

# Carlsberg fined £3m following 2016 ammonia gas leak

Carlsberg has been fined £3 million after a contractor died and another was seriously injured following an ammonia gas leak at one of its breweries.

The incident happened at Carlsberg's site in Northampton. An investigation by the Health and Safety Executive (HSE) found Carlsberg hadn't put proper controls in place.

Father-of-two David Chandler, 45, was killed and David Beak, now 57, was seriously injured.

David Chandler was a father of two, from Bridge North, Shropshire. His family today said they welcomed the end of the case against Carlsberg and hoped no other families would have to suffer as they have.

Birmingham Crown Court heard that at its Northampton brewery Carlsberg had failed to put in place appropriate isolation controls to prevent exposure to ammonia before work started to remove a compressor from a refrigeration system.

The Principal Contractor for the project was Crowley Carbon UK Ltd, which had appointed numerous contractors to assist in the works.

On 9 November 2016 while the compressor was being removed, there was a large, uncontrolled release of ammonia.

David Chandler and David Beak were both employees of sub-contractor Speedrite NE Ltd.

Twenty people needed hospital checks after showing symptoms of ammonia exposure. It was several days before the leak was contained and gas levels dropped to a safe level. David Beak, of Failsworth in Oldham, was seriously injured.

Carlsberg Supply Company UK Ltd, who were summonsed under their new company name of Carlsberg Marston's Brewing Company, pleaded guilty to charges under Section 2(1) and Section 3(1) of the Health and Safety at Work etc. Act 1974, and Regulation 3(1) of the Management of Health and Safety at Work Regulations 1999. The company was fined £3 million with costs of £90,000.

Mr Chandler's family, in a statement, said: "We welcome the conclusion of the prosecution case against Carlsberg UK Supply Company Ltd following the death of David five and half years ago.

"As a family we will never fully accept the death of David in such tragic but preventable circumstances and the legal process involved has been emotionally exhausting as well as frustrating given the length of time which has lapsed since the accident.

“We are pleased that improvements have been made at Carlsberg’s site in Northampton which will hopefully ensure no other families suffer the anguish we have endured since November 2016 when the failings at the brewery resulted in the deadly release of ammonia gas which caused David’s death.

“David was a loving husband, adoring Daddy and much-loved brother and Uncle. We are devastated that his young family will not be able to share their lives with him as they grow. He was a larger-than-life character whose loss has left a massive void nothing can replace.

“There have already been so many special and precious moments which David has missed out on and the fact that there will continue to be some many more as his daughters grow into young ladies breaks all our hearts daily. He is missed every day, and our lives will not ever be the same without him.”

HSE principal inspector Samantha Wells said: “Industry guidance on safe isolation of plant should have been followed. This would have ensured that a higher level of isolation was in place, for prevention of exposure to this highly toxic and flammable substance.

“Both the client, Carlsberg, and the Principal Contractor should have worked together to ensure that the risk was adequately managed. Not only Carlsberg had a duty here. There was also a very clear duty on the Principal Contractor.

“This underlines the dangers of not following industry guidance when working with toxic and flammable substances – HSE will take action against all who fail to ensure the safety of employees and others who may be exposed to danger.

“Projects involving multiple contractors require effective management arrangements, so it’s clear who is responsible for every part of the work and that safety checks are carried out before allowing work to start.”

The Health and Safety Executive also brought a case against Crowley Carbon Ltd in relation to the incident which led to the death of Mr Chandler and the injuries to Mr Beak, which were also due to be tried but for the company being placed into compulsory administration by creditors.

#### **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. [www.hse.gov.uk](http://www.hse.gov.uk)
2. More about the legislation referred to in this case can be found at: [www.legislation.gov.uk/](http://www.legislation.gov.uk/)
3. HSE news releases are available at: <http://press.hse.gov.uk>
4. Further guidance on the safe isolation of plant and equipment can be

## [Glass company fined £80,000 after worker injured in fall from height](#)

A glass manufacturing company has been fined £80,000 after a worker sustained serious injuries when he fell through a roof.

A worker at NSG Pilkington (UK) Ltd stepped from a load bearing roof to a fragile roof at Pilkington premises in St Helens and fell nearly three meters to the floor below. He sustained life changing injuries including a fractured lower back and right heel plus injuries to his shoulder and elbow. The court heard he was unable to return to his job, forcing him to retire early.

An investigation by the Health and Safety Executive (HSE) found that the NSG Pilkington (UK) Ltd, did not provide a safe system of work for working at height or ensure its control measures were implemented.

NSG Pilkington (UK) Limited of European Technical Centre, Hall Lane, Lathom, Lancashire, pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc. Act 1974 and was fined £80,000 and ordered to pay costs of £767.

HSE inspector Joseph Wright said: “This incident could so easily have been avoided if appropriate control measures and a safe system of work had been in place.

“Falls from height remain one of the most common causes of work-related fatalities in this country and the risks associated with working at height are well known.

“Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standard.”

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4. More information and guidance can be found at:  
<https://www.hse.gov.uk/work-at-height>

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## [Death of Rachel Fisk – an update from HSE](#)

The investigation into the death of a Royal Air Force sergeant has been handed over to the Health and Safety Executive.

Rachael Fisk died on September 2 last year during a training event at RAF Weston-on-the-Green in Oxfordshire. Sgt Fisk was taking part in a parachuting exercise.

*A joint investigation was launched with and led by Thames Valley Police. The police have concluded their investigation into offences of corporate manslaughter and gross negligence, the Health Safety Executive (HSE) will now lead the investigation.*

*The criminal inquiry will determine if any breaches under the Health and Safety at Work Act have occurred.*

HSE principal inspector Stephen Faulkner said: *“It is important HSE completes the investigation into Rachel’s death to determine the cause of this incident.*

*“HSE will draw upon the evidence gathered so far and call upon its own specialist investigators and independent support in what is likely to be a complex investigation.*

*“During the investigation we will continue to keep in touch with Rachel’s family as we send them our deepest sympathies at this difficult time.”*

Ends

### **Notes to Editors:**

1. Please click on the following link to see [statement](#) from Thames Valley Police.
2. 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. [hse.gov.uk](https://www.hse.gov.uk)

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## HSE publishes new Science Review

A human cough simulator to test the effectiveness of face shield protection during the pandemic, reducing the risk of the transmission of COVID to delivery drivers and gas explosion tests in a life size replica house are just some of the studies scientists working for the Health and Safety Executive (HSE) have completed in the last 12 months.

All three are listed in HSE's annual science review, which has been published today.

Using real life work cases as examples, the publication focuses on ways science and evidence is being used to protect people and places, helping everyone lead safer and healthier lives.

The annual review illustrates the mix of activities that has helped to ensure that HSE's response to the Covid pandemic was informed by the best available evidence. In addition, it has also provided information that has helped HSE with evidence that was needed as an enabling regulator, and secure justice against those who breach the law.

This includes:

- Reducing work-related ill health: Investigation of COVID-19 in the workplace – outbreaks, mitigation measures, transmission – incorporating work from HSE's leadership of 'PROTECT' (one of the UK's National Core studies for COVID)
- Building Safety: Preliminary identification of potential serious incident scenarios for high-rise buildings
- Enabling industry to innovate safely: supporting the move towards net zero by supporting and enabling a safe transition to hydrogen in the existing gas network

The review also highlights the range of studies HSE scientists are working on to protect people and places by managing workplace health and safety risks and helping to maintaining Great Britain's record as one of the safest countries to work in.

This includes:

- Chemical regulation, enabling the safe and sustainable use of chemicals: Assessing the toxicity, hazards and risks of chemicals in order to protect human health, and new methods to monitor occupational exposure to chemicals
- Investigation of ignition of flammable mists
- Providing evidence to underpin effective working practices in the asbestos removal industry

The review shows how HSE brings people and organisations together, sharing knowledge, expertise and data, to make a real impact on reducing death, ill health and injury.

This includes:

- A multi-centre European human biomonitoring study
- The future of health and safety in advanced manufacturing
- Developing a framework for socio-economic impact data management in India

HSE's Chief Scientific Adviser and Director of Research, Professor Andrew Curran, said: "I'm extremely proud that our scientists, engineers, analysts and clinicians have continued to deliver a world-class programme of work.

"This is aligned to the policy and regulatory needs of HSE to protect people and places and helps ensure that Great Britain is one of the safest places to work anywhere in the world."

The HSE Annual Science Review is available at [HSE – Science, engineering and evidence](#)

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## **[Warehouse owner fined after worker falls 30 feet through skylight](#)**

A Blackburn based warehouse owner has been fined after an employee of a roofing contractor Nizamuddin Gorji fell approximately 30 feet through a glass skylight on a warehouse roof resulting in severe life changing injuries.

Preston Crown Court heard that roofing contractor Nizamuddin Gorji was engaged by Floors 'n' Carpets Limited of Gate Street, Blackburn to over-clad the existing roof. Three operatives were employed to carry out the work which started on 13 May 2020. The following day, one of the employees, Taj Zahir fell through the roof sustaining serious injuries to his pelvis, arm, knee and face and has undergone extensive surgery since.

An investigation by the Health and Safety Executive (HSE) found that Floors 'n' Carpets Limited failed to undertake due diligence checks on the roofing contractor's documents and ensure a construction phase plan was prepared prior to work commencing. Nizmuddin Gorji previously pleaded guilty to failing to adequately plan the work and provide coverings or underslung nets to prevent or mitigate a fall through the fragile roof. He had not completed any health and safety training and did not adequately train the operatives he employed.

Floors 'n' Carpets Ltd of Gate Street, Blackburn pleaded guilty to a breach of Regulation 4(1) of the Work at Height Regulations 2005 and was fined £96,000 and ordered to pay costs of £36,919.75

Speaking after the hearing, HSE inspector Jackie Western, said: "The risks from working at height are well known. Those with control of work at height have a duty to ensure safe methods of working, which should include ensuring the use of suitable work equipment and adequate supervision."

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2. More about the legislation referred to in this case can be found at: [hsg33.pdf](http://hsg33.pdf) ([hse.gov.uk](http://hse.gov.uk)) [Construction – Fragile surfaces industry health & safety](http://Construction - Fragile surfaces industry health & safety) ([hse.gov.uk](http://hse.gov.uk))

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