and let them in. Despite explaining the powers to enter a premise given to HSE inspectors as part of the Health and Safety at Work etc. Act 1974, Mr Singh Basra still refused entry to the site.

After officers from Police Scotland attended and gained entry to the site, the HSE inspectors were able to take enforcement action to stop the unsafe work. Two workers were then found to be on the roof of the structure with no safe means of getting down. The Scottish Fire and Rescue Service attended the site and rescued the workers from the structure.

At Kilmarnock Sheriff Court, Baldev Singh Basra of Loach Avenue, Irvine pleaded guilty to an offence under Section 33(1) of the Health and Safety at Work etc. Act 1974 for contravening a requirement of an inspector – namely refusing entry to a premise where unsafe work was taking place. He was fined £1,500.

Following the sentencing, HSE Principal Inspector Graeme McMinn said: “Inspectors appointed by an enforcing authority have the right to enter any premises which they think it necessary to enter for the purposes of enforcing health and safety at work and any relevant statutory provisions.

“They may only enter at a ‘reasonable time’, unless they think there is a situation which may be dangerous. In this case, the priority of the inspectors was to deal with the unsafe work activity, and they could not allow the person in control of the site to refuse them entry to stop the unsafe work.”

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. www.hse.gov.uk

2. More about the legislation referred to in this case can be found at: www.legislation.gov.uk/
3. HSE news releases are available at <http://press.hse.gov.uk>