

# Trucking company fined after Darlington man killed unloading a wagon

The sister of a man killed while unloading a lorry trailer has spoken of the devastating impact her brother's death has had on their family.

Anthony Clark, 51, from Darlington worked for GCS Johnson Limited, a trucking company based in North Yorkshire.

On 17 August 2018 the father-of-two was helping move a large piece of machinery from one trailer to another at the GCS Johnson depot at Barton Quarry industrial estate in Richmond.

As a team of workers were moving the piece of machinery, it fell from the bed of the vehicle trailer and hit Anthony killing him instantly.



Anthony Clark  
with his  
grandson Jake

Anthony, a grandfather of two and an avid Sunderland fan, had recently got engaged to his fiancé Marie. On the day of his funeral, he was due to leave on a cruise with Marie.

An investigation by the Health and Safety Executive (HSE) found that when the workers were transferring the load for shipment, the machinery was in two parts and the smaller section fell free during the lifting operation. This caused the part of machinery to strike Anthony resulting in immediate fatal injuries.

HSE has detailed guidance on the [provision and use of work equipment](#).

Today (May 3) at Leeds Magistrates' Court, GCS Johnson Limited of Barton Park, Barton, Richmond, North Yorkshire pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974. The company was fined £140,000 and ordered to pay £18,355.07 in costs.

Anthony had an older brother, Graham, and sister Elaine.

Elaine Clark said: "Today's verdict will not bring our Anthony back. He absolutely should not have died at work that day.

"He should still be here but he's not. And that leaves a huge void in all our lives that nothing will ever replace.



Anthony Clark (left) with his brother Graham

"Mum has lost her son. Marie has lost her fiancé. Graham and I don't have our baby brother anymore. His daughters don't have their dad. His grandchildren will never get to know their Grandad.

"None of us get to see his smile. None of us get to hear him laugh. He doesn't get to ride his scooter with his mates. Or go to watch Sunderland every week. He will never get old like the rest of us.

"Nearly five years on, family events that should be joyous occasions are tainted by our Anthony not being there. And that will never change.

"I can only repeat, he absolutely should not have died at work that day."

After the hearing, HSE inspector Julian Franklin said: "You can tell from the moving tribute from Anthony's sister, Elaine, how popular he was and the severe impact his death has had on the family.

"If the load had been examined carefully prior to the lift being carried out, the team would have identified that it was in two pieces. As it was, the lifting method used was not suitable for a load of that size and shape, and a lifting plan should have been prepared.

“This terrible incident could so easily have been avoided by simply implementing the correct control measures and safe working practices.”

#### 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.

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## [Peter Baker retires from HSE](#)

After a long and successful career, Peter Baker, has retired from the Health and Safety Executive and his role of Chief Inspector of Buildings.

HSE’s current Director of Regulation and former Head of Construction Division, Philip White, will take over Peter’s responsibilities on an interim basis, pending recruitment of the next Chief Inspector of Buildings.

This paves the way for a smooth transition of senior leadership of HSE’s construction operations and building safety responsibilities as the Building Safety Regulator (BSR) programme continues to remain firmly on track.

Philip White joined HSE as a trainee Inspector in 1985 and has experience of regulating a broad range of industries. As Director of Regulations in HSE, Philip has played a leading policy role in setting up the BSR over the last three years.

Philip said: “I am looking forward to the challenge of leading the regulatory programme for building safety, at a time when stability will be key to the delivery of our new operational services, until an open competition for the permanent position is held.”

#### Notes to Editors

**About BSR:** The Building Safety Regulator (BSR) is an independent body established by the Building Safety Act, 2022, and is part of the Health and Safety Executive (HSE). BSR will raise building safety and performance standards and oversee a new stringent regime for high-rise residential buildings, as well as overseeing the wider system for regulating safety and performance of all buildings and increasing the competence of relevant

regulators and industry professionals.

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**About the Building Safety Act, 2022:** The Building Safety Act gained Royal Assent on the 28 April 2022 and makes ground-breaking reforms to give residents and homeowners more rights, powers and protections. The Act overhauls existing regulations, creating lasting change and makes clear how residential buildings should be constructed, maintained, and made safe. Full implementation of the Act is in October 2023, which means each building owner should have their building safety regime in place by this time.

HSE news releases are available at <http://press.hse.gov.uk>

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## [Devon dad has every finger amputated after hands crushed in machine](#)

A dad from Devon was left with horrific injuries to his hands after an incident at his work.

Dean Delahaye, from Barnstaple, had to have all eight fingers amputated after his hands were crushed by a metal rolling machine.

The 35-year-old worked for flue and chimney manufacturer SF Limited. He was feeding flat metal sheeting into the machine when the incident took place on 5 September 2019. He spent 54 days in hospital and had numerous operations. More than three years on, he is still waiting for prosthetics to be fitted.



Dean Delahaye from Barnstaple suffered horrific injuries at work

“I still get very frustrated and have a sense of uselessness,” he said.

“I am frustrated with how long things are taking, and how things have been put on hold.

“Having no fingers means I am unable to grip things.

“Before my accident I enjoyed playing a wide range of sports, including football, tennis and squash.

“I have always enjoyed working with my hands and have only ever had manual jobs, but since the accident it will never be possible to return to doing this again.

“Before my accident I was an independent and sociable person, but I feel this has been taken away from me now.”

Due to the severity of his injuries, Mr Delahaye went on to say how he was even unable to pick up and feed his daughter, who was born after the incident.

“It makes me feel like a burden to my loved ones, with all the assistance I need daily,” he said.

“My wife Jess not only has to care for me, but is also like a single parent which makes me feel so worthless.

“Mentally I have not come to terms with my new reality.

“When I dream, I am fully able-bodied and then I wake and realise this is never going to be the case for me again.

“But if my accident can stop someone going through what I have had to go through, then at least it will be for something.”



Dean Delahaye said his life has never been the same since he suffered horrific injuries at work

Yeovil Magistrates Court heard that an investigation by the Health & Safety Executive (HSE) found the company had failed to adequately assess the risks and implement the necessary controls when the roller equipment was installed. They subsequently missed a further opportunity to reassess the risks following a significant change in the way in which the machine was operated.

S F Limited which trades as SFL Flue and Chimney of Pottington Business Park, Barnstaple, Devon, pleaded guilty to breaching Section 2(1) of The Health and Safety at Work etc Act 1974. They were fined £26,000 and ordered to pay costs of £12,000.

After the hearing HSE inspector Paul Mannell said: “Dean’s injuries were easily preventable.

“Employers must identify the risks posed by dangerous parts of machinery and ensure that relevant controls are implemented to minimise the potential for harm.

“Where the way in which machinery is used changes, the assessment and controls should be updated to ensure employees can work safely and without risk of injury.”

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## [Extra checks on fairground rides over summer after run of incidents](#)

Extra checks on the safety of fairground and theme park rides will take place this summer after a string of incidents.

Britain's workplace regulator the Health and Safety Executive (HSE) will carry out 100 inspections of various rides following incidents in London, Barrow, Cardiff, Hull and Barnsley.

The HSE inspection campaign looks to promote the safe use of certain rides.

HSE inspector David Kivlin said: "When there is a failure or incorrect operation of a ride it can result in catastrophic consequences. HSE recognises that recent incidents, including the prosecution of operators following a fatal incident in March 2016 involving inflatable devices, have raised public awareness of the potential for injury and harm to users of such devices when they are not set up, maintained and operated in-line with manufacturer guidance or good practice standards.

"HSE's overall strategy is to promote the safe use of fairground rides and inflatable devices and in doing so reduce the risk of such catastrophic incidents to as low as is reasonably practicable."

Starting on 24 April, HSE will carry out 100 targeted inspections of specific fairground rides with the programme set to finish by September 2023.

The inspection programme comes as HSE continues to build upon intervention work undertaken in previous years to address emerging safety issues in the fairground industry.

The rides being targeted are Round Ups, Crazy Frogs, Twists, high speed rides and Star Flyers used at travelling fairground and theme park sites. Each of the rides will be inspected to ensure that they are safe for workers and passengers to use, and are being correctly maintained and operated.

HSE has decided to focus on these particular rides following a number of

incidents at different fairgrounds and theme parks. Several of these incidents are now being investigated by HSE.

HSE continues to investigate two incidents involving Twist rides which took place at Cavendish Park, Barrow, in August 2021 and Cardiff Winter Wonderland in November 2022.

HSE has also investigated high speed ride incidents at Hull Fair in October 2019 Yiewsley Wood, West Drayton, in April 2018 as well as Brockwell Park, London, and Penny Pie Park, Barnsley, which both occurred in August 2019.

In addition, HSE is aware of an incident involving a Star Flyer ride at Planet Fun, Carrickfergus, Co Antrim, in July 2021.

Another HSE intervention in 2022 identified that the control system being used for the restraint system on a Crazy Frog ride was inadequate and needed improvement.

Should HSE inspectors from the National Fairground Inspection Team (NFIT) identify any ongoing risk of serious personal injury then enforcement action will be taken according to HSE's Enforcement Management Model.

There are a range of enforcement options available to HSE, including providing information face-to-face or in writing, serving Improvement and Prohibition Notices as well as prosecution. Inspectors will also be looking to help ride owners and operators understand the risk involved with these rides.

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## [£100,000 fine for food processing firm after worker severs finger](#)

A food processing firm has been hit with a £100,000 fine after a worker severed part of her finger when her hand was caught in machinery at a site in Devon.

The 37-year-old woman was employed by Amber Foods Limited at a site in Cullompton, when the incident happened on 31 October 2018. She had been working on a Meyn eviscerator – a conveyor-fed machine that slices and separates chicken livers and hearts – when she noticed a build-up of offcuts around the blades. Believing the machine had stopped, she reached in to unblock the area but her hand was caught by the moving conveyor, partially severing her right index finger.



The 37-year-old severed part of her finger in the food processing machine

An investigation by the Health and Safety Executive (HSE) found the blade and chute area of the machine lacked effective guarding, failing to prevent any person coming into contact with the moving parts.

At a hearing at Taunton Magistrates Court, Amber Foods Limited of Trinity Park Business Park, Wakefield, pleaded guilty to breaching Regulation 2 (1) of the Health and Safety At Work Act 1974. They were fined £100,000 and ordered to pay costs of £7,241.

Speaking afterwards, HSE inspector James Collins said: “This incident could so easily have been avoided by simply implementing correct control measures for machinery guarding and safe working practices.

“Employers should make sure they properly assess risk and apply effective control measures to protect workers from dangerous parts of machinery.”

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