

Groundworks company fined after worker seriously injured when dumper truck overturned

- Driver of dumper truck was instructed not to wear seatbelt
- Incident happened on housing construction site near Wigan in 2022
- Excavations on the site were not adequately protected

A groundworks company based in Warrington has been fined after a worker was seriously injured when a dumper truck overturned.

The incident happened on 10 October 2022 on a construction site in Ince. The driver had been reversing the one-tonne truck when it entered an unprotected excavation and overturned. The man, 27 at the time, was thrown from the vehicle as he was not wearing a seatbelt at the time. He sustained crushing injuries to his leg, resulting in a broken foot and ankle.

An investigation into the incident by the Health and Safety Executive (HSE) found the man had not been wearing a seatbelt – despite HSE guidance and the dumper truck's manufacturer's instructions to do so.

Investigators discovered Jim Yates Limited had instructed workers not to wear seat belts while operating one-tonne dumper trucks. Instead, operators routinely fastened the seat belt behind them before sitting on top of it. This disabled the vehicle's seat belt warning system and gave the false impression that the restraint was being worn correctly.

The investigation also found that open excavations on the site were not adequately protected to prevent vehicles from entering them

HSE guidance highlights that one-tonne dumper trucks are particularly vulnerable to overturning. Employers should ensure excavations are suitably protected to prevent vehicle access and operators should always wear seat belts so they remain within the protection provided by the vehicle's rollover protection structure if an overturn occurs. Guidance on dumpers is available at [hse.gov.uk](https://www.hse.gov.uk).

Jim Yates & Sons Limited of Warrington Road, Risley, pleaded guilty to breaching section 2(1) of the Health and Safety at Work etc Act 1974. The company was fined £20,000 and ordered to pay £4,824 in costs at Warrington Magistrates' Court on Tuesday 14 July 2026.

HSE Inspector Seve Gomez-Aspron MBE said:

"Incidents involving workplace transport continue to cause death and life-changing injuries every year, and overturning remains one of the biggest risks when using dumper trucks.

"This incident was entirely foreseeable and could have been prevented.

Suitable protection should have been in place to stop vehicles entering the excavation, and operators should never be instructed not to wear a seat belt.

“Seat belts are a vital safety feature. They keep operators inside the protective zone created by the vehicle’s rollover protection structure if a dumper overturns, significantly reducing the risk of serious injury or death.

“Had suitable edge protection also been installed around the excavation and the operator been wearing the seat belt, these serious injuries could have been avoided.”

This HSE prosecution was brought by enforcement lawyer Mathew Reynolds and paralegal officer Benjamin Stobbart.

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 can be found here: [Dumpers – HSE](#).
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](#).