

Newport City Council fined £2million after death of much loved family man

Newport City Council has been fined £2million after “a hardworking man who loved his family very much” was killed while carrying out road repair works.

Stephen Bell was barrowing tarmac from the back of the local authority’s tipper lorry when he was struck by a farm vehicle passing the road works.

The 57-year-old’s wife Jenny said how the events of 18 July 2019 had changed their family’s life forever.



Stephen Bell was a much loved husband, father and grandfather

“I do not have the words to express the pain my family and I felt when we heard the news and losing him so suddenly has taken its toll on us all and has left us all heart broken,” she said.

“Stephen was a kind, caring and a hardworking man who loved his family very much. He had a smile that lit up a room, an amazing sense of humour and laughter that was contagious.

“In the years since he’s been gone my family and I have missed so much.

“I have been unable to share my grandchildren’s birthdays with him. Christmas days without him and family holidays with a very special person missing.

“Recently, our youngest daughter got married, and didn’t have her father to walk her down the aisle.”

Cardiff Crown Court heard how Mr Bell and his colleagues had been carrying out resurfacing repairs on the section of Langstone Court Road that runs

beneath the M4 motorway. At the time of the incident a Newport City Council team leader and the four highway operatives were working on foot and authorised to be on the site.

An investigation by the Health and Safety Executive (HSE) found that the council did not take all reasonably practicable steps to organise a safe working environment by ensuring there was a suitable and sufficient safety zone between the road works area and the running lane (the live part of the carriageway), as well as securing the perimeter of the road works site against road workers entering the running lane.



Stephen Bell was working for Newport City Council when he was killed

Mrs Bell added: "Since losing Stephen, my daughters have been a pillar of strength to me and I wouldn't have made it through these dark days without them.

"I would also like to take this opportunity to thank our family and friends for their continued support.

"Nothing will bring my husband back and no matter what justice takes place, it will never be enough to compensate my family and I for what we have all lost.

"I just want to make sure nothing like this ever happens again so that no other families experience what we have experienced.

"I would like to close by taking this opportunity to thank HSE for their thorough investigation and for their support over the last four and half years."

Newport City Council, Civic Centre, Godfrey Road, Newport, pleaded guilty to breaching Section 2(1) and 3(1) of the Health and Safety at Work etc Act 1974 and has been fined £2million and ordered to pay costs of £9,780.

Speaking after the hearing, HSE inspector Philip Nicolle said: “The council’s failures have had a devastating impact on Stephen Bell’s family.

“This tragic incident could so easily have been avoided if the council had simply carried out correct control measures and safe working practices.

“We will not hesitate to take action against those that fall below the required standards.

“Our thoughts remain with Mrs Bell and those who knew and loved Stephen.”

This prosecution was led by HSE enforcement lawyer Matt Reynolds.

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.

[Joinery firm fined for health and safety failings](#)

A joinery firm in south east London has been fined £14,000 for health and safety failings, including putting its workers at risk of exposure to wood dust.

Sidcup-based DLD Joinery Limited was inspected by the Health and Safety Executive (HSE) in May 2022 as part of the workplace regulator’s Dust Kills campaign, which targets woodworking businesses due to the significant health risks associated with wood dust.

During the inspection at the firm’s site on Powerscroft Road, Footscray, the HSE inspector identified multiple failings related to control of exposure to wood dust, including excessive levels of settled dust around the site, as well as unguarded woodworking machinery and unclean toilets.



Some of the company's local exhaust ventilation (LEV) systems, which are used

to extract wood dust at source during machining of wood, were damaged, and the arrangements to clean up residual wood dust not captured by these systems were ineffective.

The company had also failed to carry out repairs to its LEV systems recommended by external examiners four years previously to ensure they would extract wood dust more effectively. In addition, the employee toilets were extremely dirty and there was no system in place to ensure they were regularly cleaned. The company had been served with enforcement notices relating to its control of exposure to wood dust on two previous occasions, in 2009 and 2014.

Following the inspection in May 2022, the company was served with four Improvement Notices by HSE. However, the firm failed to comply with two of these notices, which related to face-fit testing for respiratory protective equipment and health surveillance for occupation asthma, by the deadlines set by the inspector.

Due to the number of issues identified, HSE opened an investigation into the company's failure to comply with Section 2(1) of the Health and Safety at Work etc Act 1974, as well as its failure to comply with the Improvement Notices.

HSE has guidance on working in the [woodworking industry](#) and is running the [Dust Kills: Wood Dust campaign page](#), which provides free advice to businesses and workers on the control measures required to prevent exposure to dust.

DLD Joinery Limited, of Powerscroft Road, Footscray, Sidcup, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974, as well as failing to comply with two Improvement Notices. The company was fined £14,000 and ordered to pay £5,092.62 in costs at the City of London Magistrates' Court on 14 December 2023.

HSE inspector Gordon Carson said: "This case sends out a clear message to the industry that HSE will prosecute when inspectors find serious health and safety failings, particularly when previous enforcement and advice has been provided.

"Exposure to wood dust causes various occupational lung diseases which can significantly affect the quality of people's lives, and in some cases result in premature death. HSE continues to target the woodworking industry and strongly urges businesses to consult its website for further information to ensure that control of exposure is managed, and their statutory duties are complied with."

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[Leading textiles firm hit with £100,000 fine after worker loses hand](#)

A linen services company has been fined £100,000 after a man's hand had to be amputated.

Scott Drummond, from Rhyl, North Wales, suffered serious injuries to his hand after it became trapped in machinery at the laundry operated by Johnsons Textile Services Limited in Bumpers Lane, Chester, on 24 June 2021. The injuries were so serious that his hand was later surgically amputated above the wrist.

Guidance on [working safely with machinery](#) is available.

The 45-year-old had been investigating a fault on a large commercial dryer when he was caught by the machine. He had been working on a step ladder and as he lost his balance, reaching out to prevent a fall, resulting in his arm being crushed by the mechanism. He was left trapped and in extreme pain as he tried to call for help.

The moving parts of the dryer were unguarded, and although there was a one metre exclusion rule around the machine, this was vague and took no account of a person making an involuntary movement towards the danger area.

In a statement to the court, Mr Drummond said: "Health and safety shouldn't be about cost, it should be about keeping everyone safe.

"I should have been able to come home from work safely, but I was left with an injury that I'll have to manage for the rest of my life.

"I am making this statement in the hope that what has happened to me doesn't happen to anyone else."

An investigation by the Health and Safety Executive (HSE) found that Johnsons Textile Services Limited of Monks Way, Preston Brook, Cheshire, had not fully assessed the risks involved, had not provided suitable guarding, and failed to put in place an adequate safe system of work.

The company pleaded guilty to breaching regulation 11(1) of the Provision and Use of Work Equipment Regulations 1998. The company was fined £100,000 and was ordered to pay £10,741.69 costs at a hearing at Chester Magistrates on 11

December 2023.

After the hearing, HSE inspector Thomas Delroy said: “Scott’s injuries are truly life changing. This serious incident and its devastating consequences could have been avoided if basic safeguards had been put in place.

“Here at HSE we would like to highlight that all employers should make sure they properly assess and apply effective control measures to minimise the risk from dangerous parts of machinery.”

The prosecution was led by HSE enforcement lawyer Kate Harney.

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[Fines for repair firm and its director after man crushed at London garage](#)

A garage has been fined £12,000 after a customer was crushed by his own vehicle at a garage in North London.

Tottenham resident Mahmut Emanet is “lucky to be alive”, according to an inspector from the Health and Safety Executive (HSE).

Mr Emanet spent six days in a critical care unit after he sustained serious crush injuries in the incident. He has been left with permanent and life changing injuries.

The 62-year-old had taken his company vehicle to be serviced at Silver Street Service Garage Limited on College Close, on 15 August 2022. The company director, Mr Seyit Dilek, left him standing under the vehicle while it was raised on a vehicle lift. As Mr Dilek walked away it fell off the lift and on to Mr Emanet.



Mr Emanet was crushed under his own vehicle at the garage

While Mr Emanet was a member of the public who survived this incident, not everyone is so lucky. HSE has previously warned workers of the dangers of poorly supported vehicle.

In total, 24 workers in the motor vehicle repair industry have been killed in work-related accidents in the last five years, with the fatal injury rate in the motor vehicle repair industry around five times the average rate across all industries. Recent research suggests that over half of all fatal injuries in the sector were caused by work under a poorly supported vehicle.

Guidance dealing with [health and safety in the motor industry](#) is available.



Company director Seyit Dilek left him standing under the vehicle while it was raised on a vehicle lift

The HSE investigation found that Silver Street Service Garage Limited failed to ensure that members of the public were not exposed to health and safety risks. The company also failed to ensure that the equipment had been thoroughly examined for any defects.

Company director Mr Dilek was in control of the garage at the time of the incident. He was directly responsible for the way work was conducted and access was managed on site. He failed to ensure that members of the public were not exposed to health and safety risks.

Silver Street Service Garage Limited of College Close, London, pleaded guilty to a breach of Section 3(1) of the Health and Safety at Work etc. Act 1974 and guilty to a contravention of Regulation 9(3)(a)(ii) of the Lifting Operations and Lifting Equipment Regulations 1998. The company was fined £12,000 and was ordered to pay £2406 costs at a hearing at Westminster Magistrates' Court on 7 December 2023.



Mr Emanet sustained serious crush injuries in the incident

At the same hearing, Mr Dilek of Waltham Abbey, London, pleaded guilty to a breach of Section 3(1) by virtue of Section 37(1) of the Health and Safety at Work etc. Act 1974. He was fined £500 and was ordered to pay £1500 costs

After the hearing, HSE Inspector Michelle Morphy said: "Mr Emanet is lucky to be alive.

"This incident could have been avoided if he had simply been asked to stay in the waiting area provided for members of the public.

"Instead, not only was he left to move freely around the two-post vehicle lift on which his vehicle was raised, he was asked by a director of the business to assist with the work being carried out, in the minutes before it fell."

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4. Guidance dealing with [health and safety in the motor industry](#) is available.
5. Guidance on working safely [under motor vehicles being repaired](#) is available.

[Roofing firm and company business partner sentenced following HSE investigations](#)

- Company fined for failings in two separate incidents.
- Two workers seriously injured after falling through roofs in separate incidents.
- Business partner at scaffolding firm sentenced following incident in Swansea.

A roofing company has been fined a total of £881,000 after two workers were seriously injured during two separate incidents.

Billy Hewitt, a worker at Mitie Tilley Roofing Limited, fractured his pelvis after falling through a factory roof in Newcastle. Meanwhile, a 24-year-old labourer employed by RM Scaffolding broke his femur after falling through the roof of a building in Swansea while working on a project run by Mitie Tilley Roofing Limited.

The Health and Safety Executive (HSE) investigated both incidents and prosecuted Mitie Tilley Roofing Limited. Paul Robinson, a business partner at RM Scaffolding, was also prosecuted by HSE following the incident in Swansea.

On 11 November 2019, Billy Hewitt, 60, fractured his pelvis, left wrist and eye socket after falling through the roof of a factory in Throckley, Newcastle upon Tyne.

He had been replacing a skylight when he fell and landed on the concrete floor seven metres below. Billy was in hospital for three weeks after the

incident.



The roof Billy had been working on

Billy, who is from Whickham, said: “You don’t go to work in the morning and expect to end up in intensive care but that’s what happened to me. It’s been four years since my accident and I don’t know really do anything with my days. I really miss work. I was a roofer for 40 years but this accident changed everything because I still can’t work. I used to earn a good wage, but now I’m classed as 51% disabled and I rely entirely on benefits.”

The HSE investigation found Mitie Tilley Roofing Limited failed to properly plan and carry out the work to replace the skylight. The work at height had not been thoroughly assessed as a standalone piece of work. The investigation also found that safety nets were in place on other sections of the roof but

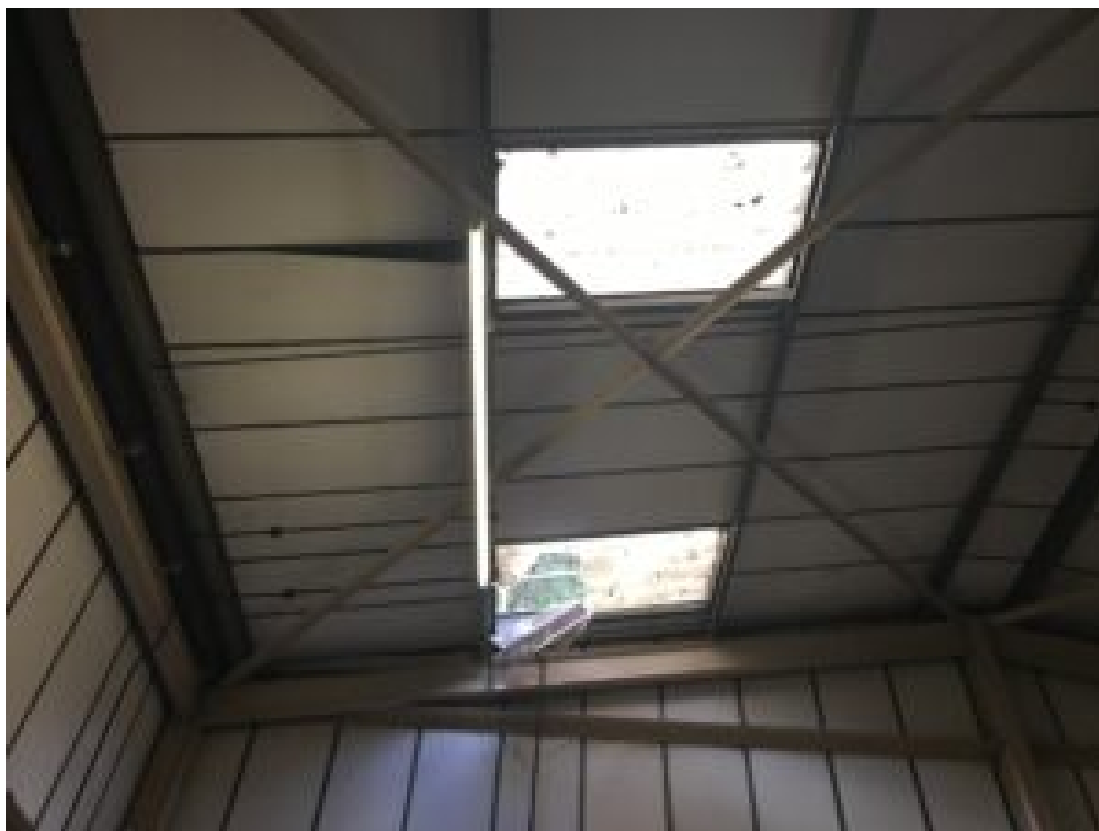
not directly underneath the skylight where the accident happened.



The roof Billy had been working on

HSE guidance can be found at: [Work at height – HSE](#)

On 3 June 2019, a scaffold labourer, employed by RM Scaffolding, was crossing a fragile roof when he fell through a skylight at a unit at Plasmarl Industrial Estate in Swansea. The 24-year-old landed on his back approximately 20 feet on the floor below. He fractured his femur and suffered a blood clot in one of his main arteries, which required long-term medication.



The roof of the unit at Plasmarl Industrial Estate

HSE found that Mitie Tilley Roofing Limited, the principal contractor for the project, failed to plan, manage and monitor the work undertaken by RM Scaffolding, the sub-contractor, to prevent unsafe work practices being used. Paul Robinson, a business partner at RM Scaffolding, failed to plan the work properly and ensure staff had appropriate skills, knowledge and experience. Robinson also failed to provide appropriate fall protection on the roof.

Following the incident on 11 November 2019, Mitie Tilley Roofing Limited, of London Bridge Street, London, was found guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974 and breaching Regulation 4(1) of the Work at Height Regulations 2005, following a two-week trial in April 2023. Following a three-day sentencing hearing at Newcastle Crown Court on 6 December 2023, Mitie Tilley Roofing Limited was fined £575,000 and ordered to pay £84,940.08 in costs.

Following the incident on 3 June 2019:

- Mitie Tilley Roofing Limited pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974. Following a three-day sentencing hearing at Newcastle Crown Court on 6 December 2023, Mitie Tilley Roofing Limited was fined £306,000 and ordered to pay £27,410.63 in costs.
- Paul Robinson, of Laburnam Way, Penarth, Vale of Glamorgan, pleaded guilty to breaching Regulation 4(1) of the Work at Height Regulations 2005. At Newcastle Crown Court, on 5 December 2023, he was sentenced to 120 hours of unpaid community service, to be served within 12 months. He was also ordered to pay £20,428.73 in costs.

HSE principal inspector John Heslop said: “Too many workers are injured or die every year as a result of falling through fragile rooflights without adequate fall prevention or protection measures in place.

“These were both shocking incidents, which had a lasting impact on those who were injured.

“The law is clear about the measures needed to ensure safety when working on fragile roofs and there is a wide range of guidance available from HSE and the Construction industry on correct ways of working. HSE will not hesitate to take action against employers who do not do all that they should to keep people safe.”

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