

Charitable trust fined following death of volunteer

A charitable trust has been fined after a volunteer lost his life during restoration work on the Wilts and Berks Canal.

Peter Konitzer was fatally crushed when a section of a wall collapsed onto him in an excavation at Pewsham locks on 24 August 2016.

The 62-year-old had been inside the excavation removing temporary propping that was supporting the wall when the section collapsed.



A section of the wall collapsed while Mr Konitzer was inside the excavation

Wilts & Berks Canal Trust undertook the restoration work as part of its project to preserve, conserve and improve the route of the Wilts and Berks Canal.

A joint investigation by the Health and Safety Executive (HSE) and Wiltshire Police investigation found Wilts & Berks Canal Trust had failed to ensure the safety of volunteers who were working within the excavation. The temporary propping was inadequate and there was no clear method for the safe installation or removal of props during this renovation work.



A section of the wall collapsed while Mr Konitzer was inside the excavation

The trust routinely used volunteers to assist in work to undertake tasks including clearing rubbish and overgrowth from various canal sites and general gardening type duties but had increasingly used volunteers for light construction works.

Wilts & Berks Canal Trust, of Dauntsey Lock, Chippenham, Wiltshire, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974. The trust was fined £30,000 and ordered to pay £10,822 in costs at Swindon Magistrates' Court on 24 June 2024.

HSE inspector James Lucas said: "This was a tragic and wholly avoidable incident. The situation which led to Peter's death would not have arisen had

the temporary structural works been properly planned and implemented to ensure a suitable safe system of work prior to the incident.

“It is essential that those in control of work of this nature devise safe methods of working and to provide the necessary information, instruction, and training to their workers to ensure their safety.”

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

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. Wilts & Berks Canal Trust will also pay £6,043.16 in compensation.

[Companies fined after 16-year-old worker exposed to asbestos](#)

Two companies have been fined after a teenage worker was exposed to asbestos.

The 16-year-old had been working for P Turnbull Joinery and Building Services Ltd on an outbuilding of a domestic property after the firm had been hired by Alt Berg Holding Limited to refurbish the property in Richmond, North Yorkshire.

He had been breaking up cement sheets taken from the roof of the property and putting them into a skip on 7 June 2021. Asbestos was later found to be in the cement sheets, exposing the worker to asbestos fibres.

A Health and Safety Executive (HSE) investigation found that Alt Berg Holdings Limited had failed to carry out an asbestos refurbishment and demolition survey of the property, which would have identified the asbestos. P Turnbull Joinery and Building Services Ltd had not properly assessed the work and failed to prevent the worker being exposed to asbestos.

P Turnbull Joinery and Building Services Ltd, of Attwood Terrace, Wolsingham, Durham, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £2,000 and ordered to pay £500 in

costs at Peterlee Magistrates' Court on 20 June 2024.

Alt Berg Holdings Limited, of Moor Road, Melsonby, Richmond, North Yorkshire, pleaded guilty to breaching Regulation 4(4) of the Construction (Design and Management) Regulations 2015. The company was fined £6,000 and ordered to pay £1,950 in costs at Peterlee Magistrates' Court on 20 June 2024.

HSE Principal Inspector Chris Tilley commented: "A suitable and sufficient asbestos refurbishment and demolition survey of the building undertaken by the client and provided to the contractor before work started would have identified the presence of asbestos in the roofing materials. The contractor could have ensured that suitable controls were put in place and the asbestos removed safely before further work was undertaken.

"This incident could so easily have been avoided by the provision of suitable and sufficient pre-construction information, effective communication between the parties and the use of correct control measures and safe working practices."

This prosecution was brought by HSE enforcement lawyer Chloe Ward and supported by HSE paralegal officer Rebecca Withell.

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[Company fined after delivery driver electrocuted](#)

A company in Berkshire has been fined £30,000 after a father-of-four was electrocuted.

Levi Alleyne (known as 'Chunky') lost his life while delivering crushed concrete at a construction site on Swallowfield Road, Reading, on 16 November 2020.

Chunky was killed after the crane arm of his lorry came into close contact

with an overhead power line, which then created an electrical charge.

The 41-year-old later passed away from his injuries.

A Health and Safety Executive (HSE) investigation found BBM Contracts Limited, the principal contractor, ordered the delivery and chose the area where the crushed concrete would be delivered. However, the delivery area was located below an 11kv overhead powerline. The company was aware of the presence of overhead powerlines but did not consider whether there was an alternative way of working which avoided them, nor did it put in place demarcations or warnings. An alternative delivery route was subsequently used following the incident.

BBM Contracts Limited, of Aldbourne Avenue, Earley, Reading, pleaded guilty to breaching Regulation 13(1) of the Construction (Design and Management) Regulations 2015. The company was fined £30,000 at Reading Magistrates' Court on 20 June 2024.

HSE principal inspector Georgina Symons said: "This tragic incident led to the death of a father-of-four. This death might have been prevented if the contractor had correctly identified and managed the risks involved.

"The dangers associated with overhead power lines are well-known and a wealth of advice and guidance is freely available from HSE and other organisations."

This prosecution was brought by HSE enforcement lawyer Samantha Tiger and supported by HSE paralegal officer Helen Jacob.

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3. Further details on the latest [HSE news releases](#) is available.
4. BBM Contracts Limited has also been ordered to pay £11,613.50 in compensation to the family of Levi Alleyne.

[Livestock auctioneers fined after man,](#)

75, killed by cow

A company has been fined after a 75-year-old man was killed by a cow that had escaped from a livestock market in Wales.

Father-of-two Huw Evans was knocked down and trampled by a cow that was being auctioned at a livestock market run by J.J. Morris Limited on 19 November 2022.

The cow was being unloaded into a pen at Whitland Livestock Market but managed to escape before heading towards Whitland, Carmarthenshire.

Mr Evans, who also lived in Whitland, had been crossing the junction at North Road and West Street when he was attacked by the cow. He suffered multiple injuries and was flown to the University Hospital of Wales where he died six days later on 25 November.

A worker at J.J. Morris Limited was injured in an unsuccessful attempt to capture the cow, which later ran towards Whitland Rugby Club and a railway line before being captured and put down by Dyfed-Powys Police.

A Health and Safety Executive (HSE) investigation found J.J. Morris Limited, which has operated Whitland Livestock Market for over 30 years, failed to implement basic, physical control measures to prevent cattle from escaping. Additionally, the company's risk assessment was not suitable nor sufficient as it referenced control measures that were not present at the market.

Mr Evans' son, Dafydd, said in his victim personal statement: "Dad was my best friend and I miss him terribly, he was taken from us too soon. Losing Dad has had a tremendous effect on both myself and my brother. Because of this incident Dad's grandsons will never fully know him personally and he will not see them grow up."

J.J. Morris Limited, of High Street, Haverfordwest, Pembrokeshire, pleaded guilty to breaching Section 2(1) and Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £75,000 and ordered to pay £5,047.55 in costs at Llanelli Magistrates' Court on 20 June 2024.

HSE inspector Rhys Hughes said: "This tragic incident was foreseeable and preventable. The risk posed by cattle escaping from the livestock mart should have been identified, and effective control measures implemented. The case highlights the importance of following industry guidance, which is readily accessible and outlines the requirements to safely manage cattle."

This prosecution was brought by HSE enforcement lawyer Rebecca Schwartz and supported by HSE paralegal officer Imogen Isaac.

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[Housing company fined after worker killed by concrete blocks](#)

A housing company has been fined more than £300,000 after a driver was crushed to death by falling concrete blocks at a construction site in South Lanarkshire.

Conor Joseph Morgan had been delivering materials to Shott Farm in High Blantrye, a construction site being operated by Avant Homes (Scotland) Limited, when the incident happened on 19 April 2017.

The 45-year-old, who was employed as a HGV driver for Regen Waste Limited, was crushed as the concrete blocks were being unloaded from the articulated flatbed trailer using an excavator with pallet fork attachment. However, the length of the pallet forks fitted to the excavator exceeded the width of the pallet being unloaded.

As the pallet was being lifted the forks caught a second pallet of concrete blocks causing them to topple from the edge of the trailer and onto Mr Morgan.

The Health and Safety Executive (HSE) investigated and found that Avant Homes (Scotland) Limited as the principal contractor on site should have ensured there was a safe system of work for the unloading of the delivery vehicle driven by Mr Morgan. It also found Regen Waste Ltd had not carried out a suitable and sufficient assessment of risk for the drivers delivering to remote sites not under its control.

On 19 June at Hamilton Sheriff Court, Avant Homes (Scotland) Limited of Edinburgh Park, Edinburgh pleaded guilty to a breach of Section 3(1) of the Health and Safety at Work etc. Act 1974 and were fined £333,000. Regen Waste Limited of Newry, County Down pleaded guilty to breaching Regulation 3(1)a of the Management of Health and Safety at Work Regulations 1999 and were fined £23,000.

Speaking after the case HSE principal inspector Graeme McMinn said: "This was a tragic and wholly avoidable incident, caused by a failure of the principal contractor to implement a safe system of work. The employer also failed to

carry out a suitable and sufficient assessment of risk.”

“Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards.”

HSE website has guidance on the safe loading and unloading of vehicles at [Loading/Unloading activities – Workplace transport checklist – Section 6 \(hse.gov.uk\)](#)

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