

# Farming business fined for multiple health and safety risks

A farming business that refused an offer to take part in a course on farm safety has been fined following a subsequent site visit from Britain's workplace regulator.

Seymour Stevens Limited operate a beef and arable farm in Faversham, Kent.

To help farmers understand what they need to do to comply with health and safety law, the Health and Safety Executive (HSE) fund and run "Preparing for Inspection" courses which have been developed in partnership with industry.

In early 2022 Seymour Stevens Limited were offered a place on the course but did not take it up. A site visit was later carried out by the HSE in November of that year where multiple, serious, health and safety failings were identified.



The HSE investigation found one of the barns used as an employee through route was deemed unsafe to enter due to its poor structural state. Seymour Stevens Ltd were aware of this but had decided not to repair the shed due to costs. A number of electrical faults were also identified.

Another shed roof was insecurely fixed and was being weighed down with a hay bale in an attempt to prevent it from moving. Roof sheeting was also in poor condition and state of disrepair; in some cases, even falling from buildings.

Bull pens were broken and rusty and concerns were raised about the suitability of these to contain a bull. During the Christmas period in 2022, a bull had managed to escape the farm and was brought back to site by the Police.

HSE focused on the dangers of livestock as part of this year's Your Farm, Your Future campaign. This has advice on working with livestock, and is

hosted on its [Your Farm Your Future campaign website](#), to assist farmers and workers and keep them safe.

At a hearing at Maidstone Magistrates' Court on 24 April, Seymour Stevens Ltd, Faversham, Kent pleaded guilty to failing to discharge its general health safety and welfare duties to employees, contrary to Section 2 of the Health and Safety at Work etc Act 1974. They were fined £12,000 and ordered to pay £4,830 in costs.



Speaking after the hearing, HSE inspector Peter Bruce said: "While agriculture accounts for just one percent of the working population, it accounts for about 20 per cent of workplace fatalities.

"In the case at Seymour Stevens farm, there were failings to manage health and safety risks associated with animals and falling objects – two of the five most common causes of fatal injuries in the agriculture sector.

"Employees and members of the public were being put at risk, despite previous warnings having been given to the company by their staff.

"It is important that employers maintain their workplaces and equipment to suitable standards to ensure that employees, visitors and members of the public are not put at risk."

This prosecution was brought by HSE enforcement lawyer, Jon Mack and supported by HSE paralegal officer, Lucy Gallagher.

#### **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.

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## Drinks company fined after employee loses finger in bottling machinery

A drinks company has been fined £14,000 after a man's finger was amputated after being caught in bottling machinery.

Daniel Richardson, then 32, assisted a colleague who was encountering problems with a bottle capping machine at the plant in Wigston, Leicestershire on 17 January 2022.



Mr Richardson, from Leicester, was able to reach into the machine and into the capper unit to remove the jammed part at which point, the capper head descended onto his finger, amputating the tip.

Attempts were made at Leicester Royal Infirmary to re-attach the tip of the finger – this proved unsuccessful, and it was subsequently necessary to amputate his finger between the first and second knuckle.

An investigation by the Health and Safety Executive (HSE) found that Sourcing International Limited, trading as Drinks Chef failed to properly guard against access to dangerous parts of machinery – in this instance fixed guarding had been removed and the machine was frequently used without it.

Additionally, an interlock device which should function to isolate the power and stop the machine when protective doors / guards were opened elsewhere on the machine was inoperable and so access to moving parts of machinery was further possible.

HSE has guidance on [machinery safety](#) highlighting how employers should consider how their workers use machinery and how they should also have adequate maintenance arrangements in place to ensure it remains safe to use.

Sourcing International Limited t/a Drinks Chef, of Unit A1 Bowbridge Works, Chartwell Drive, Wigston, pleaded guilty to contravening a requirement of Regulation 11(1) of the Provision and Use of Work Equipment Regulations 1998.

The company was fined £14,000 and ordered to pay costs of £4,175.79 at a hearing at Loughborough Magistrates Court on 24 April 2024.

After the hearing, HSE inspector Rebecca Gibson said: "This tragic incident highlights the duty on employers to ensure machinery, and other work equipment, is safe for use. Suitable guards would render dangerous parts of machinery inaccessible during normal use and would have avoided this serious injury to Mr Richardson."

This prosecution was supported by HSE enforcement lawyer Sam Crockett.

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## **[Housing company fined more than £500,000 after worker suffers burns](#)**

A housing company based in Kent has been fined £528,000 after an employee repairing a fence post inadvertently struck an underground cable, suffering burns to his face.

The MHS Homes employee and a colleague had been tasked by the company to repair three fence posts in a back garden of a tenant on 10 January 2023. They had already repaired two of the posts and started on a third, when one of the workers struck an underground electrical cable as he tried to break through some concrete using a breaker.

The company failed to provide the employees with information on the location of, or the tools to safely excavate around, an electrical cable and gas pipe.

An investigation by the Health and Safety Executive (HSE), found that MHS Homes often excavated the ground. However, they never provided any information to employees on the location of underground services and did not

provide suitable equipment to detect and safely excavate underground services. They had previously identified the risk of underground services in a risk assessment in 2017.

On this occasion, the two employees were digging not only by an electrical cable, but also a gas service. This heightened the risk of a fire or explosion, with the potential to kill not employees and members of the public nearby, as well the risk of destroying property.

MHS Homes of Broadside, Leviathan Way, Chatham, Kent pleaded guilty to breaching Regulation 16(2), by virtue of non-compliance with Regulation 25(4), of The Construction (Design and Management) Regulations 2015. The company was fined £528,000 and must pay £4,122 in costs following a sentencing hearing on 24 April 2024.

After the hearing, HSE inspector Peter Bruce, said: “Underground services are widespread and represent a significant risk. It is important measures are taken to identify them before any excavation work is undertaken.

“On this occasion, an electrical cable was struck and a worker suffered minor injuries. However it could have been much worse and potentially fatal.

“Those excavating the ground need to ensure that they obtain service plans prior to the work taking place. It is also vital that employees are provided with the correct tools and detection equipment to do their work safely.”

This prosecution was brought by HSE enforcement lawyer Rebecca Schwartz and supported by HSE paralegal officer Ellen Garbutt.

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4. Guidance on [working with underground services](#) is available.

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## **[Council fined after vulnerable man](#)**

# choked to death on food

Fife Council has been fined £100,000 for safety breaches following the death of a vulnerable man who choked to death on a sandwich unsuitable for his prescribed diet.

In its role to support the care of those who live in supported living accommodation, Fife Council was responsible for the safe ingestion of food for 66-year-old Brian Millar.

On 4 June 2020, the resident of accommodation in Kirkcaldy was given a sandwich by a carer. Brian could only be given food that was carefully prepared to ensure it was soft and bite-sized.

Brian should also have been closely supervised to ensure his safety while eating. However, the food was not suitably prepared and he was not closely observed. He choked on the sandwich and died.

At Kirkcaldy Sheriff Court on 23 April 2024, Fife Council, North Street, Glenrothes pleaded guilty to breaching Sections 3(1) and Section 33(1)(a) of the Health and Safety at Work etc. Act 1974. It was fined £100,000 and the Sheriff also directed that a Compensation Order of £50,000 be paid to Brian's family.

Speaking after the case, HSE inspector Kerry Cringan said: "It is tragic when a vulnerable person dies in circumstances which were completely avoidable.

"Sadly, it is not uncommon for us to be informed of deaths where people in care choke on high-risk foods that were not suitable for their diet.

"Care providers must be guided by speech and language therapy professionals and then ensure their staff are trained to understand what those recommendations mean.

"They should be aware that we will not hesitate to take appropriate enforcement action against those who fail to train staff in the importance of following modified texture diets."

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## [Haulage firm fined after man went to work and didn't come home](#)

An Oldham-based haulage company has been fined more than £85,000 after a fork lift truck driver was killed while loading a heavy goods vehicle (HGV).

Ian Dawson, 60, of Rochdale, was loading pallets onto the HGV at Chorlton Express Transport Limited on 19 November 2020. As he was doing this, the HGV moved forward, causing the fork lift truck to overturn. Mr Dawson, who was not wearing a seat belt, was trapped beneath the vehicle, and died as a result of his injuries.



Fork lift truck driver Ian Dawson was killed while unloading a HGV in Oldham

His partner Jane Medhurst, described the last moment she saw him, before they both left for work on that fateful day.

“We told each other, ‘love you’, kissed and said, ‘see you later.’”

“What happened that day was so catastrophic. It has drastically changed my life. I still find it difficult to cope with the loss of Ian.”

“He loved his food and months after his death I still found myself shopping for him. Thinking oh that’s one of Ian’s favourites I will buy that. Even though I knew he was not here anymore.”

“Although I now realise Ian will never come home again and I have now had to

move out of the house we shared, it still haunts me that he is gone. It was so sudden and unexpected that I never got a chance to say goodbye to him.”

An investigation by the Health and Safety Executive (HSE) found that Chorlton Express Transport Limited of Meek Street in Oldham, had failed to put sufficient safe systems of work in place regarding vehicle movements, or to ensure that all fork lift truck drivers were compelled to wear seat belts. A court heard that, had Mr Dawson been wearing a seat belt, it is highly likely that this would have saved his life.



Ian Dawson was very much loved by his friends and family

His daughter Caitlin, who was just 19 when her dad died, said it had ‘turned her life upside down’.

“I can still remember getting the phone call that my dad had passed like it was yesterday. At just 19 years old when it happened, and it being the first time losing someone, it felt like my life had turned upside down, especially in the brutal terms it happened.

“To this day, I still sit and cry and the fact that I will never get to say goodbye to my dad. I will never be able to speak to him and he will never be able to take me shopping again, one of the most fond memories I have of him.

“It has been one of the most traumatising experiences of my life and I am still suffering every day because of it.”





The incident happened at  
Chorlton Express  
Transport Limited in  
Oldham

The company pleaded guilty to breaching regulation 2(1) of the Health and Safety at Work etc Act 1974. They were fined £86,710 and was ordered to pay £5,903 costs at a hearing at Manchester Magistrates Court on 17 April 2024.

After the hearing HSE inspector Jane Carroll said: “The failures of this company has left a family without the man they loved.

“The importance of wearing seatbelts cannot be stressed enough.

The failures meant the company exposed employees, and others, to the risk of being struck or caught by workplace vehicles.

“All work settings that use a forklift truck to load or unload goods, need to consider the risks arising from their use, and implement adequate measures to ensure the safety of those involved in these activities.”

The prosecution was brought by HSE enforcement lawyer Matthew Reynolds and paralegal officer Lucy Gallagher.

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4. Guidance for [working safely with vehicles](#) is available.