

# £600,000 fine for company after employee died while loading lorry

An East Yorkshire garden landscaping company has been fined £600,000 after an employee died while loading a lorry.

Brian White, 59, was working for Kelkay Limited when he was operating a forklift truck at the company's site on Heck and Pollington Lane, Pollington, East Yorkshire, on 15 June 2020.

Brian was fatally injured when the lorry he was loading was moved by the driver, pulling the forklift truck over and trapping him underneath.

An investigation by the Health and Safety Executive (HSE) found Kelkay Limited's risk assessment failed to take into account the possibility of [lorries moving while they are being loaded](#). HSE also found that the systems of work provided for ensuring that vehicles were not moved during loading activities were inadequate.

Kelkay Limited, of Heck And Pollington Lane, Pollington, East Yorkshire, was found guilty of breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £600,000 and ordered to pay £20,848.71 in costs at Grimsby Magistrates' Court on 30 March 2023.



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Brian's eldest son Barry said: "Not a day goes by without me thinking of my dad and how we have lost a massive part of our family. He was our rock who we could turn to for advice and help. We have lost a friend and a father and a grandad all in one go."

"He was a well-known part of the local area and his loss has affected many people around the community.

"We miss him so much. It still upsets me to this day and we will always remember him. Rest in peace dad."

Brian's partner Joan said: "Brian went to work on that day but didn't return home through no fault of his own.

"We had made plans for the future together but then everything was turned upside down on that day.

"My life was then a total disaster from that day."

HSE inspector John Boyle commented: "This incident could have been avoided by implementing the correct control measures and safe working practices."

"Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards."

#### **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.
4. HSE guidance on the dangers of loading and unloading vehicles safely is available.