

# Haulage company fined after worker dies from injuries

A haulage company in Wales has been fined £100,000 after a worker fell from a loading bay and died.

The 63-year-old, from Hungary, had been preparing a load of trailers in his lorry ahead of departure from Williams Haulage Limited's site at Deeside Industrial Estate on 16 March 2020. The load of trailers were due to be delivered to a site in Germany. He was not employed by Williams Haulage.

The man was trying to reach the top of his lorry, with one foot on the loading bay and the other on the back of another lorry.

However, he fell approximately 1.25 metres onto the concrete floor below when the adjacent lorry was driven away.



CCTV stills of the worker

He sustained severe head injuries and died at the Royal Stoke University Hospital on 16 May 2020.

A Health and Safety Executive (HSE) investigation into this incident found Williams Haulage had carried out a risk assessment that identified the risk from falls and introduced control measures, but these had not been used in practice. There was a lack of supervision and monitoring by Williams Haulage to check that these control measures were being used by its staff. Additionally, insufficient consideration had been given to visiting drivers, particularly when English is not their first language.

HSE guidance can be found at: [Management responsibilities – Workplace transport \(hse.gov.uk\)](https://www.hse.gov.uk/management-responsibilities-workplace-transport/)



Williams Haulage Limited, of Old Station Road, Cynwyd, Corwen, Clwyd, pleaded guilty to breaching Section 3 (1) of the Health and Safety at Work etc. Act 1974. The company was fined £100,000 and ordered to pay £8,400.50 in costs at Llandudno Magistrates' Court on 20 September 2023.

HSE inspector Matthew Pendle said: "Any fall can have devastating consequences – as has been shown in this case of a man working far from home. Haulage by nature means drivers who do not always speak English can visit sites – they must be protected.

"This incident could so easily have been avoided had the company simply ensured the control measures and safe working practices were followed and that visiting drivers were informed of the site's safety rules."

This HSE prosecution was supported by HSE enforcement lawyer Nathan Cook.

#### **Notes to Editors:**

1. The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. We seek to 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. [hse.gov.uk](https://www.hse.gov.uk)
2. More about the legislation referred to in this case can be found at:

[legislation.gov.uk/](http://legislation.gov.uk/)

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

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## [Time running out as deadline to register high-rise buildings nears](#)

- High-rise residential buildings must be registered with new regulator by October 1
- Register is a major step forward in building safety
- More than 10,000 applications started.
- Registration is a legal duty brought in following the Grenfell fire

Time is running out for high-rise residential buildings to be registered with the Building Safety Regulator (BSR).

The new watchdog will better protect people who live in high-rise buildings. It was set up as part of the Government's response to the Grenfell fire.



If anyone lives in a building in England that is 18 metres tall or higher, or at least seven storeys tall, it must be registered with BSR. So far more than 10,080 registrations have started.

It will be a criminal offence for any qualifying building not to be registered with the new regulator after 1 October 2023. Registration opened in April 2023.

Those responsible for high-rise buildings not registered by the deadline could face significant sanctions, including prosecution.

Chris Griffin-McTiernan, Deputy Chief Inspector of Buildings at BSR, said: "I would encourage any organisation that has not registered their high-rise building, to do so now. There is guidance available to help you comply with the law.

"The creation of this register is a major step forward in terms of building safety in England. Residents themselves will soon have access to the

register. This new transparency will shift power towards those who live in these buildings. Residents deserve the better oversight we will be able to provide with the register.”

BSR has been running a major marketing and engagement campaign since April this year to encourage registrations. This includes a programme of over thirty stakeholder events to help people with the process.

Guidance on registering and information on how to complete the application process can be found here:

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

Further support for building owners and managers is available on the ‘Making Buildings Safer’ campaign website [here](#).

**About BSR:** The Building Safety Regulator (BSR) is established within the Building Safety Act 2022, as an independent regulator within 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. The Act overhauls existing regulations and creates new powers that will enable lasting change across the built environment.

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## [Company fined for putting worker at risk](#)

A company in Berkshire has been fined £16,000 after putting an employee at risk of exposure to ionising radiation.

A worker at Gemini Technology (Reading) Limited was put at risk of exposure to 500 milliSieverts (mSv) per hour while working on an irradiator at a calibration facility operated by the Ministry of Defence on 7 September 2018.

In the UK, the average person is exposed to a dose of 2.7 mSv every year. Doses over 100 mSv can lead to a change in red blood cells. Even small doses of radiation can lead to an increased risk of developing cancer longer term.

Gemini Technology was called to the MOD site on Crescent Road, Gosport, to fix a problem with the irradiator it was the service agent for. A high activity Caesium-137 source had become stuck in an unshielded position within the irradiator during an incident on 6 September 2018.

The remediation work undertaken by the Gemini Technology employee the following day involved removing the top of the machine's shielded housing, raising the radioactive source and manually rotating a carousel which contained a number of radioactive sources.

This put the Gemini Technology employee at risk of exposure to dose rates of up to 500 mSv per hour.

An investigation by the Health and Safety Executive (HSE) found that Gemini Technology had been working with ionising radiation for a number of years and is a recognised brand within its industry. However, the firm had not formally consulted a suitable radiation protection adviser, as required under the Ionising Radiations Regulations 2017. The company had not undertaken suitable and sufficient risk assessments of the work it was carrying out, and subsequently it had not identified and implemented appropriate control measures to manage the risk of exposure to ionising radiation, potentially putting employees at risk.

HSE guidance can be found at: [Health and Safety: Ionising Radiation \(hse.gov.uk\)](https://www.hse.gov.uk/ionising-radiation/)

Gemini Technology (Reading) Limited, of Wellington Industrial Estate, Basingstoke Road, Spencers Wood, Reading, Berkshire, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974 and Regulation 9(1) of the Ionising Radiations Regulations 2017. The company was fined £16,000 and ordered to pay £25,000 towards costs at Portsmouth Magistrates' Court on 15 September 2023.

HSE specialist inspector of radiation Karen Fuller said: “The Ionising Radiations Regulations 2017 exist to protect those at work from ionising radiation and other people who could be affected by this type of work.

“All companies working with ionising radiation must properly assess the risks to their employees, and others, to ensure that they take all steps necessary to restrict exposure. It is essential that they consult a competent radiation protection adviser to facilitate this. Only then can they be confident that any exposure to ionising radiation is kept as low as reasonably practicable.

“This situation could so easily have been avoided by properly considering the risks involved, identifying the required control measures, and ensuring safe working practices were put in place. Companies should be aware that HSE will not hesitate to take appropriate enforcement actions against those that fall below the required standards.”

#### **Notes to Editors:**

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## **[Grimsby company fined £200,000 after driver suffers chemical burns](#)**

A company in Lincolnshire has been fined £200,000 after a driver suffered chemical burns to his feet assuming he was standing in a puddle of rainwater.

The man had been offloading his tanker with a delivery at the Laporte Road site of Tronox Pigment UK Limited, in Stallingborough, Grimsby, on 9 August 2022.

During the offloading process, he was standing in what he assumed to be a puddle of rainwater, due to the fact it had been raining throughout the day and the drains were blocked.

However, the driver was actually standing in a pool of water containing caustic, a corrosive chemical substance.

The subsequent burns led to him requiring skin grafts to the underside of

both feet. The smallest toe on each of his feet were also amputated. He was unable to work for 12 weeks.

The pool of chemicals had leaked from the company's scrubber system and secondary containment. It ended up on the roadway after the site's sump pumps failed to pump the chemicals away.

A Health and Safety Executive (HSE) investigation into this incident found Tronox Pigment UK Limited did not respond adequately to control the risk of a loss of containment after the site's sump pumps failed to work. The firm's failure to ensure the drains were kept clear also meant drivers did not recognise pools of standing liquid as a potential risk.

HSE guidance can be found at: [Provision and Use of Work Equipment Regulations 1998 \(PUWER\) \(hse.gov.uk\)](https://www.hse.gov.uk/puwr/)

Tronox Pigment UK Limited of Laporte Road, Stallingborough, Grimsby, pleaded guilty to breaching Section 3(1) and Section 33(1)(a) of the Health and Safety at Work etc. Act 1974. The company was fined £200,000 and ordered to pay £7,500 in costs at Grimsby Magistrates' Court on 15 September 2023.

HSE inspector Angus Robbins commented: "This was a disturbing incident, given that an innocent worker was suffering severe burns without, at first, realising. Other delivery drivers visiting the area could also have been put at risk.

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

"The importance of having adequate maintenance procedures and arrangements to respond to equipment failures, including assessing the risks arising from such failures, is essential."

This HSE prosecution was supported by HSE enforcement lawyer Samantha Crockett and paralegal officer Kirsty Crapper.

#### **Notes to editors:**

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  2. More information about the [legislation](#) referred to in this case is available.
  3. Further details on the latest [HSE news releases](#) is available.
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# HSE to lead investigation into double fatality at Teesworks site

The investigation into deaths of two men at the Teesworks site in 2019 will now be led by the Health and Safety Executive (HSE).

On 19 September 2019, John Mackay and Tom Williams died following an explosion at the site.

Following a thorough joint investigation by Cleveland Police and HSE, there is insufficient evidence to support gross or corporate manslaughter charges. The families of the deceased have been informed of this decision.

HSE principal inspector John Heslop said: "Although some of these developments are difficult for the families of John and Tom, I have assured them that the criminal investigation into their deaths remains ongoing. We also made it clear our investigation will be a thorough one, while also recognising the desire for a speedy conclusion."

This remains a criminal investigation that Cleveland Police will continue to support.