

# Trucking company fined after 'hero' mechanic dies

A Lancashire trucking company has been fined £30,000 after a mechanic died while repairing a forklift truck.

Joseph Robinson, a mechanic at E. Jackson (Chatburn) Limited, was working with a new employee as they attempted to fix a steering fault on a forklift truck at the firm's site at Salthill Industrial Estate in Clitheroe on 13 October 2020. While doing this, Mr Robinson, 39, told the new employee, who was driving the forklift truck, to move the vehicle forwards.

However, the forklift truck reversed and trapped Mr Robinson against a trailer. The 39-year-old, who was from Clitheroe, was taken to hospital with severe head injuries following the incident and placed in an induced coma.



The forklift truck Mr Robinson was attempting to fix

He died the following day on 14 October 2020. On 15 October 2020, Mr Robinson's body was taken for organ donation, with a total of eight individuals receiving his donated organs.

Mr Robinson's mother, Sue Robinson, said in her VPS: "Joe was a much-loved son, brother, nephew, cousin and friend. He was a hero in our eyes, honest, hardworking, loyal and generous of spirit as evidenced by his request that in the event of his death that his organs be donated. Joe was always going to be a mechanic. As a little boy he loved to take things apart, see how they worked and put them back together, so on leaving school that was the profession that he chose to follow.

"As his parents, we have always been and always will be so very proud of the boy he was and the man he became, we grieve for him profoundly and miss him

in every way each and every day. His premature death robbed him of any opportunity of ever becoming a husband, a father or indeed growing into an old man and in turn robbed us, his family, of taking part in that journey.

“To lose a child is every parent’s worst nightmare and the shock and devastation we felt at his sudden death was both mind numbing and paralysing in its intensity. As a family we will never truly recover from losing Joe. All our futures are dictated by that one catastrophic day. We constantly mourn him and will continue to do so. We miss his cheeky humour, his one liner quips, his happy smiling face, his unconditional love and support.”

An investigation by the Health and Safety Executive (HSE) found that the forklift truck was over 30-years-old and had not been maintained nor subjected to a Lifting Operations and Lifting Equipment Regulations (LOLER) examination for some years. No principles of working with vehicles at the site had been put in place such as designating a safe repair area or separating pedestrians and vehicles. Had E. Jackson (Chatburn) Limited properly maintained the forklift truck and provided the driver with appropriate training this incident could have been prevented. HSE guidance can be found at: [Managing Lift trucks – Vehicles at work \(hse.gov.uk\)](https://www.hse.gov.uk/lifttrucks/)

E. Jackson (Chatburn) Limited, of Downham Road, Chatburn, Clitheroe, Lancashire, pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc. Act 1974. The company was fined £30,000 and ordered to pay costs of £3,712.80 at Crewe Magistrates’ Court on 11 April 2023.

HSE inspector Shellie Bee said: “This incident could so easily have been avoided. The employer had not maintained the forklift truck in a suitable working condition and had allowed an untrained employee to operate it. This together with an inappropriate system to fix a fault on the machine meant that the truck and Joseph Robinson were in close proximity when it moved in a direction he had not anticipated. As a result Joseph tragically lost his life. Employers should ensure they carry out an assessment of the risks created by forklifts and ensure safe systems of work for their safe operation and maintenance are followed.”

#### **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.
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## Company fined £80,000 after director jailed for removing asbestos across Great Britain

An unlicensed asbestos removal company has been fined £80k after its director was [jailed last month](#) after failing to ensure the safe removal the dangerous product.

In September 2021 at an address in Stockport, Asbestos Boss Limited removed an asbestos insulating board ceiling from a domestic integral garage with little to no control measures in place. The asbestos waste was then dumped at the property of the resident, littering the road and pavement with asbestos material.



Asbestos Boss Limited removed an asbestos insulating board ceiling from a domestic integral garage in Stockport

Asbestos Boss Limited and its director/manager, Daniel Luke Cockcroft, advertised as a licensed asbestos removal company and removed licensable material from domestic properties.

The joint investigation by the Health and Safety Executive (HSE) and Stockport Trading Standards revealed a number of similar cases of licensed work being done across the country. There were little to no precautions taken and so their own workers, as well as anybody at the premises they were working on, were at serious risk of exposure to asbestos. It was also discovered that Asbestos Boss Limited provided fake air test certificates and

waste transfer notes to customers and had also falsified asbestos training certificates and insurance documents. The company and Daniel Cockcroft also breached a prohibition notice on several occasions.

HSE recently [launched a campaign](#) highlighting the dangers of asbestos and has guidance on the [safe working with asbestos](#).

The additional sites identified by Stockport Trading Standards proved that Asbestos Boss had breached the Prohibition Notice and caused additional spread and exposure. One such case was the removal of asbestos insulating board from 20 service cupboards which Asbestos Boss charged £3,000 for their illegal work. The work was of such poor quality, it has resulted in the site owners receiving remedial quotes from licensed contractors in the region of £50-£64,000 to make them safe.



Asbestos Boss Limited removed an asbestos insulating board ceiling from a domestic integral garage in Stockport

[At Manchester Magistrate's Court on 10 March, Company director Daniel Luke Cockcroft of Darnes Avenue, Halifax, pleaded guilty to all charges and was immediately imprisoned for 10 months and ordered to pay victim compensation.](#)

At the same hearing in March, Asbestos Boss Limited of Old Gloucester Street, London was found guilty of breaching regulations 8(1) and 11(1)(a) of the Control of Asbestos Regulations 2012. They were also found guilty of one charge relating to the failure to comply with a prohibition notice at two separate addresses which prevented them from working with licensed asbestos materials. The company was also sentenced in relation to their conviction for fraud in relation to falsifying training certificates, a business insurance document and unauthorised use of trade association logos. This gave the impression that the business was credible and that workers were adequately trained and competent in relation to asbestos removal.

In the sentencing hearing held on 12 April, the company failed to attend or offer any mitigation and was sentenced to pay a fine of £80,000 as well as compensating the victims for the full costs of the work paid for at the time. This combined compensation order totalled around £10,000.

HSE Inspector Matt Greenly said: "Asbestos is a killer. Companies and their directors need to recognise the dangers of removing asbestos by themselves both to their employees and others. Asbestos removal should only be carried out by trained personnel who understand the risks and how to control them.

"Asbestos Boss Limited have deliberately removed a highly dangerous material resulting in a significant risk of exposure to cancer causing asbestos. They not only have put their customers at risk but have also undoubtedly put themselves, their workers, and their families at serious risk.

"In sentencing the company to such a large fine, Judge Begley said that a message needed to be sent out to anyone who involves themselves in this sort of a scam. The Judge went on to say that Asbestos Boss is a scam operator and has duped a number of people, placing them at risk from the scourge of asbestos"

A spokesperson from Stockport Council, said: "Our Trading Standards team, work closely with other agencies and will do our utmost to ensure offenders like this, who carry out work with no regard for the safety of our residents, are brought to justice.

"We are delighted that these criminals have been held to account. The message is very clear – we will not tolerate this in Stockport and will take robust action wherever possible."

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## **[Registration of High-rise residential](#)**

# [buildings](#)

The Building Safety Regulator has today (Wednesday 12 April) opened the registration process for high-rise residential buildings in England.

It is a legal requirement under the Building Safety Act 2022 for all high-rise residential buildings 18 metres tall or higher, or at least 7 storeys tall, with two or more residential units to be registered with the Building Safety Regulator by **1 October 2023**.

The Principal Accountable Person (PAP) for each building, or someone authorised by them, is required to complete the registration process.

The registration service is now open and the fee to register each building is £251.

[Register a high-rise residential building](#)

Guidance on how to apply to register can be found here:

<https://www.gov.uk/guidance/applying-to-register-a-high-rise-residential-building>

More information on the roles of Accountable persons and Principal Accountable Persons can be found here:

<https://www.gov.uk/guidance/safety-in-high-rise-residential-buildings-accountable-persons>

## **Notes to Editors**

**About BSR:** The Building Safety Regulator (BSR) is an independent body established by the Building Safety Act, 2022, and is part of 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 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. Full implementation of the Act is in October 2023, which means each building owner should have their building safety regime in place by this time.

HSE news releases are available at <http://press.hse.gov.uk>

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## [Asbestos and You](#)

Tradespeople across Great Britain are being warned about the hidden dangers associated with asbestos.



The warning comes as part of the Health and Safety Executive's (HSE) [Asbestos and You](#) campaign targeting tradespeople about the personal risks from asbestos that still exist in properties across the country today.

Around five thousand people a year die from asbestos related illnesses and



asbestos can still be found in buildings built or refurbished before the year 2000.

But HSE is warning despite the ban on its use, many buildings still contain asbestos, and it is still a serious risk to anyone exposed to it at any age.

Tim Beaumont, HSE's acting head of construction policy sector, said: "Asbestos can be found in things like Artex, cement boards under eaves, garage roofs, old bath panels, boiler houses and fires and even mortar between bricks can contain asbestos.

"There is no known safe level of asbestos exposure but that's not to say it can't be managed safely.

"All tradespeople should make sure they know the basics about identifying asbestos. Before carrying out any construction work, there's a legal requirement to identify whether asbestos is present and could be disturbed.

"Younger tradespeople need to know the dangers behind asbestos as it could affect them in later life like it is affecting older tradespeople now."

Asbestos is only dangerous if not maintained in a safe condition or if physically disturbed without the right measures in place to control exposure to fibres.

Craig Evans, UKATA (United Kingdom Asbestos Training Association) Chief Operating Officer, said: "I wholeheartedly support HSE's campaign to raise asbestos awareness and the importance of training across industry.

"The dangers of asbestos are very real, with over 5,000 people in the UK dying each year from asbestos-related diseases.

"It is crucial that tradespeople are aware of the risks involved in disturbing or damaging asbestos-containing materials, as inhaling these fibres can lead to devastating diseases such as mesothelioma, lung cancer, and asbestosis.

"UKATA members are committed to providing high-quality asbestos training, delivered by highly experienced and competent professionals with extensive knowledge and expertise in their field, to help prevent unnecessary exposure and protect the health and wellbeing of all those working in the industry."

From the 1950s until 1999, asbestos containing materials were used extensively in the construction and maintenance of buildings in Great Britain.

When materials that contain asbestos are disturbed or damaged, fibres are released into the air. If these fibres are inhaled, they can cause serious diseases such as mesothelioma, asbestos related lung cancer, asbestosis, and pleural thickening. These diseases will not affect you immediately as they often take a long time to develop, but once diagnosed, it is often too late to do anything.

It can take 20 to 30 years before symptoms appear. Symptoms include shortness of breath, persistent cough, wheezing, extreme tiredness, pain in your chest or shoulder and in more advanced cases, swollen fingertips.

If asbestos cannot be safely managed, it should be removed by a licensed asbestos contractor. Where present, asbestos should be closely managed by those responsible for the building.

Find out more about the [Asbestos and You](#) campaign, and visit HSE's website for [further guidance on asbestos](#).

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3. Further details on the latest [HSE news releases](#) is available.
4. UKATA (the United Kingdom Asbestos Training Association) is a leading association dedicated to improving the quality and standards of asbestos training, with the ultimate goal of protecting workers and the public from the risks associated with asbestos exposure. To find a UKATA approved asbestos training provider near you, visit [www.ukata.org.uk](http://www.ukata.org.uk) or for free advice, call the team on 01246 824437.