

# Company and director fined after worker seriously injured

A company and its director have been fined after an employee was injured from a fall during the construction of eight new houses in Lichfield, Staffordshire.

The man, employed by Alba Construction (Midlands) Limited, had been working in one of the new properties on the former site of The Greyhound Inn on Upper St John Street when he fell through an open stairwell on 27 February 2022.



The open stairwell

He fell onto the concrete floor below where he was found unconscious.

A Health and Safety Executive (HSE) investigation found Alba Construction (Midlands) Limited had identified the risk of internal falls in their risk assessment process but failed to provide suitable measures to prevent them in this and other areas of the site. After the incident, three Prohibition Notices were served prohibiting further work at height activities on site until such steps had been taken.

The HSE investigation also found that company director, Bujar Cekrezi, failed to ensure that the necessary health and safety measures were implemented to protect employees and others, despite previous HSE interventions regarding work at height.

Had the company put in place commonplace measures, such as birdcage scaffolding, or fixed edge protection around the stairwell openings, the incident could have been prevented. HSE guidance can be found at:

[Construction – Working at height industry health & safety \(hse.gov.uk\)](https://www.hse.gov.uk/construction/working-at-height/)

Alba Construction (Midlands) Limited, of Stoney Lane, Yardley, Birmingham, pleaded guilty to breaching Regulation 6(3) of the Working at Height

Regulations 2005. The company was fined £40,000 and ordered to pay £1,857.96 in costs at Kidderminster Magistrates' Court on 27 February 2024.

Bujar Cekrezi, of Croydon Road, Birmingham, pleaded guilty to breaching Section 37(1) of the Health and Safety at Work etc. Act 1974. He was fined £2,000 and ordered to pay £1,857.96 in costs at Kidderminster Magistrates' Court on 27 February 2024.

HSE inspector Sinead Martin said: "This incident could have been prevented had the company properly planned the work at height and identified and implemented suitable control measures, such as a birdcage scaffolding or fixed edge protection to prevent falls through the open stairwells.

"Falls from height are the number one cause of serious injury and death in the construction industry and the employee was very lucky to have survived this incident."

This HSE prosecution was brought by HSE enforcement lawyer Nathan Cook and supported by HSE paralegal officer Sarah Thomas.

#### 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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## Unregistered plumber handed suspended prison sentence

An unregistered plumber has received a suspended prison sentence after he carried out illegal gas work at a house in Peterborough.

Anthony Rice, trading as Rice Plumbing and Oil Heating, attended the property on Edwalton Avenue on 31 January 2023 where he replaced a gas boiler and altered gas pipe work. However, Rice accidentally connected the gas supply with water, meaning the property's gas pipes and gas meter were flooded.

Gas engineers from Cadent later attended the property and were required to pump water from the emergency control valve and replace the gas meter. The

engineers classed the gas boiler Rice had installed as immediately dangerous, capped off the gas supply before notifying the Health and Safety Executive (HSE).

A HSE investigation found that Anthony Rice has never been registered with the Gas Safe Register – a legal requirement. He also held no qualifications nor completed any training in gas work.

HSE has guidance for gas consumers and what they need to know in order to manage gas appliance and equipment safety as well as what you need to do in an emergency. To find out more click here: [Gas – HSE](#)

To find out if an engineer is legally permitted to carry out gas work, click here: [Gas Safe Register](#)

Anthony Rice, of Fullbridge Road, Werrington, Peterborough, pleaded guilty to contravening Regulations 3(1) and 3(3) of the Gas Safety (Installation and Use) Regulations 1998, contrary to Section 33(1)(c) of the Health and Safety at Work etc. Act 1974. He was sentenced to six months in prison, suspended for six months, and ordered to pay £3,000 in costs at Peterborough Magistrates' Court on 26 February 2024.

HSE inspector Adam Johnson said: "Anthony Rice undertook gas work which he was not registered to do. All gas work must be conducted by registered Gas Safe engineers to ensure the highest standards are met to prevent injury and loss of life."

This HSE prosecution was led by HSE enforcement lawyer Matthew Reynolds.

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## **[Care home fined following death of vulnerable resident](#)**

A care home operator has been fined £400,000 for safety breaches, following the death of a vulnerable resident at a care home in Scotland.

On the night of 16 December 2021, Susan Greens, a resident at Springfield Bank Care Home, could not be found on the premises.



Springfield Bank Care Home

Following a search around the site in Bonnyrigg near Edinburgh, care assistants found the 95-year-old in her nightwear lying in an external courtyard. Mrs Greens had fallen and struck her head in the courtyard where she had been in the cold for some time.

She was admitted to Edinburgh Royal Infirmary and sadly died in hospital two days later.

An investigation by the Health and Safety Executive (HSE) found Mrs Greens died because she was able to access the courtyard while unsupervised and had fallen, spending up to an hour and a half outside before staff came to her aid.

Springfield Bank Care Home is run by HC-One Ltd and is a purpose-built care home offering nursing and nursing dementia care.

Guidance on [Health and safety in care homes \(hse.gov.uk\)](https://www.hse.gov.uk/healthandsafetyincarehomes/) is available helping those providing and managing care homes a better understanding of the real risks and how to manage them effectively.

At Edinburgh Sheriff Court on 22 February, care home provider HC-One Limited of Archer Street, Darlington pleaded guilty to breaching Regulations Section 3(1) and Section 33(1)(a) of the Health and Safety at Work etc. Act 1974. They were fined £400,000.

Speaking after the case, HSE inspector Kerry Cringan said: "This error cost a vulnerable old lady her life – families think that their loved ones will be safe in care.

"This was tragic and wholly avoidable. Had the doors been kept locked at night or had there been a system where staff would be told if the doors to

the courtyard had been opened, the accident could have been avoided.”

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## Company fined after worker injured by 300kg batteries

A recycling company in West Yorkshire has been fined £120,000 after batteries weighing at least 300kg fell onto an employee and severely injured him.

The man was working with two colleagues at Wastecare Limited’s site on North Dean Business Park, Halifax when he was struck by the batteries being recycled on 22 March 2019.

The three workers had been restacking the batteries that were stored in Flexible Intermediate Bulk Containers (FIBCs) after it had toppled over.

However, the FIBCs started to rip in front of them leading to the batteries falling on to one of the workers.

He suffered a double compound fracture to his lower right leg, a fracture to the left tibia, a fractured right collar bone, some bruising to his ribs and a cut on his forehead.

A Health and Safety Executive (HSE) investigation found Wastecare Limited failed to ensure the health, safety, and welfare of its employees at work. The site was overstocked, bags of batteries had been stacked in an unsafe manner and there was no specific documented risk assessments or safe systems of work for the correct stacking and storage of batteries. This was not an isolated incident.

HSE guidance says FIBCs must not be stacked unless the FIBC is designed to be stacked and only then should it be stacked in either a pyramid form or against two walls. Learn more about HSE guidance here: [Waste Management: Frequently Asked Questions \(hse.gov.uk\)](#)

Wastecare Limited, of Normanton Industrial Estate, Normanton, West Yorkshire, pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974. The company was fined £120,000 and ordered to pay £4,937.39 in costs at Leeds Magistrates' Court on 21 February 2024.

HSE inspector Jackie Ferguson commented: "There are specific Industry Standards and Guidance relating to Flexible Intermediate Bulk Containers (FIBCs) which provides users with information on a range of aspects relating to their use including filling, discharging, handling and storage.

"This incident could so easily have been avoided by implementing simple control measures and safe working practices to ensure the batteries were stacked safely and securely. The industry should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards."

This HSE prosecution was brought by HSE enforcement lawyer Samantha Crockett and supported by HSE paralegal officer Stephen Parkinson.

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## **HSE to lead investigation into death of Michael Jones**

The investigation into the death of Michael Jones at Bramley Moore is now being led by the Health and Safety Executive (HSE).

Michael, who was 26, was killed while working on the construction of Everton Football Club's new stadium on 14 August 2023.

The involvement of Merseyside Police has now concluded. HSE will now lead the criminal investigation.

HSE inspector John Padfield said: “We have been a part of this inquiry from the outset and we will continue to thoroughly investigate Michael’s tragic death as the lead agency

“This will aim to establish if there have been any breaches of health and safety law.

“We are in regular contact with Michael’s family and our thoughts remain with them at this time.”

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