

Skip hire and waste recycling company fined after worker is injured

A family run and owned skip hire, waste and recycling business in Scotland has been fined £24,000 after a worker sustained serious injuries to his left hand and forearm on the blades of a machine.

Barry Edward Pae, formerly known as Barry Edward Vaughan, an employee of W M Russell & Sons Limited was injured while he attempted to change the blades of a rapid granulator machine. He sustained serious and irreversible injuries which included complete amputation of his left index, middle and ring fingers, and an open fracture to his left wrist following the incident on 9 April 2021.

An investigation by the Health and Safety Executive (HSE) found that the company failed to provide a safe system of work for changing the cutter blades. This included a failure to provide sufficient information, instruction, and training on how to isolate the granulator when changing the cutter blades or carrying out other maintenance.

HSE guidance can be found at: [Provision and Use of Work Equipment Regulations 1998 \(PUWER\) \(hse.gov.uk\)](#)

At Dunfermline Sheriff Court on 30 May 2024, WM. Russell & Sons Limited of Lilliehill, Dunfermline pleaded guilty to breaching the Health and Safety at Work etc Act 1974, Section 2(1), and 33(1)(a) between 2 April and 9 April 2021, both dates inclusive. and were fined £24,000.

Speaking after the case HSE inspector Laura Dempster said: “Those in control of work have a responsibility to provide a safe system of work for their employees and to provide the necessary information, instruction and training on that system.

“If a safe system of work had been in place prior to the incident, the life changing injuries sustained by the employee could have been prevented.”

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.

Company director given suspended sentence after worker crushed to death

A company director has been given a suspended prison sentence after an employee lost his life at a site in St Helens.

Roger Gibbons, the director of RM Gibbons Ltd, was given a 16 weeks custodial sentence, which was suspended for 12 months. His company was also fined £40,000 following the death of Uldis Sankans, who died after being crushed between a girder and the basket of a mobile elevating work platform (MEWP) while working for RM Gibbons Ltd.

The 30-year-old, from Latvia, had been operating the MEWP at a site in St Helens when he was fatally crushed on 8 November 2019.

A Health and Safety Executive (HSE) investigation found that. RM Gibbons Ltd failed to properly risk assess the operation of the MEWP and failed to provide its employees with sufficient training.

HSE guidance states hazards such as entrapment, overturning, falling and collisions should be identified within a risk assessment and suitable control measures put in place while operating a MEWP. More on this can be found at: [Construction – Mobile elevating work platforms health & safety \(hse.gov.uk\)](https://www.hse.gov.uk/construction/mobile-elevating-work-platforms-health-safety/)

- RM Gibbons Ltd, of Whiteleys Lane, Lathom, Ormskirk, pleaded guilty to breaching Section 2(1) and Section 33(1)(g) of the Health and Safety at Work etc Act 1974. The company was fined £40,000 and ordered to pay £9,424 in costs at Liverpool Magistrates' Court on 30 May 2024.
- Roger Gibbons, Director of RM Gibbons Ltd, Delph Drive, Burscough, pleaded guilty to breaching Section 2(1) and Section 33(1) of the Health & Safety at Work etc. Act 1974 by virtue of 37(1). He was sentenced to 16 weeks imprisonment, suspended for 12 months and was told to complete 140 hours of unpaid work at Liverpool Magistrates' Court on 30 May 2024.

HSE inspector Mike Lisle said: "This incident could easily have been avoided by simply identifying the risks and putting in place appropriate control measures and ensuring employees have been suitably trained.

"Companies should be aware that HSE take fatal accidents seriously no matter the size of the company and will not hesitate to take appropriate enforcement action against those that fall below the required standards."

This prosecution was brought by HSE enforcement lawyers Matthew Reynolds and Alan Hughes, and supported by HSE paralegal officer Hannah Snelling.

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Site manager issued suspended sentence after death of young father

The site manager of a waste and recycling company has been given a suspended prison sentence following the death of a young father at a site in Dewsbury.

Wayne Griffiths, who was also a former director of Arthur Brook Limited, was given a ten-month custodial sentence, which was suspended for 18 months. It followed the death of 26-year-old Sebastian Luke Martin at the firm's Low Mill Lane facility on 21 September 2018.

Father-of-two Mr Martin, known as Luke, was drawn into a conveyor and suffered multiple injuries that resulted in him being taken to hospital where he died two days later.



The aftermath of the incident at the company's Low Mill Lane facility in Dewsbury

An investigation by the Health and Safety Executive (HSE) found that on the day of the incident, a large number of guards including both perimeter and conveyor guards on the machinery known as 'The Frag' had been removed to allow metal containing material to be reprocessed with the aid of a mini digger operated by Luke.

Griffiths was responsible for the Frag – from its initial conception and

construction, to the development of systems of work and employee training. He was directly involved in the day to day operation of the machine and this included the maintenance operations. Guards had been removed and not replaced and yet he allowed Luke to work on the Frag with the machine in a dangerous condition for two days prior to the incident, putting him at risk of serious personal injury. Luke left the digger cab and approached the unguarded machinery. He was drawn into the conveyor crushing his arm and upper body which ultimately lead to his death.

Arthur Brook Limited of Queens Mill, Low Mill Lane Ravensthorpe, Dewsbury pleaded guilty to breaching Section 2(1) of the Health & Safety at Work etc Act 1974. Wayne Griffiths also pleaded guilty to breaching Section 37(1) of the Act as the breach of Section 2(1) by Arthur Brook Limited occurred with his consent, connivance, or neglect. The company has been fined £200,000 and ordered to pay £43,000 in costs.

Wayne Griffiths was sentenced to 10 months for pleading guilty at the first opportunity, suspended for 18 months during which time he must complete 200 hours of unpaid work and pay costs of £10,000.

After the hearing, HSE inspector Louise Redgrove commented: “

“The incident could easily have been avoided if the company and Wayne Griffiths had taken effective measures to ensure all guards were maintained and in place prior to operating the Frag machine.”

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[Recycling company fined after workers exposed to wood dust](#)

The long-term health of workers at a wood waste recycling centre was put in danger due to excessive exposure to the dust their work created, a Health and Safety Executive (HSE) prosecution has found.

Esken Renewables Limited, a waste and recycling company that specialises in generating biofuel from renewable waste, ran a wood waste recycling centre in Middlesbrough that processed mixed wood waste, hardwood and softwood into biofuel.

Breathing in wood dust excessively can cause asthma and nasal cancer. In particular, dust from softwood wood dust is a known asthmagen while particles from hardwood are a known carcinogen.

A HSE inspector visited the site in April 2022 to investigate the dust exposures on the site. A few weeks earlier, concerns had been raised about wood dust spreading to the surrounding area. The inspector wrote in detail to Esken Renewables with evidence demonstrating the extent of the wood dust exposure to staff, so that the right action could be taken by the company to control the risks.



The company provided a detailed response, and it was accepted that exposures to the surrounding area was in large part due to four storms in quick succession.

However, the HSE investigation found that the control of wood dust to protect employees working on and around the site was not adequate and fell short of the expected benchmark.

The company failed to design and operate processes and activities to minimise emission, release and spread of wood dust. One solution would be through the use of local exhaust ventilation, the enclosure of machinery or the designing of the processes such as using vacuum systems as opposed to compressed air for cleaning and maintenance.



Guidance on working in the [woodworking industry](#) is available and an [inspection-led campaign to protect workers continues](#).

Esken Renewables Limited, who operated the site at Port Clarence Road, Port Clarence, Middlesbrough, pleaded guilty of breaching Regulation 7(1) of the Control of Substances Hazardous to Health (COSHH) Regulations 2002 and were fined £160,000 and ordered to pay £5,310.35 in costs at Teesside Magistrates' Court on 23 May 2024.

Speaking after the hearing, HSE inspector Matthew Dundas said: "The expected standard is to control exposure to as low a level as is reasonably practicable.

"We hope this serves to raise industry awareness for the expectation of control of hazardous substances, namely wood dust, in the wood waste and recycling industry."

This prosecution was brought by HSE enforcement lawyer Iain Jordan and supported by HSE paralegal officer Rebecca Forman.

Notes to editors

1. The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. It aims to reduce work-related death, injury and ill health. It does so through research, information and advice, promoting training; new or revised regulations and codes of practice, and working with local authority partners by inspection, investigation and enforcement. www.hse.gov.uk
2. More about the legislation referred to in this case can be found at: <https://www.hse.gov.uk/woodworking/recycling.htm>
3. HSE news releases are available at <http://press.hse.gov.uk>