

# Company fined £160,000 after worker loses legs

A company has been fined £160,000 after an employee lost both legs whilst working at its site near Warrington.

On June 2022, Andrew McAuley, from Runcorn, an employee of William Stobart & Son Limited was picking orders at the firm's warehouse in Appleton Thorn.

The 64-year-old was working in close proximity to a forklift truck (FLT) which was being used to load pallets of slate tiles onto a waiting truck. The FLT was carrying two pallets, one on top of the other. The top pallet was not secured to the one below, and when the driver turned the vehicle, both pallets became detached from the forks, with the upper pallet striking Mr McAuley, crushing his legs.



A pallet of slate tiles crushed Andrew McAuley's legs

Mr McAuley had to have both legs amputated below the knee. He has been left dependent upon a wheelchair and unable to drive or climb stairs, leading to the need for extensive adaptations to the family home.

An investigation by the Health and Safety Executive (HSE) found that William Stobart & Son Limited failed to ensure this area of the warehouse was organised so that vehicles and pedestrians were segregated and circulated in a safe manner and loads were secured so far as was reasonably practicable.



The incident happened at the firm's warehouse in Appleton Thorn, near Warrington

William Stobart & Son Limited, of Ashville Way Industrial Estate, Sutton Weaver, Runcorn, Cheshire pleaded guilty to breaching regulation 2(1) of the Health and Safety at Work etc Act 1974. The company was fined £160,000 and ordered to pay £4,478 costs at a hearing at Warrington Magistrates Court on 30 July 2024.

The prosecution was supported by HSE enforcement lawyer Sam Tiger and paralegal Sarah Thomas.

After the hearing HSE Inspector Lorna Sherlock said: "Mr McAuley has been left with devastating and life changing injuries.

"The company failed to implement a safe system of work for loading and unloading activities, thereby exposing employees, and others, to the risk of being struck by loads or workplace vehicles. This case illustrates the consequences of failing to segregate vehicles and pedestrians, and to properly secure loads.

"This injury could easily have been prevented. Employers should make sure they assess work activities sufficiently and apply effective control measures to minimise the risk from workplace transport."

#### **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. Guidance for [working safely with vehicles](#) and [securing loads](#) is available.
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## [HSE to lead investigation into incident at Lambeth Country Show](#)

The Health and Safety Executive (HSE) is now leading the investigation into a ride malfunction at the Lambeth Country Show.

On 8 June 2024, four people were injured as a result of the incident which occurred at Brockwell Park in London.

The ride involved in this incident is now being forensically examined by specialists at HSE's Buxton Science and Research Centre.

HSE inspector Stacey Gamwell said: "We will continue to thoroughly investigate what happened and determine whether there were any breaches of health and safety law at the time of this incident. Once we have finished our investigation, a decision will then be made on whether formal enforcement is required in line with our enforcement policy. We remain in contact with those affected by the ride's malfunction and will keep them updated throughout our investigation."

The Metropolitan Police had previously been the lead agency, with primacy officially signed over to HSE on 16 July.

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## [Recycling company director sentenced after worker loses leg](#)

The director of a Halifax-based recycling company has been given a community order after a worker lost part of his left leg when it was crushed by machinery.

Daisy Ning Bai, 43, the director of BW Recycling Limited, was told she must

complete 160 hours of unpaid work after pleading guilty to health and safety breaches. They related to an incident on 26 November 2019 at the company's Cinderhall Works site on Sidall Top Lane.

The incident saw Nathan Bland, who was just 20 years of age at the time, have the lower part of his left leg instantly amputated. He also lost several toes from his right foot after his legs were crushed inside a waste baler – a piece of equipment used to compress waste products into a form that's easy to manage for recycling or disposal.

In a victim personal statement, Mr Bland, who is now 25, said 'every day was a struggle' and that returning to work had proved to be very difficult due to the prosthetic leg he now has to wear.

"I can still have flashbacks," he said.

"I also struggle as my stump has issues fitting on my prosthetic leg.

"The incident has also affected my social life as it has given me PTSD and depression.

"I have had to get a support worker to help with my daily activities to help me with daily activities such as shopping and going to appointments."



Nathan Bland lost his leg after it was crushed inside this waste baler

An investigation by the Health and Safety Executive (HSE) found that Daisy Ning Bai, introduced a working platform in front of the baler to make the job of filling the hopper easier for the operatives. The introduction of the platform in front of the hopper permitted easy access to the baling chamber including access to the dangerous moving parts of the baler itself.

Daisy Ning Bai, director of BW Recycling Limited of Ridge View Drive, Huddersfield, West Yorkshire pleaded guilty to breaching Section 37(1) of the Health & Safety at Work etc Act 1974. She was given a 12-month community order and must complete 160 hours of unpaid work. She was also ordered to pay £5,843 in costs.

- BW Recycling Limited was not prosecuted by HSE after it was dissolved

via compulsory strike off on 5 December 2023.

After the hearing, HSE inspector Sarah Lee commented: "A young man has had his life changed forever as a result of this incident.

"Companies and individuals that use balers should not install working platforms or other devices in front of the hoppers on balers as it permits access to dangerous moving parts of the baler.

"This incident could so easily have been avoided by simply carrying out correct control measures and safe working practices"

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## Human factors: HSE issues major accident warning to offshore firms

Britain's offshore oil and gas installations are held to high regulatory standards, but human error can still lead to a major incident.

That's the message from the Health and Safety Executive (HSE), who are urging offshore companies to take a closer look at what's widely known in the sector as human factors.

HSE inspects human factors on offshore installations, with a particular focus on safety critical tasks.

Safety critical tasks have the potential to initiate or escalate a major accident on an installation.

HSE recently issued oil firm Apache with an enforcement notice after inspectors formed the opinion that the company failed to fully consider human factors as part of its plans to prevent a fire and explosion on its Forties

Delta platform in the North Sea.

Mary Marshall, a principal specialist inspector at HSE, says it is necessary offshore firms like Apache identify safety critical tasks carried out on their offshore installations.

Mary said: "Offshore companies need to understand and evaluate where and how these safety critical tasks might be vulnerable to human error. Safety Critical Task Analysis (SCTA) is an established, structured process that will help companies demonstrate that these tasks can be carried out safely, reliably and that the risks are managed to as low as reasonably practicable. This will include consideration of the design of the equipment, details of the tasks and the factors which support task performance."

HSE has noted a number of offshore firms have launched SCTA programmes with varying degrees of success.

Common failings that HSE has identified with these SCTA programmes include a lack of sustained commitment and progress with the work, and inconsistencies in the quality of assessments.

HSE's inspection of its Forties Delta platform found the company had failed to take appropriate measures to prevent the uncontrolled release of flammable or explosive substances during main oil line pig launcher operations.

Apache currently has until 9 November to comply with the Improvement Notice. It has not appealed against the notice.

#### **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. Further details on the latest [HSE news releases](#) is available.
  3. The HSE Improvement Notice issued to Apache can be found here: [Notices served – Enforcement notices public \(hse.gov.uk\)](#)
  4. Guidance for offshore companies on what to expect from a HSE inspection can be found here: [The Offshore Management of Human Factors Inspection Guide \(hse.gov.uk\)](#)
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# Recycling company fined £3m after one man died and another seriously injured

A recycling company has been fined after a man died and another was seriously injured while decommissioning a North Sea gas rig.

Stephen Picken, 62, and Mark Kumar were working for Veolia ES (UK) Limited at an onshore facility in Great Yarmouth.

Both men were working as demolition operatives also known as "Top Men", undertaking the decommissioning and dismantlement of offshore structures.

On 17 October 2019, the two workers were removing an overhanging piece of metal pipework (known as a skirt pile), weighing in excess of 27 tonnes, from a jacket (a structure placed in the sea, designed to support oil and gas rig platforms), when it gave way. The pile struck the mobile elevating work platform (MEWP) containing the men, throwing them to the ground about 12 metres below.



The incident claimed the life of Stephen Picken

Stephen Picken died at the scene and Mark Kumar suffered serious life-changing injuries.

An investigation by the Health and Safety Executive (HSE) identified serious failings with the planning and the risk assessment which did not adequately cover the planned works. Shortcomings in supervision of the incident were also identified. The company did not risk assess the skirt pile being removed as it was considered low risk. As a result there was no cutting plan or safe system of work for the skirt pile.





The skirt pile gave way and struck a mobile elevating work platform

Demolition, dismantling and structural alteration work must be carefully planned and carried out – HSE has [guidance](#) on this.

Veolia ES (UK) Limited of Pentonville Road, London, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. At a sentencing hearing at Ipswich Crown Court, on 22 July 2024, the company was fined £3,000,000 and ordered to pay £60,000 in costs.

After the hearing, HSE inspector David King said: “This incident, in an emerging industry, highlights the level of controls required to safely demolish what are large, dangerous structures. Veolia did not meet these standards and tragically one life was lost, and another forever changed.



The emergency services attended the scene following the incident

“The Health and Safety Executive’s mission is to protect people and places. Organisations that endanger their employees by failing to meet the required



standards, should be aware that we will not hesitate to take appropriate enforcement action.”

This HSE prosecution was brought by HSE inspector Prentiss Clarke-Jones, HSE enforcement lawyer Samantha Tiger and supported by HSE paralegal officer David Shore.

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