

Two companies fined after driver is crushed while unloading vehicle

Two companies have been fined after a heavy goods vehicle (HGV) driver suffered fatal chest injuries while unstrapping a load on a trailer.

Andrew Bayley-Machin, 41, of Park Drive, Cheadle, Stoke-on-Trent was fatally crushed when he was hit by a pack of steel gates that fell approximately three metres from a load on a flatbed trailer.

The vehicle had been loaded with the gates at Joseph Ash Ltd of Stafford Park 6, Telford and driven by Mr Bayley-Machin to the premises of his employer LM Bateman & Company Ltd in Cheadle Road, Cheddleton, Staffordshire when the incident happened on 20 June 2018.

An investigation by the Health and Safety Executive (HSE) found that arrangements for planning and restraining loads were inadequate to ensure that the stability of goods was independent of the load straps so that release of the straps did not allow the load to fall from the vehicle.

LM Bateman and Company Limited of Island Works, Cheadle Road, Cheddleton, Leek, Staffordshire pleaded guilty to breaching Sections 2 (1) and 3(1) of the Health and Safety at Work Act 1974. They were fined £120,000 and ordered to pay costs of £16,334 and a victim surcharge of £100 at North Staffordshire Justice Centre on 7 November 2022.

Joseph Ash Limited of Westhaven House, Arelston Way, Shirley, Solihull, West Midlands pleaded guilty to breaching Sections 2(1) and 3 (1) of the Health and Safety at Work Act 1974. They were fined £244,500 and ordered to pay costs of £17,834 and a victim surcharge of £100 at North Staffordshire Justice Centre on 7 November 2022.

Following the hearing, HSE inspector Wendy Campbell said: "This death would have been prevented had an effective system for managing load restraint been in place at both companies.

"This is a reminder to all companies of the need to properly assess and apply effective control measures when securing loads to minimise the risks from transporting goods on road vehicles."

Notes to Editors:

1. The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. We seek to 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 <http://press.hse.gov.uk>