

# Metal firm fined after injured worker loses leg

A metal fabrication company has been fined £40,000 after an employee suffered a serious leg fracture that led to a below the knee amputation.

The 37-year-old man and a colleague had been loading a steel beam onto the bed of a lorry in the visitors car park of London Gates and Railings Ltd in Watford on 30 August 2022. His colleague was operating a fork lift truck (FLT) with the steel beam suspended from it using a sling attachment, while man had been walking ahead of it using his hands to stabilise the beam. However, as the FLT moved forwards, the man's foot was caught by the front wheel of the FLT resulting in serious injuries to his lower leg.

At the time of the accident members of the public were present in the visitors' car park. The man's injuries were so serious he had to have surgery to have the lower part of his leg amputated.

An investigation by the Health and Safety Executive (HSE) found that London Gates and Railings Ltd failed to properly assess the risk for loading lorries and provide a suitable safe system of work. The FLT operator had not been trained and access to and use of the FLT was not adequately controlled. There were also inadequate measures in place to segregate pedestrians, including members of the public, from workplace transport and associated lifting operations.

London Gates and Railings Ltd of Guillmore Farm, Sandy Lane, Watford, pleaded guilty to breaching Section 2(1) and 3(1) of the Health and Safety at Work etc Act 1974. They were fined £40,000 and ordered to pay £5,114 costs at a hearing at St. Albans Magistrates Court on 10 December 2024.

HSE Inspector Adam Johnson said: "Incidents involving fork lift trucks (FLT's) and work place transport remain one of the most common causes of work-related accidents in this country.

"In this case, a suitable and sufficient assessment of risk, together with a planned safe system of work should have been completed.

"Only workers who are trained and authorised should operate FLT's. Access and use of them should be properly controlled. Adequate measures must also be in place to properly segregate pedestrians from workplace transport and associated operations"

This prosecution was brought by HSE enforcement lawyer Neenu Bains.

## **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. 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 England and Wales can be found [here](#) and for those in Scotland [here](#).
5. HSE guidance on [safe use of lifting operations](#) and [rider-operated lift trucks](#) is available.

---

## **Company and director sentenced for putting workers at risk**

A roofing firm has been fined while its director has been handed a suspended prison sentence after putting the lives of workers at risk during a roof renovation in Surrey.

Weather Master Roofing Limited and company director Jack Avanzo, also known as Jack Avenzo, were sentenced at Brighton Magistrates' Court on Monday following a prosecution by the Health and Safety Executive (HSE).

The HSE investigation found workers were seen operating without any scaffolding or edge protection on the roof of a house on Flint Hill, Dorking, on 21 February 2023. This put the workers at risk of falling from height, while there were also no measures to mitigate a fall, with the likes of harnesses not being used. Workers were also observed using the lights from their phones and torches while working on the property at night.



The workers had been renovating the roof of a property in Surrey

The group were working under the control of Weather Master Roofing Limited and Mr Avanzo, 20.

HSE subsequently served Weather Master Roofing Limited with an Improvement Notice on 28 February 2023. The notice required the company to improve how it planned, carried out, supervised and monitored the work that was taking place on the roof.

The company failed to comply with the notice.

HSE has [clear guidance on its website](#) about how to plan and carry work at height out safety, including the preventative measures required.



Workers were observed using the lights from their phones and torches at night

During a sentencing hearing at Brighton Magistrates' Court on 2 December 2024:

- Weather Master Roofing Limited, of Muswell Hill, Broadway, London, pleaded guilty to breaching Regulation 4(1) of the Work at Height Regulations 2005, Section 33(1)(c) and Section 33(1)(g) of the Health and Safety at Work etc. Act 1974. The company was fined £4,000 and ordered to pay £1,500 in costs as well as a victim surcharge of £1,600.
- Jack Avanzo, of Ballyspillane, Killarney, County Kerry, Republic of

Ireland, pleaded guilty to breaching Regulation 4(1) of the Work at Height Regulations 2005, Section 33(1)(c) and Section 33(1)(g) of the Health and Safety at Work etc. Act 1974. He was handed a six-month prison sentence, suspended for two years, ordered to complete 120 hours of unpaid work and disqualified from being a director for three years. He was also ordered to pay £1,500 in costs.

HSE inspector Stephanie Hickford-Smith said: "Falls from height are still the single biggest cause of work-related deaths in Great Britain. The law is clear – suitable and sufficient measures must be taken to prevent, where reasonably practicable, any person falling a distance liable to cause personal injury. Support and practical guidance on how to comply with the law is publicly available, free of charge. There is no excuse for putting workers lives at risk."

This prosecution was brought by HSE enforcement lawyer Iain Jordan and supported by HSE 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. 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 England and Wales can be found [here](#) and for those in Scotland [here](#).

---

## **Plastic manufacturing company fined after death of young dad**

A company that manufactures plastic products for the food industry has been fined £330,000 after a young dad was killed while doing his job.

Nathan Hook, a father of one, was working for Suffolk-based Maynard and Harris Plastics, when he was drawn into rotating machinery. As a result, the 34-year-old suffered fatal head injuries. The incident happened at the company's premises in Ellough, near Beccles, on 7 October 2021.



Nathan Hook was killed while doing his job

Speaking after the hearing, his mother Jacqueline Castledine said the investigation and prosecution by the Health and Safety Executive (HSE) had 'completely exonerated' her son.

"I have very mixed emotions but pleased Nathan's been completely exonerated," she said.

"We would like to take this opportunity to thank those have supported us throughout this horrendous ordeal, far too many to mention. But mostly the HSE for their thorough investigation and its conclusions.

"We must now try to move forward keeping Nathan with us always."

The HSE investigation found that Nathan had been on a late shift and was operating a lathe in the tool room to create a work piece for a machine. He applied emery cloth by hand to the workpiece to debur the metal. Emery cloth is similar to sandpaper and can be used to polish metal workpieces. However, it became entangled and wrapped around the workpiece, drawing him in. His sweatshirt sleeve also became entangled pinning him against the rotating workpiece and causing fatal head injuries.

The investigation found that Maynard and Harris Plastics had failed to provide suitable health and safety training regarding the use of emery cloth on lathes. The company did not have a suitable and sufficient risk assessment for use of alternative methods, such as application of emery cloth using a stick.

Maynard and Harris Plastics, of Ellough, Beccles, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act. They were fined £330,000 and ordered to pay £4,373 costs at a hearing at Chelmsford Magistrates Court on 5 December 2024.

HSE inspector Natalie Prince said: "Our thoughts remain with Nathan's family.

He was a young dad who should have returned home safely to them at the end of

his working day, but because of this company's failings, he did not."

This prosecution was brought by HSE enforcement lawyers Nathan Cook and Jon Mack and supported by paralegal officer Imogen Isaac.

**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. 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 England and Wales can be found [here](#) and for those in Scotland [here](#).
5. HSE guidance on the [use of emery cloth on metalworking lathes](#) is available.

---

## **Councils' asbestos management to be assessed during inspection campaign**

Hundreds of inspections at council buildings will be carried out by the Health and Safety Executive (HSE) to check councils are managing the risk of asbestos properly.

HSE inspectors will visit the head offices of dozens of councils across the country to ensure asbestos risks are being managed effectively to keep people safe. Each council visit will see inspections take place at several different sites within each local authority's property portfolio. This work continues previous inspection campaigns that targeted hospitals and schools.

The inspections will assess how local authorities are managing the risks from asbestos within their buildings and meeting the 'duty to manage' (DTM) requirements under Regulation 4 of the Control of Asbestos Regulations 2012 (CAR).

[The duty to manage asbestos](#) covers a wide range of buildings, some regulated by HSE and others regulated by our colleagues in local authorities. These visits will look at asbestos management in public buildings, including libraries, museums and leisure centres.

People who visit or work in these buildings will not be exposed if asbestos is properly managed. But it can become dangerous when disturbed or damaged.

HSE launched The Asbestos – Your Duty campaign in January 2024 to reach those responsible for maintenance and repair of non-domestic buildings built before the year 2000 to raise awareness of the [legal duty to manage asbestos in buildings](#).

Helen Jones, HSE's Head of Health and Public Services Sector, said: "Local authorities have a hugely important role to play in keeping people safe.

"They can do this through the maintenance of their property portfolios and in their role as a regulator.

"To keep people safe from its harms, a culture of safely managing asbestos is needed in our building industry and among those responsible for buildings.

"Asbestos exposure in Great Britain is still the single greatest cause of work-related deaths due to exposures decades ago.

"Together, we must protect people in the workplace and reduce future work-related ill health."

"Those responsible for the maintenance of buildings must do everything to comply with the law and prevent exposure to this dangerous substance, which was widely used in post-war construction before it was completely banned in 1999.

Premises built before the turn of the century, and especially those between 1950 and 1980, when the use of asbestos in construction was at its peak, must carry out the necessary checks, understand their legal responsibilities and actively manage any asbestos they are responsible for.

HSE will check how asbestos is managed when visiting a range of buildings across council stock ensuring they have the right arrangements in place.

HSE inspectors, will contact the local authority before visiting to arrange a suitable date and time for the inspection.

## **Background**

What should local authorities (LAs) do to prepare for these inspections?

In advance of the inspections, LAs may wish to review their current arrangements and check that they are meeting their duties under CAR, which includes requirements to:

1. take reasonable steps to find out if there are asbestos-containing materials (ACMs) in their buildings, and if so, the amount, where it is and what condition it is in
2. presume materials contain asbestos unless there is strong evidence that

they do not

3. make, and keep up to date, a record of the location and condition of any ACMs – or materials which are presumed to contain asbestos
4. assess the risk of anyone being exposed to fibres from the materials identified
5. prepare an asbestos management plan (AMP) that sets out in detail how the risks from these materials will be managed
6. take the necessary steps to put the plan into action
7. periodically review and monitor the plan and the arrangements, and act on the findings, so the plan and arrangements remain relevant and up to date
8. provide information on the location and condition of the materials to anyone who is liable to work on, or disturb them

**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. The Asbestos – Your Duty campaign aims to raise awareness of the risks of asbestos. Free resources are available here: <https://workright.campaign.gov.uk/campaigns/asbestos-your-duty-campaign-assets/> and a video about asbestos inspections is available here: <https://www.youtube.com/watch?v=BsVp1l4C0eU>.
3. Information on where [asbestos can be found](#) is available on HSE's website.
4. Further details on the latest [HSE news releases](#) is available.

---

## **Company failed to manage legionella risk as prisoner dies**

A company has been fined after it failed to manage the risk of legionella bacteria in the hot and cold water systems at HMP Lincoln.

The Health and Safety Executive (HSE) investigation followed the death of an inmate.

Amey Community Limited has now been fined £600,000 after pleading guilty to a health and safety offence.

Graham Butterworth died on 5 December 2017 after contracting Legionnaires'

disease while serving a prison sentence at HMP Lincoln.

Water samples from Mr Butterworth's cell and nearby shower blocks tested positive for legionella days after the 71-year-old died.

HSE guidance states any risks of exposure to legionella needs to be identified and managed. Further guidance can be found at: [Legionella and Legionnaires' disease – HSE](#).

The investigation, carried out by HSE inspector Aaron Rashad, found Amey Community Limited, which provided facilities management services at HMP Lincoln, failed to act on a risk assessment carried out in 2016, failed to put in place a written scheme for preventing and controlling legionella risks, failed to ensure that appropriate water temperatures were maintained and failed to monitor water temperatures in the water system in October and November 2017. This allowed legionella bacteria to multiply rapidly.

Amey Community Limited, of Furnival Street, London, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £600,000 and ordered to pay £15,186.85 in costs at Lincoln Magistrates' Court on 3 December 2024.

HSE inspector Stacey Gamwell said: "There is a legal duty to keep workers and inmates safe in prisons. The occupants of HMP Lincoln had been put at risk of legionella bacteria and developing Legionnaires' disease because of Amey Community Limited's failures.

"Companies such as Amey Community Limited need to ensure they have identified any risk of legionella and have suitable and sufficient arrangements in place for managing the risk and control measures they have implemented."

This HSE prosecution was brought by HSE enforcement lawyer Andy Siddall and supported by HSE paralegal officer Helen Jacob.

#### **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. 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](#).