

## Man spared jail for carrying out unsafe work on his own home

A man has been given a suspended sentence after he carried out unsafe work on an extension to his own home in Manchester.

Abdul Rehman engaged operatives to help him build an extension to the property on Kings Crescent in Old Trafford – which was in addition to replacing the roof on the existing semi-detached house.



Abdul Rehman carried out unsafe work on his own house in Old Trafford

The Health and Safety Executive (HSE) served enforcement notices in relation to work being carried out from an unsafe scaffold at the property in August 2020. The scaffold was subsequently dismantled, and work put on hold.

However, in November 2021 the same inspector found that Mr Rehman was in control of and instructing operatives to re-roof his property. The work was being carried out without any form of fixed scaffolding or other equally effective measures to prevent the risk of a fall from height from the unprotected two storey roof.

A further prohibition notice was issued to prevent the unsafe work, but Mr Rehman continued to instruct, supervise and assist it. This went on for several weeks and included work during the hours of darkness and in breach of the prohibition notice while continuing to put the lives of the workers at risk.



Mr Rehman working on lower roof himself in November 2021

A fixed safe scaffold could and should have been erected around the perimeter of the roof, but Mr Rehman chose to put cost cutting at the expense of safety to ensure the replacement roof to his property was completed. cost-cutting at the expense of safety.

An investigation by the Health and Safety Executive (HSE) found that Abdul Rehman, from Manchester, chose to ignore the issue of an enforcement notice and continue to instruct operatives to work on the roof without any form of fall protection under the hours of darkness.

He pleaded guilty to breaching regulations 4(1) and 6(3) of the Work at Height Regulations 2005, and section 33 1(g) of the Health and Safety at Work Act 1974. He was given a custodial sentence of 12 months, but this was suspended for 18 months. During that time he must also complete 180 hours of unpaid work. He must also pay £6,450 in costs at a hearing at Manchester Magistrates' Court on 18 June 2024.

After the hearing, HSE inspector Phil Redman said: "This was a serious breach of the law, and it is fortunate nobody was seriously injured or killed as a result of Mr Rehman choosing to ignore the repeated requests of the inspector to provide a safe means for work from height.

"The case highlights the importance of following industry guidance by ensuring a suitable and sufficient safe scaffold was provided by a competent contractor."

The prosecution was brought by HSE enforcement lawyers James Towey and Sam Crockett.

**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. Guidance on [scaffolding](#) is available.
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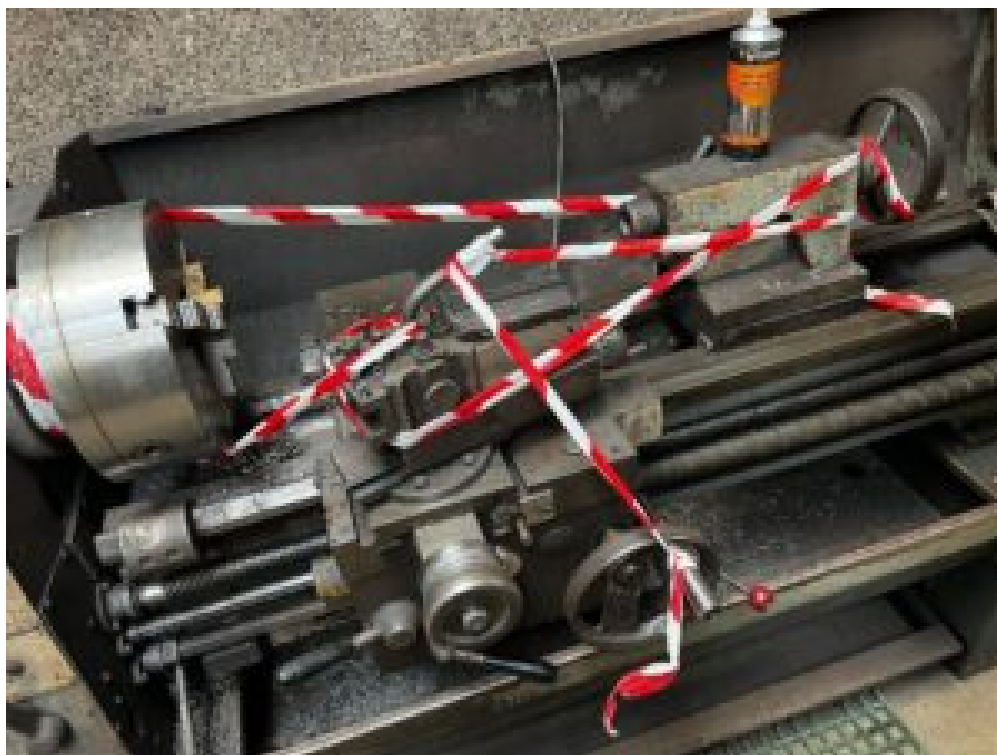
## [Equipment supplier fined after worker injured](#)

A company in Aberdeen has been sentenced after an employee sustained serious injuries.

Mirosław Pancyzk fractured both of his wrists and sustained a fractured middle finger on his right hand while working for Harper UK (Aberdeen) Ltd at the firm's premises on 4 April 2022.

He had been using a piece of emery paper to polish a metal bar on a lathe when the paper snagged on the rotating workpiece.

This led to Mr Pancyzk's gloved hands being drawn into the machine.



The machine being used by Mr Pancyzk.

As a result, both of his wrists were fractured and he wore casts for six weeks following the incident. The palm of his right hand required plastic surgery. He lost the part of his ring finger on his right hand and also fractured the middle finger.

A Health and Safety Executive (HSE) investigation found Harper UK (Aberdeen) Ltd, a supplier of equipment to a number of industries including oil and gas, failed to implement an adequate means of protection. At the time of the incident, there was no chuck guard in place, an absence of tooling to allow the task to be undertaken safely and no risk assessment for this particular lathe.

Harper UK (Aberdeen) Ltd, of Albyn Place, Aberdeen, 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 £10,000 at Aberdeen Sheriff Court on 18 June 2024.

HSE inspector Graham McEvoy said: "This incident was easily preventable and the risk should have been identified. Employers should make sure they properly assess and apply effective control measures to minimise the risk from dangerous parts of machinery."

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## [Construction company fined £2.345m after worker drowned in river](#)

A construction company has been fined following the death of a worker.

Gary Webster lost his life two days after drowning in the River Aire on 30 October 2017.

Mr Webster and another worker had been on a boat removing debris at the bottom of the weir gates at Knostrop Weir when their boat capsized. The boat had been pulled into turbulent water, caused by the considerable flow of water flowing over the top of the weir.

The 60-year-old was repeatedly pulled under the water and was eventually recovered by a diver 14 minutes later. The other worker managed to swim to safety.

Mr Webster was pronounced dead on 1 November 2017 at Leeds General Infirmary.

A Health and Safety Executive (HSE) investigation found BAM Nuttall Ltd had several operatives who were trained and authorised to control the weir gates so that the flow of the water could be slowed down. This would have allowed the debris to float away or be reached safely by boat. However, the company failed to carry out this task.

BAM Nuttall Limited, of Knoll Road, Camberley, Surrey, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £2.345 million and ordered to pay £25,770.48 in costs at Leeds Magistrates' Court on 12 June 2024.

HSE inspector Jayne Towe said: "BAM Nuttall Ltd failed to plan the work. It failed to carry out any assessment of the risks involved with the task. It failed to have any regard to the recognised hierarchy of controls to reduce the risk associated with removing debris from the water. It failed to ensure that suitable safety measures were in place and failed to put in place a safe system of work.

"This incident could so easily have been avoided by simply carrying out correct control measures and safe working practices."

This prosecution was brought by HSE enforcement lawyer Jonathan Bambro and supported by HSE paralegal officer Sarah Thomas.

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## [Car wash firm fined for failing to protect workers and the public](#)

A car wash firm in Devon has been fined £40,000 after it repeatedly failed to protect workers and members of the public from electrical safety risks.

Investigators from the Health and Safety Executive (HSE) carried out multiple visits to Best Car Wash Ltd in Tavistock between July 2021 and November 2022. They found employees were carrying out car washing outdoors, using electrical appliances such as pressure washers and vacuum cleaners. However, the company had failed to ensure the installation had been constructed or maintained to prevent danger to both the employees and members of the public. As a result of the electrical hazards identified, the company was issued with five enforcement notices.

Despite the notices, subsequent visits found they had not been complied with and it wasn't until April 2023 that a competent person inspected, tested and repaired the installation.

The HSE investigation found the failure of the employer to comply with the initial notice resulted in electrical safety risks to the vulnerable workers persisting for longer.

Best Car Wash Ltd of Plymouth Road, Tavistock, Devon did not provide representation at Plymouth Magistrates' Court and were found guilty in their absence of breaching Section 3(1) of the Electricity at Work Regs and Reg 33 (1)(g) of the Health & Safety at Work Act 1974. They were fined £40,000 and ordered to pay costs of £3,164 on 6 June 2024.

Speaking after the hearing, HSE Principal Inspector Helena Allum said: "We can and will prosecute if companies fail to comply with enforcement notices.

"Those in control of work have a responsibility to ensure safe methods of working. The dangers associated with electricity in a work environment are well known and a wealth of advice and guidance is freely available from HSE."

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## [Openreach fined following death of engineer](#)

Openreach Limited has been fined £1.34 million after an engineer died whilst trying to repair a telephone line.

Alun Owen, from Bethesda, died after he slipped and fell into the River Aber in Abergwyngregyn and was swept away on 6 October 2020.

The 32-year-old has been described by his family as a 'loving and selfless character'.

An investigation by the Health and Safety Executive (HSE) and North Wales Police, found that a number of Openreach engineers had been attempting to repair the telephone lines, which ran across the river, over a period of two months. They had been working both near and in the river. At the time of the incident, there had been flooding in the area which meant the river was much higher and faster flowing than usual.

Mr Owen entered the water and made his way to an island in the middle of the river in order to try and throw a new telephone cable across to the other side by taping it to a hammer and then throwing the hammer. Whilst attempting to cross the remaining section of the river, he slipped in a deeper part and the force of the river swept him away.



Alun Owen

The investigation found that there was no safe system of work in place for work on or near water, nor had Mr Owen – and others working by the river – received training, information or instruction on safe working on or near water.

A statement from Mr Owen's family said: "The genuine love and affection shown to us since the tragedy that unfolded on the 6 October 2020 is a real testimony to Al and how everyone just loved his friendly, loving and selfless character.

"Although it's sometimes difficult to see beyond the sorrow, we will keep his memory alive through reminiscing those many precious moments he had in his love-filled life."

Openreach Limited pleaded guilty to breaching Section 2 (1) of the Health and Safety at work etc. Act 1974. The company was fined £1.34 million and ordered to pay costs of £15,858.35 at Llandudno Magistrates' Court on 5 June 2024.

Speaking after the case, HSE inspector Christina Roberts said: "This was a tragic incident that resulted in the death of a much loved young man.

"Mr Owen's family, friends and colleagues have always remained in our thoughts.

"His death would have been preventable had an effective system for working on or near water been in place.

"Mr Owen should not have been put in the unsafe working situation. Companies should learn the lessons from this incident if they have staff who may work on or near water and be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards."

North Wales Police Detective Chief Inspector Andy Gibson said: "Our thoughts remain with Alun's family at this difficult time.



“North Wales Police worked closely with HSE and whilst it was a protracted and lengthy investigation, it was critical that any failings were identified and acted upon.”

This prosecution was brought by HSE senior enforcement lawyer Nathan Cook and supported by HSE paralegal officer Sarah Thomas.

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