

Farming company fined £320,000 after death of “much loved” family man

A company involved in fruit and vegetable production has been fined £320,000 after a man “who always put family first” was killed at a site in Burscough.

Francis Schlachter, known as Frank, suffered severe head injuries when he fell from a skip at a farm operated by M.A.Forshaw Limited on 3 January 2020. The 64-year-old from Southport was described as ‘a rock’ by his wife of 35 years Linda, who said how much he would be missed by his friends and family.

“I have lost my soul mate,” Linda said.

“He was a gentleman through and through, who will live on in our hearts and memories forever.

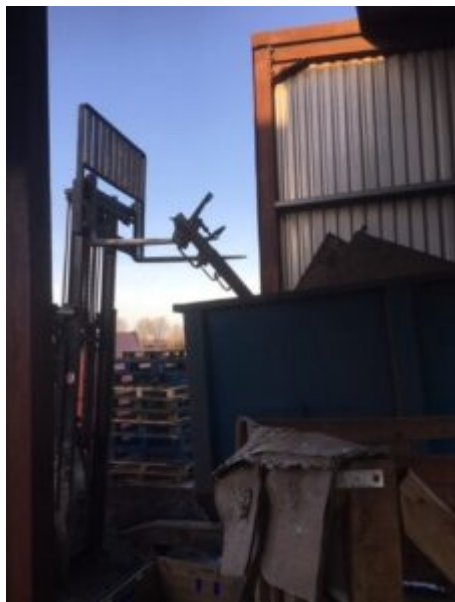
“It is the little things in life that you take for granted, which are greatly cherished now he’s gone and they mean the absolute world.

“Frank was my rock. He was kind, dependable and always put his family first. Since his passing, I have had a fair share of trials and tribulations to encounter and these have been a great challenge without the support of a beloved husband.

“We have all suffered the loss and it will be embedded in our bones forever.

“No man should go to work and never return home after a day of hard work.”

Frank had been working at the site off Marsh Moss Lane, tipping food waste into a skip from a container attached to a forklift truck (FLT). The container could not be securely attached to the FLT, which was known to detach from the vehicle during the procedure. As Frank attempted to manually assist in the operation, he was standing on top of the skip when the container slipped from the FLT causing him to fall to the ground, resulting in fatal head injuries.



Frank Schlachter fell from the top of the skip while working at the site in Burscough

Companies that use work equipment must manage the risks associated with its use. Detailed guidance on the [Provision and Use of Work Equipment Regulations 1998](#) is available. Guidance for those [using lifting equipment for work](#) is also available.

An investigation by the Health and Safety Executive (HSE) found that M.A.Forshaw Limited of Heatons Bridge Farm, Scarisbrick, West Lancashire, had not fully assessed the risks involved in this daily task. Had they done so, the dangers would have been identified. They also failed to maintain equipment in safe working order and to properly instruct staff in safe working practices.

The company pleaded guilty to breaching regulation 2(1) of the Health & Safety at Work Act 1974. They were fined £320,000 and were ordered to pay £4,574 costs at a hearing at Wirral Magistrates' Court on 1 February 2024.

HSE inspector Lianne Farrington said: "This wholly avoidable tragic incident led to the death of a much loved husband, dad and grandad.

"It was caused by the failure of the company to implement safe systems of work, properly maintain work equipment, and sufficiently assess the risks involved in routine work processes.

"If suitable work practices had been in place prior to the incident, Frank's death could have been prevented.

"At HSE, we always stress the need for employers to risk assess tasks by speaking to the employees who undertake the work, and to ensure that work equipment is safe and suitable to use."

This prosecution was brought by HSE enforcement lawyer Sam Tiger.

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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[Worktops firm fined after repeated failures to protect employees](#)

A Stockport-based stone worktop manufacturer has been fined £26,000 for repeatedly putting its workers at risk.

Granite & Marble Shop Ltd failed to implement safe working practices despite warnings from the Health and Safety Executive (HSE).

The company consistently put their employees at risk from serious injury by failing to adequately guard dangerous machinery at their site in Roland Road, Reddish.



There was no interlock guard on the sliding doors meaning they could be opened while the

machine was in operation

A HSE inspector visited the site in 2019 and enforcement action was taken to have the appropriate guards installed, and to introduce daily checks, to ensure these were in place and functioning correctly.

HSE guidance is available about the importance for employers to consider [how their workers use machinery](#) and to have adequate arrangements in place to ensure it remains safe to use.

However, when an inspector returned to the site on 18 August 2021, the guarding measures that had been put in place were broken or disabled – once again placing employees in danger.

A HSE investigation found that The Granite & Marble Shop Ltd of Cheadle Place Stockport Road, Cheadle, Cheshire, had failed to properly manage, supervise, and monitor the control measures that had been put in place, in order to ensure that guards were being used as intended.



The interlock guard on the sliding doors wasn't working

The company pleaded guilty to breaching Section 2(1) of the Health and Safety at Work Act 1974 and were fined £26,000 and ordered to pay costs of £3,708 at a hearing in Manchester Magistrates' Court on 31 January 2024. The prosecution was brought by HSE enforcement lawyer Sam Crockett.

After the hearing HSE Inspector Stephanie Simcock said: "This case highlights how critical it is that all employers make sure they properly assess and apply effective control measures to minimise the risk from dangerous parts of machinery.

"Machinery safety and supervision and monitoring is a must. We will prosecute if repeated breaches are found, regardless of whether there has been an incident.

“Despite an earlier intervention and advice being given, this company continued to fail in its duty to protect its employees.”

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3. Further details on the latest [HSE news releases](#) is available.
4. Guidance on [working safely with machinery](#) is available.

[Textiles firm fined £60,000 after worker’s arm dragged into machine](#)

A textiles company has been fined £60,000 after a man broke his arm when it was dragged into machinery at a site near Chorley.

The employee, a man from Blackrod in Greater Manchester, suffered serious injuries to his right arm in the incident at the factory operated by Pin Croft Dyeing and Printing Co. Limited in Market Street, Adlington, on 20 June 2022.

An investigation by the Health and Safety Executive (HSE) found the man had been operating a large fabric spooling machine when a brake malfunctioned. During his attempt to manually slow the rotation of the machine, his sleeve became caught up with an exposed grooved spindle and his right arm was drawn into the mechanism. It became twisted by the rotation of the machine which broke both major bones in the forearm and caused serious tissue damage.



The man had been operating a large fabric spooling machine when a brake malfunctioned and his sleeve was caught in a grooved spindle

HSE guidance is available how important it is for employers to consider [how their workers use machinery](#) and to have adequate arrangements in place to ensure it remains safe to use.

Despite the company being aware of the risk posed by the moving spindle, they failed to either remove or suitably guard this part of the machinery.

As a result of his injuries, the man, who was right-handed, spent four nights in hospital and was unable to return to work for six months.

Preston Magistrates Court heard that Pin Croft Dyeing and Printing Co. Limited of Adlington Works, Market Street, Adlington, Lancashire had neither guarded nor removed the exposed grooved spindle despite being aware of the risk it posed to employees.



During his attempt to manually slow the rotation of the machine, his sleeve became caught

up with an exposed
grooved spindle

The company pleaded guilty to breaching section 2(1) of the Health and Safety at Work Act 1974. They were fined £60,000 and was ordered to pay £2.147 costs at a hearing at Preston Magistrates Court on 31 January 2024.

After the hearing, HSE inspector David Bellis said: “This man’s injuries were serious but they could have been much worse. The whole incident and its consequences could have been avoided if basic safeguards had been put in place.

“At HSE we would like highlight that all employers should make sure they properly assess and apply effective control measures to minimise the risk from dangerous parts of machinery.”

The prosecution was brought by HSE enforcement lawyer Chloe Ward.

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[Recycling company fined after worker killed by loading shovel](#)



Ward recycling site in Hartlepool

A recycling company has been fined £2.15million after an agency worker was killed by a loading shovel at its site in Hartlepool.

Dean Atkinson lost his life when he was struck and run over by the vehicle at Ward Recycling Limited's premises on Windermere Road, Longhill Industrial Estate in January 2020.

Health and Safety Executive (HSE) inspector Stephen Garner said Mr Atkinson's death could have been prevented had Ward Recycling implemented an alternative traffic route for pedestrians at its site on Windermere Road.

Simple measures like providing suitable separation between pedestrians and vehicles are set out in HSE [guidance on workplace transport](#).

Mr Atkinson, 32, had been returning from the site's welfare cabins to his workstation on the picking line.

To do so, he needed to walk across a traffic area at the site where mobile plant, including two loading shovels, operated.

One of the loading shovels struck and killed Mr Atkinson when he was walking in the traffic area.

Mr Atkinson's death prompted investigations from HSE and Cleveland Police with Ward Recycling later being prosecuted by the Crown Prosecution Service (CPS). The company was found guilty to committing corporate manslaughter and breaching health and safety regulations after a trial at Middlesbrough Crown Court last month.

The HSE investigation into the incident found Ward Recycling, which went into liquidation in 2021, failed to protect pedestrians from the mobile plant operations it was carrying out at the site. There were no suitable traffic management arrangements in place, meaning pedestrians were at risk of being struck by moving vehicles, including loading shovels. Loading shovels are particularly dangerous if adequate segregation is not in place, in part due to the limitations to the operator's visibility around the machine – a HSE visibility assessment found that an area over 10 metres in front of the vehicle could be obscured from the driver's view.

Ward Recycling Limited, formerly of St Peter's Square, Oxford Street, Manchester, was found guilty of breaching Section 1 of the Corporate Manslaughter and Corporate Homicide Act 2007, Section 2(1) and Section 3(1) of the Health and Safety at Work etc Act 1974. The company was fined £1.75m for corporate manslaughter and £400,000 for breaching health and safety regulations at Middlesbrough Crown Court on 26 January 2024.

HSE inspector Stephen Garner said: "This tragic incident could easily have been avoided if Ward Recycling had implemented simple control measures.

"Following the incident, it took the company less than a week to put in place an alternative traffic route to protect pedestrians.

"Had this been in place before the incident, Dean Atkinson would not have

lost his life. Sadly, pedestrians being struck by vehicles on waste sites has caused many fatal accidents on waste sites and the industry should be well aware of the risks.”

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4. The yellow line on the attached image shows the route pedestrians took from the welfare cabins to the picking line. The red line shows the loading shovel route.

[Manufacturing company fined £15,000 for wood dust failures](#)

A manufacturing company has been fined £15,000 after exposing its own workers to wood dust and failing to comply with two improvement notices.

Wood dust can cause serious and often irreversible health problems, including sino-nasal cancer, asthma and dermatitis. Employers have a legal responsibility to prevent or adequately control exposure in the workplace.

After concerns were raised to the Health and Safety Executive (HSE), inspectors from the workplace regulator went to Billy Davidson NV Stables Limited’s premises in Wingate, Durham on 17 June 2022. As a result, notices were served on the firm requiring it to undertake an examination of the local exhaust ventilation (LEV) system fitted to a chop saw and for failing to control exposure to wood dust from the use of a circular table saw.

Proper dust extraction can include having the right machinery, and vacuuming dust instead of sweeping is often required. HSE’s easy-to-follow guidance can be found [here](#).

Despite the action taken by HSE, when inspectors returned to the site on 12 January 2023, the circular saw was still being used, despite the company saying it had been taken out of use. Likewise, the chop saw and LEV was also still being used, and the company had not provided HSE with confirmation it

had been examined and was adequately controlling wood dust exposure.

The subsequent HSE investigation found the company had shown a disregard for health and safety due to their failure to comply with the improvement notices.

A HSE campaign to [protect workers from exposure to wood dust](#) is ongoing.

Billy Davidson NV Stables Limited was found guilty of contravening two counts of Section 33(1)(g) of the Health and Safety at Work etc Act 1974 and Regulations 9(2) and 7(1) of the Control of Substances Hazardous to Health Regulations 2002. The company was fined £15,000 and ordered to pay £4,500 in costs.

Speaking after the hearing, HSE inspector Clare Maltby said: "This company showed a blatant disregard to the safety of its own workers.

"Companies are responsible for controlling the exposure to wood dust, a substance which is hazardous to health and can cause long term health effects such as occupational asthma.

"Compliance could have been achieved by simply getting a LEV fitted to the circular table saw and getting a competent person to undertake a thorough examination and test of the LEV on the chop saw.

"This case demonstrates that we will not hesitate to prosecute companies who fail to comply with the law."

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