

# Cellulose film packaging company fined after workers exposed to harmful gas

- A Cumbria-based packaging manufacturer has been fined after workers were exposed to dangerous hydrogen sulphide gas.
- One employee subsequently died after collapsing in a pump room at the company's Wigton site in December 2021.
- The HSE investigation found failures to adequately assess and control the risk of gas build-up in site drainage systems.

A Cumbria-based producer of cellulose film packaging has been fined £200,000 after workers were exposed to harmful hydrogen sulphide gas.

On 24 December 2021, Futamura Chemical UK Ltd employee, Alexander Cole (known as Alec), was found collapsed in a pump room after exposure to gas at the company's factory premises in Wigton, Cumbria. Delivery driver, Robert Dyer, attempted to assist Mr Cole but was also overcome by the gas. Both men were rescued from the area and Mr Dyer quickly regained consciousness. Tragically, Mr Cole died in hospital the following day, which was Christmas Day. A subsequent inquest concluded that, on the balance of probabilities, hydrogen sulphide had contributed to Mr Cole's death.



The building with the pitched roof is the pump house, where Mr Cole was found.

An investigation by the Health and Safety Executive (HSE) found that Futamura Chemical (UK) Ltd failed to adequately risk assess its production process, as it did not identify that hydrogen sulphide gas, a by-product of the process, was able to enter the site's water effluent system.

The court heard that Futamura Chemical UK Ltd had conducted a risk assessment for the presence of hydrogen sulphide in the production area and implemented control measures. However, there was inadequate assessment and associated risk controls relating to the potential for hydrogen sulphide build-up in the site's drainage system. This meant there was a risk that the gas could be released from the drains, putting people at risk of exposure.

Hydrogen sulphide is a clear gas with the smell of rotten eggs and is known to be harmful to health. Depending on the concentration of the gas and the length of time exposed, symptoms can range from dizziness, loss of

consciousness and eye irritation through to death.

HSE guidance states that employers must adequately risk assess and implement sufficient controls to reduce a person's exposure to substances harmful to health to a level as low as is reasonably practicable. Further guidance on [Control of Substances Hazardous to Health \(COSHH\)](#) can be found on HSE's website.

Futamara Chemical UK Ltd, of Station Road, Wigton, Cumbria, pleaded guilty to breaching Section 2(1) and Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £200,000 and ordered to pay £20,000 in costs at Warrington Magistrates' Court on 6 January 2026.

After the hearing Inspector, Matthew Shepherd, said: "This tragic case shows the importance of conducting a thorough and robust risk assessment to ensure that all risks are properly identified and managed. Where companies use, or produce within their processes, substances harmful to health, it is vital that they have fully considered and controlled all pathways to exposure. Failure to do so can have terrible consequences."

This HSE prosecution was brought by HSE enforcement lawyer, Karen Park and paralegal officer, Benjamin Stobbart.

## 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. Relevant guidance can be found here: <https://www.hse.gov.uk/coshh/index.htm>
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](#).

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## [Unregistered gas fitter sentenced after carrying out illegal work](#)

- Illegal gas work carried out on a house in Torquay leaving an 'immediately dangerous' situation

- Investigation found multiple failings left by unregistered gas fitter
- HSE encourage householders to check the Gas Safe Register for qualified professionals

An unregistered gas fitter has been sentenced after carrying out illegal gas work at a house in Torquay that left the property in an immediately dangerous condition.

Exeter Court heard that Benjamin Owen, known as Ben, trading as BPS and 'Ben the Plumber', attended a property on Barton Hill, Torquay in February 2023 where he removed an old boiler and installed a new one.

Following the installation, the boiler did not work properly. The homeowners arranged for another company to check the installation when Ben Owen was dismissive of their concerns. When this plumber attended, they had serious concerns and called the emergency gas provider, who found a gas leak on the gas supply pipe and classified the situation as 'immediately dangerous', capping the gas supply.

Gas Safe Register was called and attended the site, where they found further defects in the gas boiler installation. A third company was employed by the homeowners to rectify the faults. When they started work, they discovered additional faults created by Mr Owen.

A Health and Safety Executive (HSE) investigation found that Ben Owen was not registered with the Gas Safe Register, which is a legal requirement. He had previously been a member of Gas Safe Register, but his registration lapsed in October 2021 when he failed to renew his membership. Since 20 October 2021, he was not registered to undertake any form of gas work.

Carrying out gas work without registration is illegal and potentially dangerous, as unqualified work can lead to gas leaks, fires, explosions, and carbon monoxide poisoning.

Ben Owen, of Peter Street, St Helier Jersey pleaded guilty to contravening Sections 3(3), 26(1) and 27(1) of the Gas Safety (Installation and Use) Regulations 1998. He was sentenced to 15 months imprisonment, suspended for 18 months, ordered to undertake 150 hours unpaid work and to pay costs of £1,000.

After the hearing HSE inspector, Simon Jones, said: "Ben Owen undertook gas work which he knew he was not registered to do and the work that he undertook was found to be dangerous, putting the lives of the homeowners and their four young children at risk.

All gas work must be conducted by registered Gas Safe engineers to ensure the highest standards are met to prevent injury and loss of life.

"We advise all householders to check that anyone they allow to work on their gas supply is Gas Safe registered. This can be done at the Gas Safe Register website."

HSE has guidance on managing gas appliances and equipment safely, as well as

what to do in an emergency at [www.hse.gov.uk/gas](http://www.hse.gov.uk/gas)

To check if an engineer is legally permitted to carry out gas work, visit [www.gassaferegister.co.uk](http://www.gassaferegister.co.uk)

The prosecution was brought by HSE enforcement lawyer Daniel Poole and Paralegal Michael Millman.

#### **Further information:**

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4. Relevant guidance can be found here [www.hse.gov.uk/gas](http://www.hse.gov.uk/gas)
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## **[Construction company fined £60,000 after worker falls through unprotected floor opening](#)**

- Worker seriously injured after collapsing wall knocked him through an unprotected floor opening
- No edge protection, no warning signage, no safety instructions given to workers, and no supervisor present at the time of the incident
- HSE guidance on working at height is available

A construction company based in the Northwest of England, has been fined £60,000 after a wall collapsed, knocking an employee through an open stairwell onto a concrete floor below.

Ace Infra Ltd pleaded guilty after an incident led to employee, Mark Jones, to spend a month in hospital recovering from his injuries.

The court heard how Mr. Jones, a general labourer, was sweeping up dust and debris on the first floor of the building at the end of the working day. Earlier that day, boards had been delivered and laid across a large opening in the floor where a staircase was to be installed. The boards did not cover the entire opening, and no edge protection had been installed around the

remaining gap . There was no signage warning of the danger, and Mr. Jones had received no instructions regarding his safety around this area.

While sweeping along the boards, a newly built wall to the left collapsed, knocking him over the unprotected edge onto the concrete floor 2.5 to 3 metres below.

The incident happened on 25 April 2024 at an Ace Infra site at NW Auctions Milnthorpe, Cumbria.

Mr Jones suffered multiple fractures and a dislocated shoulder, spending a month in hospital.

An investigation by the Health and Safety Executive (HSE) found that the risk of falling through the gap in the floor had not been addressed, as no preventative measures had been taken. Mr Jones had not been made aware of the risks or the safety measures required. No site supervisor or manager was present when the incident occurred.

HSE guidance on [working at height](#) states that employers must take precautions to prevent falls from heights that could cause serious personal injury, including falls into floor openings. Employers have a duty to ensure workers are not exposed to risks to their health or safety.

Ace Infra Ltd, of 31 St James Drive, Burton, Carnforth, Cumbria, pleaded guilty to breaching Regulation 6(3) of the Work at Height Regulations 2005 by failing to ensure that suitable and sufficient measures were taken, so far as was reasonably practicable, to prevent any person working at height from falling a distance liable to cause personal injury.

The company was fined £60,000 and ordered to pay £4,799.44 in costs, with a £2,000 victim surcharge at Lancaster Magistrates Court on 23 December.

HSE Inspector, Derek McLauchlan, said: “Everyone working in construction has a responsibility to ensure that people are safe. Any work at height is potentially high-risk and requires proper planning and implementation.

“This incident could have been avoided had appropriate control measures and training been in place. Despite the serious injuries sustained, a fall of this height and nature could have resulted in far worse outcomes. Lessons must be learned from this case.”

This HSE prosecution was brought by HSE Enforcement Lawyer, Chloe Ward and Paralegal Officer, Zahra Shafique.

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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 [Working at height – 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](#).
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## [Father and son sentenced for carrying out illegal gas work](#)

- Work carried out on two properties in Northwich.
- One boiler illegal installed was found to be dangerous.
- Failures could have been catastrophic for homeowners.

An unregistered gas installer and his father have been sentenced after carrying out illegal gas work at two houses in Cheshire.

An investigation by the Health and Safety Executive (HSE) found that Scott Lodge, 37, carried out new boiler installations at two addresses in Northwich in April 2022 and December 2022 – doing so while not being registered with Gas Safe Register.

- Carrying out gas work without registration is illegal and potentially dangerous, as unqualified work can lead to gas leaks, fires, explosions, and carbon monoxide poisoning.

On one of those occasions, his father Brian, 67, who is a registered gas engineer, signed off the work and commissioned the boiler on his son's behalf. He did this without attending the property to check the boiler for safety.



Defects included a lack of support for the chimney and flue system

When one of the homeowners complained to the Gas Safe Register an inspection was carried out by a qualified engineer. That inspection identified defects resulting in the boiler being classed as at risk and a danger. This included a lack of support for the chimney and flue system, which carried the risk of carbon monoxide poisoning.

Members of the public are reminded that all gas work must be carried out by a Gas Safe registered engineer. The Gas Safe Register is the official list of gas businesses legally permitted to work on gas appliances. Anyone can check whether an engineer is registered by visiting [www.gassaferegister.co.uk](http://www.gassaferegister.co.uk) or calling 0800 408 5500.

Scott Lodge, of Adlington Drive, Northwich, pleaded guilty to breaching Regulation 3(3) of the Gas Safety (Installation and Use) Regulations 1998. He was given a 12-month community order and complete 200 hours of unpaid work. He was also told to pay £2,500 in costs at Chester Magistrates' Court on 22 December 2025. He must also pay £1,460 to one of the affected homeowners, which covered the cost of the work.

Brian Lodge, of Merriman Avenue, Knutsford, pleaded guilty to breaching section 3(2) of the Health and Safety at Work etc. Act 1974. He was given the same sentence as his son and ordered to pay the same in costs at the same hearing.

Following the hearing HSE Inspector, Ian Betley, said: "This was a deliberate breach of gas safety legislation by Scott Lodge who undertook gas work which he knew he was not registered to do.

"His failures could have led to catastrophic and tragic consequences for the homeowners. To make matters worse, Brian Lodge knowingly signed off the work as safe, despite not examining or testing it.

"All gas work must be undertaken by Gas Safe registered engineers. The public should always ask to see the gas engineer's identification and check the registration number online to ensure it is valid. Furthermore, registered gas

engineers must not circumvent the legislative requirements by signing off unregistered work as their own.”

Gas engineers and consumers can contact the Gas Safe Register in any of these ways:

- Website: [Gas Safe Register](#)
- Phone – Consumers: 0800 408 5500; Engineers: 0800 408 5577
- Email – [enquiries@gassaferegister.co.uk](mailto:enquiries@gassaferegister.co.uk)

This prosecution was brought by HSE enforcement lawyers, Sam Crockett and Karen Park, and paralegal officer, Stephen Grabe.

#### **Further information:**

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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 in Scotland can be found [here](#).
5. Guidance is available: The Gas Safety (Installation and Use) Regulations 1998. Relevant guidance can be found at [Gas Safety \(Installation and Use\) Regulations 1998 \(GSIUR\) as amended. Approved Code of Practice and guidance – HSE](#)

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## **[Cornish farmer fined after cow attacks left walkers fearing for their lives](#)**

- A Cornish farmer has been fined for failing to take action after walkers were attacked by cattle with calves on a public footpath.
- A 75-year-old man suffered serious injuries and required surgery after being trampled while walking his dog.
- HSE found cattle with young calves, which are known to be protective and unpredictable, had been kept in a field with public access despite safer alternatives being available.

A 75-year-old man said he feared for his life after being attacked by cows while walking his dog on a public footpath in Cornwall.

The farmer responsible has been prosecuted by the Health and Safety Executive (HSE) as a result.

Brian Gregory, aged 75, was on a caravanning holiday at Porthcothan in June 2024. On 30 June 2024, Mr Gregory and his labrador, Molly, were walking along the South West Coast Path at Park Head when he was suddenly attacked by a herd of cattle with calves.



The herd of cows near the South West Coast Path at Park Head

He let go of Molly's lead and the cattle chased after his dog away from him, but not in time to prevent him being trampled and butted. Mr Gregory was assisted by passing walkers and made it back to his caravan with Molly. When his partner saw his injuries, she immediately called an ambulance and he spent five days in hospital.

He suffered multiple serious injuries including a severed artery, horn marks and gashes down to the bone, and required surgery.

The farmer responsible for the cattle, Beverley Chapman of Tembleath Farm, St Columb Major, was told about the cattle attack on the same day. However, rather than removing the cattle and calves from the South West Coast Path, she added more cattle and calves to the herd to increase its size. Some of the calves were as young as 42 days old.

A month later, two local residents were walking their dogs along the South West Coast Path in the same area of Park Head when they were also attacked by the same herd of cattle and calves. They only escaped serious injury by sheltering in an area of gorse bushes by the cliff edge, but one of their dogs was seriously injured and required surgery.

Again, Beverley Chapman was informed about the incident however only removed the cattle from the South West Coast Path four days later, when instructed to do so by a Cornwall Council public rights of way officer.

The HSE investigation found that cattle with young calves, which are known to be protective and unpredictable, were being kept in a field with a public right of way across it. This can pose a significant risk to walkers, particularly those with dogs. Mrs Chapman had other enclosed fields available which did not contain public rights of way and could have been used to house the cattle and calves.

When farmers are considering putting cattle into fields with public access, they should have regard to HSE guidance AIS17 '[Cattle and public access in England and Wales](#)'. This guidance sets out a range of controls which should be considered and, where reasonably practicable, implemented, including:

- Where possible avoid putting cattle, especially cows with calves, in fields with public access
- Do all that is reasonably practicable to keep animals and people separated, including erecting fencing (permanent or temporary), such as electric fencing
- Assess the temperament of cattle before placing them in fields with public access
- Any animal that has shown signs of aggression must not be kept in a field where they have access to the public
- Clearly signpost all public access routes across the farm and display signage at all field entrances stating what livestock are present, such as cows with calves or bulls.

Beverley Chapman of Tembleath Farm, St Columb Major, Cornwall, pleaded guilty to breaching Section 3(2) of the Health and Safety at Work etc. Act 1974. She was fined £5,260 and ordered to pay prosecution costs of £4,650 and a court surcharge of £2,000 at Bristol Magistrates' Court on 16 December 2025.

After the hearing HSE inspector, Simon Jones, said:

"Cattle are extremely protective of their calves and even calm cattle can become aggressive if they think their calves may be threatened.

"Given the nature of the cattle attack, it is fortunate that the injuries sustained by Mr Gregory weren't fatal. On this occasion, Mr Gregory took all the right precautions while out walking.

"Despite being made aware of attacks on walkers on two separate occasions, Mrs Chapman failed to take action to remove the cattle or control risks by separating them from walkers on the South West Coast Path. It was only when officially instructed by a public rights of way officer from the local council that she took action."

The prosecution was brought by HSE enforcement lawyer, Rebecca Schwartz and Paralegal, Gabrielle O'Sullivan.

#### **Further information:**

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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. Advice for farmers, landowners and other livestock keepers on dealing with [Cattle and public access in England and Wales – HSE](#) is available.
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](#).