

Renowned cider manufacturer fined following grandad's death

A cider manufacturer has been fined after a much-loved grandfather was killed on his 65th birthday.

Tommy Manns, from Dymock, Gloucestershire, was driving for H Weston and Sons Limited, the manufacturer of Henry Westons Cider, when he was killed by the end of a security barrier on 28 September 2020.

H Weston and Sons Limited was fined £1.4 million on Thursday after the company was prosecuted by the Health and Safety Executive (HSE).

The van was being driven out of the firm's site at Bounds Farm, March Marcle, Ledbury, when the end of a security barrier speared through the vehicle's windshield and fatally crushed Tommy.



Two of Tommy's grandchildren had called him up to wish their grandad a happy birthday just hours before the accident.

Tommy, who had two children as well as three grandchildren, was a farm manager at H Weston and Sons Limited and had started working at the company in 2008.

A HSE investigation into the incident found H Weston and Sons had installed the barrier a month earlier, and failed to undertake a suitable and sufficient risk assessment. The company also failed to implement a safe system of work to ensure the barrier could be secured safely when open and closed.



HSE guidance can be found at: [Advice on horizontal swing car park barriers.](#)

Tommy's wife Rose Manns said: "I am still in shock following the death of my husband. I've never been an emotional person, but since the accident I am nervous and reliving the accident all the time. In the beginning I couldn't even drive because my husband was driving at the time of his accident and I couldn't face driving again for a long time.



Tommy and Rose

"I've always been a people's person and now I have no confidence. People stop and ask me how I feel and how I am. I don't feel confident to talk to people about what happened and people don't know what to say to me.

"Tommy loved his grandchildren so much. He spoke to the two grandkids who were four and six on the day of his death. They rang to sing happy birthday to him in the morning. He never got the chance to open his birthday cards.

"We had put a deposit down on a motorhome. My son had to ring the company a couple of days after Tommy died to cancel the order.

"Tommy has left a great legacy. He was so loved, he was my rock, my

soulmate.”



Oliver Hunter, Tommy’s stepson, added: “As a parent there are many memorable moments you want to keep hold of, however trying to explain to my four-year-old son (now seven) and six-year-old daughter (now nine) that their Grampy Tom had died on his birthday and that he is no longer with us, is one I wish I could forget.

“Both of our children were outgoing, happy little people with a love of life, but since Tommy’s death their behaviours have changed, they are more wary of life, can be more angry and upset over various things. They live with a constant fear that their loved ones maybe taken away from them which consequently means they are both struggling daily with separation anxiety on

different levels.”

H Weston and Sons Limited, of Much Marcle, Ledbury, Herefordshire, pleaded guilty to breaching Regulation 3(1) of the Management of Health and Safety at Work Regulations 1999 and Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £1.4 million and ordered to pay £26,756.50 in costs at Kidderminster Magistrates’ Court on 30 November 2023.

HSE inspector Sara Lumley: “This is a sad and devastating case that is made all the more tragic as the incident took place on Tommy’s birthday. It was also his day off. Rosemary and Oliver have made clear the impact that Tommy’s passing has had and our thoughts remain with them and their family.

“Horizontal barriers can be dangerous – but deaths are extremely preventable. The guidance for those operating barriers like this at car parks is clear and it’s vital to make sure the barriers are adequately secured at all times whether open or shut.”

Notes to Editors:

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2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](https://www.legislation.gov.uk/)
3. HSE news releases are available at <http://press.hse.gov.uk>

Firms fined over £600k after dad dies from fall

A further two companies have been fined after a dad died following a fall from the roof of a building site in Warrington.

Father-of-one Dennis Vincent, 36, and another worker were using ropes to install a lightning protection system to the front of an office block being converted into flats.

Mr Vincent, who was from Stoke-on-Trent, Staffordshire, was lowering the access equipment from the roof, using a rope attached to a frame at roof level and a handrail at ground level. As he did so, both he and the frame fell from the roof to the ground.

The incident happened on 24 February 2021 at Palmyra House, Palmyra Square in

Warrington.

Inco Contracts Limited and Prestige Security Installations Limited were fined on Thursday after a Health and Safety Executive (HSE) investigation.



The companies were found guilty of breaching health and safety regulations following a three-week trial at Liverpool Crown Court earlier this year. In February, [PTSG Electrical Services Limited, Mr Vincent's employer, was fined £120,000 after the company failed to adequately assess the risks associated with the working at height.](#)

The HSE investigation found that Inco Contracts Limited, the principal contractor for the project, and Prestige Security Installations Limited, the contractor in control of the electrical installation package, failed to ensure that the lightning protection work was properly planned and failed in their duties to manage and monitor the work to ensure it was carried out safely. Due consideration had not been given to safer methods of working at height, such as the use of scaffolding or a mobile elevating work platform (MEWP), and the workers had been given no instruction or safe means of getting their equipment down from the roof.

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

Inco Contracts Limited, of Dunston Business Village, Stafford Road, Dunston, Stafford, Staffordshire, was found guilty of breaching Regulation 13(1) of the Construction (Design and Management) Regulations 2015. The company was fined £600,000 and ordered to pay £58,448 in costs at Liverpool Crown Court on 30 November 2023.

Prestige Security Installations Limited, of Sycamore Lane, Great Sankey, Warrington, was found guilty of breaching Regulation 15(2) of the Construction (Design and Management) Regulations 2015. The company was fined £30,000 and ordered to pay £15,000 in costs at Liverpool Crown Court on 30 November 2023.

HSE inspector Sara Andrews said: “It is vitally important that work at height is properly planned; where it isn’t, the risks can lead to the most serious of consequences. As such, duties are placed on all those involved in construction work to ensure that the risks are properly assessed and suitable control measures are implemented.

“Principal contractors and contractors should be aware that appointing subcontractors with specific specialisms does not remove the duty that they have to ensure the work has been properly planned and can be undertaken safely.

“Had Inco Contracts Limited and Prestige Security Installations Limited properly reviewed PTSG Electrical Services Limited’s proposals for carrying out the work, they could have ensured suitable controls were in place prior to work starting and this tragic incident could have been avoided.

“Our thoughts remain with the family of Dennis Vincent, a husband and father, who did not return home on 24 February 2021 because of the significant failings of these three companies.”

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[Man “lucky to be alive” after incident](#)

at luxury yacht maker in Plymouth

A premium yacht makers has been hit with a £600,000 fine after one of its workers suffered life changing injuries at its shipyard in Plymouth.

Mark Gillen's wife Sarah said she is lucky to still have her husband around after he sustained a catalogue of injuries, including 12 broken ribs and a severed right arm, when a staging platform weighing approximately one tonne, toppled over and fell on top of him.

The 54-year-old, who had worked for the company for 26 years, also suffered bleeds on the brain and remained in hospital for several months.



Mark Gillen sustained life changing injuries when a staging platform toppled over and on top of him

A Health and Safety Executive (HSE) investigation found the platform fell due to one of the front wheels hitting a divot in a concrete surface. Mark had been part of a team working on a 72-foot vessel at the company's Southyard site when the incident happened on 9 November 2021.

Sarah Gillen said: "Our worlds were turned upside down the day Mark had the catastrophic crush accident, leaving him with life changing injuries. He simply went to work that morning, and while he was eventually able to come home, our lives will never be the same.

"We are incredibly lucky to still have him with us but there is no denying that the road to recovery has been, and continues to be, extremely difficult and challenging.

"We are very grateful to the team at the HSE for all the work that has gone

into holding Princess Yachts to account. However, the sad reality is that no fine, no matter how significant, will ever truly reflect the pain and ongoing suffering that Mark and our family has been through.”



Mark had been part of a team working on a 72-foot vessel at the company’s Southyard site when the incident happened

HSE enforcement lawyer Andy Siddall told Plymouth Magistrates’ Court how on the day, finished mouldings were being moved from the firm’s Southyard site to their one on Newport Street for fit-out. Staging platforms were used extensively by the company to form a safe and stable work at height platform that surrounds a moulding and later a boat whilst it is the manufacturing stage. As Mark and two of his colleagues began to push the platform, one of the front wheels hit a divot in the concrete surface, causing it to topple and fall on top of him. Due to the seriousness of his injuries, Mark was then airlifted to hospital.



The staging platform weight approximately one tonne

Sarah went on to say that before the incident Mark had been a fit, healthy strong and determined man.

“He had enjoyed weight training, boxing gym, cycling and playing golf with friends and a very active social life” she said.

“Now though, he is in constant chronic nerve pain which affects his ability

to participate in the things he once loved, which in turn has a huge detrimental impact on his health and wellbeing.

“It is our hope that today’s outcome will act as a wakeup call to Princess Yachts and other companies about the devastating and serious consequences of health and safety failings in the workplace, and that lessons are learnt that could prevent others being injured, or worse, in similar circumstances.”



The front wheel of the staging platform hit a divot in the concrete surface which caused it to topple over

The HSE investigation found that there was a failure to assess the risks associated with moving staging platforms manually through the external yard. Had this been done, it would have identified the uneven ground as a hazard that required controlling. The risks could have been further eliminated by prohibiting the manual moving of the platforms and requiring any external movement to be carried out by forklift trucks.

Princess Yacht Limited of Newport Street Plymouth pleaded guilty to breaching the Health and Safety At Work Act 1974 2 (1). The company was fined £600,000 and ordered to pay costs of £9,146.

HSE inspector Paul Mannell echoed the comments made by Mark’s wife Sarah: “Mark Gillen is lucky to be alive.

“The company should have had measures in place to ensure that mobile staging was never pushed through the yard by hand.

“As the measures taken post-accident clearly show, it would have been reasonably practicable to have had them in place when Mr Gillen was injured.

“They were implemented immediately after the accident at no cost to the company.

“The failure to have in place a safe system of work resulted in a life changing injury to a loyal employee who had worked for the company for 26 years.”

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[Philip White to lead Building Safety Regulator in permanent role](#)

Philip White, HSE’s Director of Building Safety (DoBS), will continue in his current role leading the Building Safety Regulator (BSR) on a permanent basis.

Philip has been leading the work to fully establish the BSR in HSE since taking over from Peter Baker in April 2023.

Ahead of the BSR becoming fully operational next year, the permanent appointment will ensure continuity for the programme as well as strong and experienced leadership at a vital stage of developing the new regulatory regime.



Philip White will lead BSR on a permanent basis

As HSE's DoBS, Philip will continue to perform the duties of the Chief Inspector of buildings working closely with BSR's statutory industry and resident committees to ensure both industry and residents are heard at the heart of the new regime.

He will keep the programme on course to deliver against agreed timelines and milestones including championing the need for culture change in industry and highlighting the need for collective responsibility to improve building safety.

Philip's extensive regulatory experience and proven leadership will be vital to the success of the BSR in the coming years, ensuring the strength of HSE continues to be brought to bear in creating an effective regulator that's fit for purpose for the future.

[Recycling company fined after worker's arm dragged into machine](#)

A recycling company in Weston-super-Mare has been fined £24,000 after one of its workers suffered serious injuries after his arm was dragged into a machine.

The 34-year-old local man suffered multiple fractures to his right arm that required surgery to repair. He had stopped a conveyor belt to remove some trapped material and his arm became trapped when a colleague inadvertently re-started the machine.

The man had been working for New West Gypsum Recycling (UK) Limited when the incident happened on 11 November 2021. His arm became entangled in the trapping point between a conveyor belt and the rotating drum powering the movement of the belt.



The man had been working for New West Gypsum Recycling (UK) Limited when the incident happened on 11 November 2021

An investigation by the Health and Safety Executive (HSE) found that dangerous parts of the conveyor were not properly guarded and were easily accessible to employees. The company did not have adequate procedures for electrical isolation and locking off machinery before working on it.

Taunton Magistrates heard that the company had failed to fit the machine with adequate guards to prevent access to dangerous parts and failed to implement a suitable procedure, for isolating and locking off the machine from the power supply, before starting any intervention to remove blockages.



The man's arm became entangled in the trapping point between a conveyor belt and the rotating drum powering the movement of the belt

New West Gypsum Recycling (UK) Limited, of The Taxiway, Weston-super-Mare, pleaded guilty to breaching Regulation 2 of the Health and Safety At Work Act 1974. They were fined £24,000 and ordered to pay costs of £4,600 at Taunton

Magistrates Court.

Speaking after the hearing HSE inspector Dawn Lawrence said “This incident was completely preventable.

“The injuries sustained could have been much worse and should never have happened. Failure to securely isolate and lock off is a primary cause of many machinery incidents in the waste industry.

“Companies shouldn’t overlook important machinery safety basics, including adequate guards to prevent access to dangerous parts and a suitable procedure for isolating and locking off the machine from the power supply before starting any intervention.”

The case was prosecuted by HSE enforcement lawyer Samantha Wells and supported by HSE paralegal officer Helen Jacob.

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