

# Construction company fined £2.345m after worker drowned in river

A construction company has been fined following the death of a worker.

Gary Webster lost his life two days after drowning in the River Aire on 30 October 2017.

Mr Webster and another worker had been on a boat removing debris at the bottom of the weir gates at Knostrop Weir when their boat capsized. The boat had been pulled into turbulent water, caused by the considerable flow of water flowing over the top of the weir.

The 60-year-old was repeatedly pulled under the water and was eventually recovered by a diver 14 minutes later. The other worker managed to swim to safety.

Mr Webster was pronounced dead on 1 November 2017 at Leeds General Infirmary.

A Health and Safety Executive (HSE) investigation found BAM Nuttall Ltd had several operatives who were trained and authorised to control the weir gates so that the flow of the water could be slowed down. This would have allowed the debris to float away or be reached safely by boat. However, the company failed to carry out this task.

BAM Nuttall Limited, of Knoll Road, Camberley, Surrey, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £2.345 million and ordered to pay £25,770.48 in costs at Leeds Magistrates' Court on 12 June 2024.

HSE inspector Jayne Towe said: "BAM Nuttall Ltd failed to plan the work. It failed to carry out any assessment of the risks involved with the task. It failed to have any regard to the recognised hierarchy of controls to reduce the risk associated with removing debris from the water. It failed to ensure that suitable safety measures were in place and failed to put in place a safe system of work.

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

This prosecution was brought by HSE enforcement lawyer Jonathan Bambro and supported by HSE paralegal officer Sarah Thomas.

## **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.