

Woodworking company fined following collision death

A wood recycling company has been fined after an employee was killed when he was struck by a JCB wheel loader.

On 29 April 2019, Thomas Brooke was walking across the yard at John Brooke (Timber Treatments) Limited in Nottingham. A JCB wheel loader, with its bucket raised, was operating in the yard along with other vehicles, but as the shovel moved forward, it collided with Tom who died from his injuries.



Thomas Brooke

Tragically, Tom was working for the family company. At the time of the incident, Tom's son Rupert was aged four. His wife, Jessica Brooke described Tom as a kind and caring person who was dedicated to his family and was loved by everyone who knew him.

In a statement, she said: "Our hearts are broken. The pain and suffering of his loss has been immense, and no words can describe the impact that his loss has had; both Rupert and I have been forever changed.

"We were partners in crime, soulmates and best friends and together took on whatever challenges life threw in our direction."

Describing the relationship Tom had with Rupert, who is now nine, Jessica said: "From the moment that Rupert was born Tom was a natural father and Rupert and Tom had a very special bond. They were as thick as thieves, both being at their happiest when in the other's company. Tom was a brilliant role model to Rupert in every respect; he was Rupert's favourite person in the whole world and Rupert couldn't have wished for a better father.

"I grieve the future that we will never have but also, and particularly, that Tom will never see Rupert's future."



Family photo with Jessica and Rupert.

The family have asked for their privacy to be respected at this difficult time.

An investigation by the Health and Safety Executive (HSE) found that John Brooke (Timber Treatments) Limited did not properly organise its workplace to keep pedestrians safe. There were no control measures, such as physical barriers, to prevent pedestrians accessing areas where loading shovels, lorries, forklift trucks and 360 grabs operated. It failed to properly assess the risks from operating machinery with reduced visibility and did not properly train, instruct and monitor employees. [Click here to enter text.](#)

Every workplace must be safe for the people and vehicles using it and traffic routes must be suitable for the people and vehicles using them. HSE has [guidance on workplace transport](#) with advice on keeping traffic routes safe and separating people from vehicles.

On 20 August 2024, John Brooke (Timber Treatments) Limited of Fosse Way, Widmerpool, Nottingham pleaded guilty to breaching regulation 17(1) of the Workplace (Health, Safety and Welfare) Regulations 1992 and section 33(1)(c) of the Health and Safety at Work etc. Act 1974 at Nottingham Crown Court. They were fined £22,500 and agreed to pay costs of £44,227.28.

Speaking after the sentencing, HSE inspector Lindsay Bentley said: “This has been a very difficult case for all concerned. However, those in control of work have a responsibility to implement safe methods of working. Had simple measures been taken, this tragedy could have been prevented. “

This HSE prosecution was brought by HSE enforcement lawyer Kate Harney and supported by HSE paralegal officer Rebecca Forman.

Notes to Editors:

1. [The Health and Safety Executive](#) (HSE) is Britain’s national regulator for workplace health and safety. We are dedicated to protecting people and places, and helping everyone lead safer and healthier lives.
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. HSE does not pass sentences, set guidelines or collect any fines imposed. Relevant sentencing guidelines must be followed unless the court is satisfied that it would be contrary to the interests of justice to do so. The sentencing guidelines for health and safety offences can be found [here](#).
5. Link to relevant guidance: [Workplace transport – HSE](#)