

Airport fined for failures that led to a man's death

An airport company has been fined £144,050 for failures that led to the tragic death of a 59-year-old man.

Glasgow Prestwick Airport Limited pled guilty to a breach of health and safety legislation at Ayr Sheriff Court after Joseph Dempsey, an experienced member of the ground handling team, died when a corroded guardrail gave way and he fell to the tarmac below.

The procurator fiscal told the court the fatal incident happened at Prestwick Airport on Wednesday 11 January 2023.

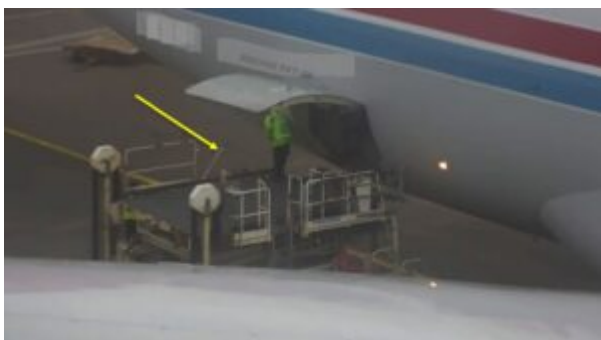


Screenshot of CCTV footage captured by an airport camera overlooking the apron, showing the incident platform loader in situ, at the open door of the rear (right) aircraft cargo hold

The prosecutor described how Mr Dempsey was preparing to unload cargo from an aircraft using a pallet loader. He had positioned the loader and was repositioning a guardrail when it suddenly gave way and Mr Dempsey fell to the tarmac, about 10 feet below.

Mr Dempsey's colleagues immediately went to his assistance and paramedics attempted CPR and advanced life support. These efforts proved unsuccessful and he was pronounced dead at the scene.

The Health and Safety Executive investigation found that one of the guardrail posts had completely fractured. There were visible signs of significant corrosion, discolouration and flaking white paint around the area.



Close-up view

Metallurgical examination of the guardrail posts found differences in chemical composition, manufacturing, and wall thickness which indicated the posts were manufactured from two different tubing sections.

These welded sections were not a feature of the manufacture's original design and appear to have been modified while the loader was under the ownership of Prestwick Airport. The welds on both the guardrail posts contained defects which would allow moisture in, creating a corrosive environment and speeding up deterioration.

There was no record of any modification or repair to the loader guardrail involving welding and the maintenance programme in place at the time did not cover the parts of the guardrail where failure or deterioration could lead to health and safety risks.

The charge libelled by the Procurator Fiscal and accepted by the company is that they failed to ensure that the pallet loader was maintained and in good repair.

They failed to have in place a suitable and adequate maintenance and inspection programme to identify deterioration of and corrosion to the safety guardrails fitted to the container loader.

As a consequence of Prestwick Airports failure, Joseph Dempsey fell from the platform when part of a safety guardrail gave way due to corrosion and sustained severe injuries from which he died.

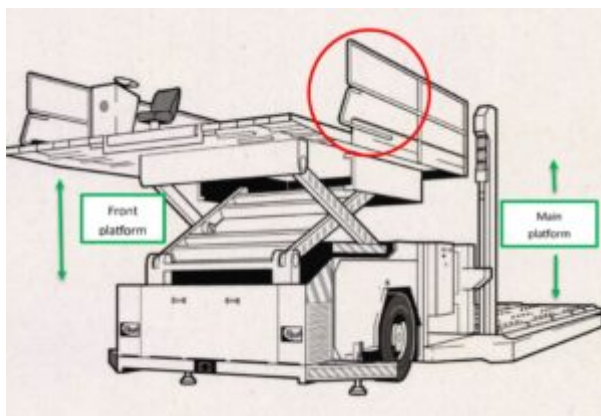


Diagram of the front of the loader. The area circled shows the front guardrail which failed (not in extended position)

Since the incident, Prestwick Airport has undertaken a review of all work at height.

Checks of the guardrails on the platform loaders have been added to the list of checks conducted during the annual service and inspection schedule and the failed guardrail was replaced by a new rail from the manufacturer.

Graeme McMinn HM Principal Inspector of Health and Safety added:

"Employers have an absolute legal duty to ensure that equipment they use at work is maintained in an efficient state and in good repair and full working order.

“This incident is a tragic reminder of what can result when that does not happen.”

Glasgow Prestwick Airport Limited pled guilty to a charge contrary to Regulations 5(1) of the Provision and Use of Work Equipment Regulations 1998 and Section 33 (1)(c) of the Health and Safety at Work etc. Act 1974 at Ayr Sheriff Court on 25 June 2025. The company was fined £134,000 with a Victim Surcharge of £10,050.

Speaking after the sentencing, Debbie Carroll, who leads on health and safety investigations for the COPFS, said:

“Joseph Dempsey lost his life in circumstances which could have been avoided if Prestwick Airport had in place a suitable and adequate maintenance and inspection programme to ensure the equipment he was using was in a good state of repair.

“This prosecution should remind duty holders that a failure to fulfil their obligations can have fatal consequences and they will be held accountable for this failure.”

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 Scotland can be found [here](#).

Grocery wholesaler fined £1 million after worker killed by reversing HGV

A London-based grocery supplier has been fined £1 million after a worker was killed by a reversing HGV during a delivery in Manchester.

Lee Warburton, 53, a father of three from Stockport, was employed by Bestway Northern Limited, a wholesale supplier serving independent supermarkets across Britain, when the incident occurred.

On 19 February 2019, Mr Warburton and a colleague were making a delivery to a

store in central Manchester. He was acting as a banksman, directing his colleague who was reversing the HGV. While attempting to guide the vehicle into the unloading area, Mr Warburton became trapped between the vehicle and a wall. He sustained fatal crush injuries.



Lee Warburton

Lee Warburton's partner, Hayley Tomlinson, described the day he died as the worst of her life. "To be taken in such a cruel manner made it even harder," she said. "Knowing the pain and fear Lee must have gone through was unbearable. But nothing compares to the moment I had to tell our children their daddy was never coming home."

She spoke of the long-term impact on their daughters, who were just nine and ten at the time. Both have suffered serious mental health challenges, including depression, bullying and social isolation. "It broke my children's spirits; they lost the sparkle in their eyes," she said. "Lee was their hero."

"My children will miss out on all the milestones Lee should have been here for – walking them down the aisle, meeting their first child. They miss the cuddles, the love he showed them, the days out. This has changed our lives forever."

A Health and Safety Executive (HSE) investigation found that Bestway Northern Limited, of Abbey Road, Park Royal, London, had failed to implement a safe system of work for vehicle movements. The company also failed to adequately assess the risks involved in the task or provide sufficient training for employees acting as banksmen.



Reversing HGV

HSE provides free guidance to employers at [hse.gov.uk](https://www.hse.gov.uk) including specific

guidance on workplace transport and reversing – [Reversing – HSE](#).

Bestway Northern Limited pleaded guilty to breaching regulation 2(1) of the Health and Safety at Work etc Act 1974. The company was fined £1 million and ordered to pay full prosecution costs of £11,950.07 at a hearing at Manchester Magistrates' Court on Friday 18 June 2024.

After the hearing, HSE inspector Jane Carroll said:

"The company had failed to implement a safe system of work for its delivery and unloading activities, thereby exposing employees and others to the risk of being struck or caught by workplace vehicles.

"Nearly a quarter of all deaths involving workplace transport occur during reversing, most of which can be avoided by taking simple precautions.

"All work settings involving vehicles need to consider the risks arising from their use and implement adequate measures to ensure the safety of those involved in these activities."

The prosecution was supported by HSE enforcement lawyer Chloe Ward and paralegal officer Rebecca Whithell.

Further information:

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. [hse.gov.uk](https://www.hse.gov.uk)
2. More about the legislation referred to in this case can be found at: [legislation.gov.uk](https://www.legislation.gov.uk)
3. HSE news releases are available at: [hse.gov.uk](https://www.hse.gov.uk)
4. Guidance for working safely with vehicles can be found at: [Workplace transport – HSE](#)

[Safety notice: Display screen stands in schools](#)

Certain motorised display screen wall mounts intended for use in schools and educational establishments are a serious risk of injury.

HSE has issued a [Safety notice: Risk from height adjustable display screen stands in schools and other education settings](#) for users, installers and

procurers of height adjustable display screen stands and wall mounts in education settings such as teachers, classroom assistants, technicians and maintenance staff, or manufacturers and suppliers of height adjustable display screen stands and wall mounts.

The [Safety notice: Risk from height adjustable display screen stands in schools and other education settings](#) explains the issue and what actions are required.

Property developer fined after man crushed by faulty lift

A London property developer has been fined £40,000 after a member of the public was crushed by a faulty falling lift at a block of flats.

The 23-year-old had returned to the flats on Cambridge Heath Road in East London, with a group of friends on 9 September 2019. When he and seven others entered the lift on the ground floor, it began to shudder and descend with the doors still open. As it began to fall, the young man attempted to exit the lift but he was crushed between the ground floor and the top of the lift. The crush injuries he sustained were so serious he eventually required a liver transplant.

Nofax Enterprises Limited had been acting as the property manager for the five-storey block flats. The investigation by the Health and Safety Executive (HSE) found that it failed to act when defects with the lift were identified by a third party, resulting in a member of the public being harmed.

Health and safety law places specific obligations on those providing, controlling and using lifting equipment. HSE has detailed guidance for how to properly manage these risks. Thorough examinations should be carried out by a competent person at six month intervals for lifts designed to lift people. When a defect is identified that poses a danger to people the lifting equipment should not be used until the defect is remedied. Further guidance can be found here: [Thorough examination and testing of lifts: Simple guidance for lift owners INDG339](#).

Nofax Enterprises Limited of Swiss House, Beckingham Street, Tolleshunt Major, Essex, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974. The company was fined £40,000 and ordered to pay £8,540 in costs at Southwark Crown Court on 22 July 2025.

HSE inspector Pippa Knott said: “As a result of this company’s failures, a young man who was simply returning from a night out with friends has suffered life-changing injuries.

“The fine imposed on Nofax Enterprises Limited should underline to everyone in property management that the courts, and HSE, take these failures extremely seriously.

“We will not hesitate to take action against companies which do not do all that they should to keep people safe.”

This HSE prosecution was brought by HSE enforcement lawyer Nathan Cook and paralegal officer David Shore.

Further information:

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HSE inspectors act for “public safety” on nine theme park rides

Nine rides at a Devon theme park were stopped after a routine inspection by the Health and Safety Executive (HSE).

Woodlands Family Theme Park was unable to provide sufficient assurance that the rides had undergone valid safety checks, but was able to rectify the issues quickly to minimise disruption.

On Thursday 26 June 2025, HSE inspected the venue as part of its ongoing programme of inspections to fixed and mobile fairgrounds across the country.

After David Geary of DMG Technical Limited was suspended from the Amusement Device Inspection Procedures Scheme (ADIPS), Declarations of Compliance for the nine rides were missing. HSE took proactive action to stop them being used until the issue was resolved.

The following rides were affected:

- Rocking Tug
- Sea Dragon
- Vertigo
- Trauma Tower
- Tractor Ride
- Submarine Ride
- Dragon Ferris Wheel
- Polar Pilots
- Dizzy Dune Buggies

Woodlands Family Theme Park urgently commissioned an inspection body, who produced the Declarations of Compliance required, meaning the rides could reopen with minimal delay.

HSE inspector Melissa Lai-Hung said: “This action was taken in the interests of public safety. At this time of year, any enforcement action will cause inconvenience, but it is vital that those who enjoy amusement parks are kept safe and feel reassured. We thank Woodlands for their co-operation to resolve this matter.”

Woodlands Family Theme Park said: “We take HSE-related compliance legislation very seriously. As soon as this was brought to our attention, all the rides were reinspected by another registered inspector. We would like to add that at no time would Woodlands ever be involved in anything related to non-compliance of safety. We have and will remain totally committed to raising and maintaining standards in our industry.”

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. Further background on amusement park safety can be found here: [Fairgrounds – The Amusement Devices Safety Council \(ADSC\)](#)
3. HSE has no evidence that any work undertaken by DMG Technical Limited prior to the suspension of David Geary was deficient. The overarching legal duty is on the ride controller to ensure that the amusement device remains safe for use, and is being maintained and operated in line with the manufacturer’s instructions.