

Tree specialists fined after worker falls from height

- Worker suffered life-altering back injuries after falling from a MEWP basket.
- HSE found the company failed to plan, supervise or safely carry out work at height.
- AP Tree Specialists Ltd fined £20,000; director fined £1,000.

An arboriculture company based in Derby has been fined £20,000 after an employee suffered life-altering back injuries when he fell over 30 feet from a MEWP basket.

An employee of AP Tree Specialists Ltd had been carrying out tree surgery from the basket of a mobile elevating work platform (MEWP) at a mobile site in Derby on 25 January 2024. When the machine stopped working while elevated, there was no one on site who could bring the basket safely to the ground. The employee attempted to abseil from the basket, resulting in a fall to the ground.



The basket of a mobile elevating work platform (MEWP)

An investigation by the Health and Safety Executive found that AP Tree Specialists Ltd failed to plan, appropriately supervise and carry out work at height in a safe manner. The company had not completed a suitable and sufficient risk assessment for work at height activities, and employees were not appropriately trained in the use of lifting equipment.

The director, Matthew Scholes, was acting as site supervisor at the time and was directly involved in decisions and actions that led to the injuries sustained by the employee.

The Work at Height Regulations require employers to ensure that work at height is properly planned, appropriately supervised, and carried out safely.

Where lifting equipment is used, HSE guidance states that operatives must receive appropriate training, and that rescue planning, equipment and personnel must be considered as part of site assessment. Further guidance is freely available in HSE's [Safe Use of Lifting Equipment \(LOLER\) Approved Code of Practice](#).

AP Tree Specialists Ltd pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £20,000 and ordered to pay £6,956 in costs at Birmingham Magistrates' Court on 3 December 2025.

Director Matthew Scholes pleaded guilty to breaching Section 37(1) of the Health and Safety at Work etc. Act 1974. He was fined £1,000 and ordered to pay £400 in costs.

HSE investigating inspector, Kerry Scott, said: "This incident could have been avoided if AP Tree Specialists Ltd had planned the work at height with suitable and sufficient risk assessments and safe systems of work, including a rescue plan. They should have provided the employee with the correct information, instruction and training for working at height and for using the lifting equipment. HSE will not fail to take action where companies and directors do not ensure the health and safety of their employees."

This HSE prosecution was brought by HSE enforcement lawyer Arfaq Nabi and supported by paralegal officer Thomas Smith.

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. More information about the [legislation](#) referred to in this case is available.
3. Further details on the latest [HSE news releases](#) is available.
4. Relevant guidance can be found here [Safe use of work equipment. Provision and Use of Work Equipment Regulations 1998. Approved Code of Practice and guidance L22](#).
5. 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 can be found [here](#).