

Construction company fined after man died on 'death trap' site

- Mykhalio Hustei, 35, had been working and living on the site.
- He fell down an exposed excavation hole after returning from a night out.
- Company only made site safe after his tragic death.

A construction company has been fined after a man drowned when he fell into an exposed excavation hole described as a 'death trap', at a building site in Hertfordshire.

Mykhalio Hustei had been working for Alchemist DB Limited as a labourer on a project building several flats on the High Street in Bovington. The 35-year-old had been living in a property adjoining the site when he attempted to make his way home from a night out on 22 October 2021. However, as he tried to access his own home he fell into one of the exposed excavation holes that was filled with rainwater. His body wasn't found until around 2pm the following day.



The building site as it was when Mr Hustei lost his life

An investigation by the Health and Safety Executive (HSE) found that Alchemist DB Limited had been acting as a contractor to build the flats as part of a family-run property development business. New excavation foundations had been dug for the building footings. However, they were crisscrossing the construction site without any designated safe walkways.

The investigation also found the company had failed to take appropriate precautions to ensure the safety of those moving around and working at the site. At best, large boards and planks were used as bridges over excavations. The boards and planks were slippery and bowed when walked across. The site was also open to the weather, making it highly likely it would be slippery after rain, increasing the risk to those at site. There was also no dedicated lighting to the site and the boards and planks didn't have handrails and weren't secured.

The company only made the site safe after HSE inspectors visited the site

following Mr Hustei's death and took enforcement action. This included them installing dedicated walkways bridging over exposed excavations using scaffolding framework to prevent falls.



The site after the company made it safe following Mr Hustei's death.

HSE guidance clearly states that no work should take place until all excavations are made safe. This includes protecting the edges of excavations with substantial barriers where people are liable to fall into them. Our guidance on [excavation is available at hse.gov.uk](https://www.hse.gov.uk/excavation).

Alchemist DB Limited of Devonshire House, Manor Way, Borehamwood, Hertfordshire, were sentenced in absence for breaching Regulation 22(2) of the Construction (Design and Management) Regulations 2015. The company was fined £20,000 and ordered to pay £5,000 costs at a hearing in Luton Magistrates Court on 29 May 2026.

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HSE inspector Rauf Ahmed said:

"As always, our thoughts remain with the family of Mr Hustei, a young man who was just setting out on his career in construction.

"He had been simply returning to his flat after socialising with friends.

"However, the site was quite literally a death trap.

"The measures put in place by the company after his tragic death are a crude reminder about what could and should have been done in the first place.

"We will always take action against those who fail to protect people from risk."

This HSE prosecution was brought by enforcement lawyer Edward Parton and paralegal officer Rebecca Forman.

Further information:

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. Relevant guidance on [excavation is available at hse.gov.uk](#)
5. 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](#).