

# **REPORT FOR UCATT**

## **LEVELS OF CONVICTIONS AND SENTENCING FOLLOWING PROSECUTIONS ARISING FROM DEATHS OF WORKERS AND MEMBERS OF THE PUBLIC IN THE CONSTRUCTION SECTOR**

**Centre for Corporate Accountability**  
**[www.corporateaccountability.org](http://www.corporateaccountability.org)**  
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## **INTRODUCTION**

This report looks at the levels of convictions and sentencing of companies and other kinds of organisations following six years of work-related deaths in the construction industry between April 1998 and March 2004. All the consequent convictions took place between 1999 and 2007.

The data has been obtained from an analysis of the Health and Safety Executive's (HSE) two prosecution databases – one relating to convictions over the last five years<sup>1</sup> and the other relating to convictions which are more than five years old<sup>2</sup>.

HSE publishes information on the numbers of deaths occurring each year between 1 April and 31 March. This report looks at the number of deaths in each of the years between April 1998 and March 2004 – specifically, in each of the nine English regions, and in Scotland and Wales during these years - and compares this with the number of convictions that have resulted. We have also looked at the level of sentencing imposed by the courts following these convictions.

### **Deaths of Workers and Members of the Public**

We have looked at the combined number of deaths of construction workers as well as deaths of members of the public from construction activities. During the period considered, the vast majority of deaths were of workers – 473 compared to 31 members of the public. We have not been able to look at the number of worker deaths, separate from the deaths of members of the public, that result in convictions, or at the level of sentences imposed following deaths of workers as contrasted with those relating to deaths of members of the public. This is because this information is not available from HSE's prosecution databases. However, it is clear that the majority of convictions follow deaths of construction workers.

### **Individual Convictions**

The HSE database does not hold details of individual convictions after five years – so for the purposes of consistency we have focused on convictions against companies and other kinds of organisations. There are however very few prosecutions or convictions of individuals - so this exclusion has had a very limited effect.

### **Incidents, Deaths, and Convictions**

One incident, can result in one or more deaths, and any one incident can result in one or more companies being convicted. As a result it can be confusing to talk about how many deaths result in convictions - is one talking about the number of separate deaths, or separate incidents, that result in convictions? Is one looking

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<sup>1</sup> <http://www.hse.gov.uk/Prosecutions/>

<sup>2</sup> <http://www.hse.gov.uk/ProsecutionsHistory/>

at the total number of convicted companies or only at whether the deaths or incidents have resulted in at least one conviction?

Since the vast majority of incidents result in one death, the number of deaths and the number of separate incidents (that result in deaths) is very similar. Therefore for purposes of simplicity the report looks only at the number of deaths rather than the number of separate incidents.

This report counts a conviction to have taken place if the incident/death resulted in at least one conviction. If there has been one death and a consequent prosecution involving the conviction of three companies, this report treats that as one death resulting in “a conviction”. When it comes to sentencing, however, the report looks both at (a) the total amount of fines imposed following deaths – which may be imposed on more than one company as well as (b) looking at the average levels of fines imposed on each company convicted following a death.

## FINDINGS

### PROSECUTION AND CONVICTION

- 1. Only 21% of construction deaths in the six year period resulted in a conviction.**

There were 504 deaths in this period and only 105 resulted in a prosecution and conviction. 79% of deaths did not result in a prosecution and conviction (see Table 1).

*Table 1: Number and percentage of deaths between April 1998 and March 2004 that resulted in a conviction.*

<i>Number of deaths in six year period</i>	504
<i>Number of convictions</i>	105
<i>% of deaths resulting in convictions</i>	21%

- 2. The percentage of construction deaths that resulted in a conviction has decreased by almost a quarter over the six year period - from 42% in 1998/9 to 11% in 2003/4.**

Whilst the 69 deaths that took place in 1998/9 resulted in 29 convictions (42%), the 75 deaths that took place in 2003/4 has resulted in only 8 convictions (9%) (see Table 2).

- 3. The lowest conviction level was in 2001/2 when only 8 out of the 85 deaths resulted in a conviction – equivalent to 9%.**

*Table 2: Number and percentage of construction sector deaths that resulted in a conviction, by year.*

	<i>Deaths</i>	<i>Convictions</i>	<i>% of deaths resulting in a conviction</i>
<i>1998/9</i>	69	29	42%
<i>1999/00</i>	87	21	24%
<i>2000/01</i>	113	27	25%
<i>2001/02</i>	85	8	9%
<i>2002/03</i>	75	12	16%
<i>2003/04</i>	75	8	11%

- 4. Within the English regions there is a significant level of inconsistency in conviction rates. In the South West of England, a death is over three times more likely to result in a conviction than a death in the East Midlands.**

Whilst 9 of the 29 deaths in the South West resulted in a prosecution and conviction (31%), this was only the case in 4 out of the 43 deaths in the East Midlands (9%) (see Table 3).

*Table 3: Number of construction sector deaths by English region that resulted in a conviction, 1998–2004.*

	<i>Deaths</i>	<i>Convictions</i>	<i>% of deaths resulting in a conviction</i>
<i>East Midland</i>	43	4	9
<i>West Midland</i>	43	7	16
<i>South East</i>	59	11	19
<i>North East</i>	23	5	22
<i>Yorkshire and Humberside</i>	48	11	23
<i>North West</i>	62	15	24
<i>London</i>	75	19	25
<i>Eastern</i>	33	9	27
<i>South West</i>	29	9	31

- 5. Despite considerable inconsistency between the English regions, there is a much higher level of consistency between England, Scotland and Wales.**

*Table 4: Number of and percentage of construction sector deaths in different countries that resulted in a conviction, 1998-2004.*

	<i>Deaths</i>	<i>Convictions</i>	<i>% of deaths resulting in a conviction</i>
<i>Scotland</i>	66	12	18
<i>Wales</i>	23	4	22
<i>England</i>	415	90	22

## SENTENCING LEVELS

- 1. The average total fines imposed following a death throughout the six year period is only £49,300.**

*Table 5: Average total fines following a conviction arising from a construction sector death, 1998- 2004.*

<i>Number of deaths resulted in convictions</i>	105
<i>Total Fines imposed throughout the period</i>	£5,178,250
<i>Average fine per death</i>	£49,317

- 2. This average fine following a death has increased in the six year period from £38,000 to £98,000.**

Convictions following deaths that took place in 1998/9 resulted in an average fine of £37,000, which almost tripled to £98,000 in relation to convictions following deaths in 2003/4 (see Table 6).

*Table 6: Levels of fines imposed following a conviction arising from a construction death - by year.*

	<i>Total Fine imposed</i>	<i>Number of convictions</i>	<i>Average fine per conviction</i>
<i>1998/9</i>	£1,100,000	29	£37,931
<i>1999/00</i>	£1,439,500	21	£68,547
<i>2000/01</i>	£1,189,500	27	£44,055
<i>2001/02</i>	£231,500	8	£28,937
<i>2002/03</i>	£443,500	12	£36,958
<i>2003/04</i>	£774,250	8	£97,781

- 3. The average level of fine imposed in Scotland (£22,000) is less than a third of the level that imposed in Wales (£68,000), and less than a half of the average imposed in England (£49,000).**

*Table 7: Levels of fines imposed following a conviction arising from a construction sector death – by country, 1998 – 2004.*

	<i>Total Fine imposed</i>	<i>Number of convictions</i>	<i>Average fine per conviction</i>
<i>Scotland</i>	£263,000	12	£21,917
<i>England</i>	£4,601,250	90	£49,323
<i>Wales</i>	£272,500	4	£68,125

4. **There is considerable variation in levels of sentencing in different regions of England. The North East region has the lowest average total of £19,000 – which is over four times less than the average fine imposed in Eastern England of £79,000.**

*Table 8: Average total fines imposed following a conviction arising from a construction sector death – by English region, 1998-2004.*

	Total Fines imposed	Number of convictions	Average fine per conviction
North East	£93,250	5	£18,650
South East	£254,500	11	£23,136
West Midlands	£258,500	7	£36,929
East Midlands	£190,000	4	£48,684
London	£925,000	19	£51,316
Yorks/Humberside	£565,500	11	£51,364
North West	£970,000	15	£64,667
South West	£679,500	9	£75,550
Eastern England	£707,000	9	£78,556

#### 4. **Fines by Convicted Defendant.**

So far the report has only looked at the total fines imposed following a conviction. In many cases, however, more than one organisation or company is convicted of an offence. So over the six year period, the convictions consequent to 105 deaths involved a total of 140 companies/organisations. The average fine that each of these companies or organisations received was £37,000 (see Table 9).

5. **The average fine per convicted organisation has more than doubled from £27,000 in 1998/9 to £70,000 in 2003/4.**

*Table 9: Average fine imposed upon individual defendants convicted arising from a construction sector death – by year.*

	Total Fine Levels	Total number of defendants convicted following a death	Average fine per defendants
1998/9	£1,100,000	41	£26,829
1999/00	£1,439,500	27	£53,315
2000/01	£1,189,500	36	£33,042
2001/02	£231,500	11	£21,045
2002/03	£443,500	14	£31,679
2003/04	£774,250	11	£70,386
Total	£5,178,850	140	£37,344

**6. There is a significant level of disparity between the English regions in relation to the average level of fines imposed on convicted defendants.**

*Table 10: Average fines imposed upon individual defendants convicted following a death – by English region.*

	<i>Total Fines imposed</i>	<i>Total number of defendants convicted following a death</i>	<i>Average fine per convicted defendant</i>
<i>North East</i>	£93,250	6	£15,542
<i>South East</i>	£254,500	13	£19,577
<i>West Midlands</i>	£258,500	10	£25,850
<i>York and Humberside</i>	£565,500	16	£35,313
<i>London</i>	£935,500	25	£37,000
<i>East Midlands</i>	£190,000	4	£47,500
<i>North West</i>	£970,000	20	£48,500
<i>Eastern England</i>	£707,000	12	£58,917
<i>South West</i>	£679,500	11	£61,773

**7. 15 deaths resulted in courts imposing fines upon companies of £5,000 or less. Three of the deaths resulted in fines of only £1,000.**

Four of these low fines were imposed by Scottish courts and three by court in the North West of England (see Annex 1 for list)

In addition, 25 out of the 140 defendants convicted following these deaths had fines of £5,000 or less.

## CONTEXT AND CONCLUSION

This report is being published at an important moment for the Health and Safety Executive (HSE).

- Last year an internal audit by the HSE into enforcement activity undertaken by HSE and Local Authority inspectors showed that inspectors should be prosecuting in over twice the number of cases they are currently doing. Inspectors were in effect being too lenient and not applying HSE's own policies that set out the criteria when prosecution would be appropriate.
- In January, this year, the Health and Safety Commission (HSC) – after three years of review - decided that the Enforcement Policy Statement is 'fit for purpose' and not a word of it should be changed.
- HSE's own research shows that prosecution is an effective tool in obtaining health and safety benefits – in addition to the obvious benefits of obtaining accountability and moral justice.

The low average level (21%), as well as the current decline (from 42% to 11%), in the number of prosecutions and convictions following construction deaths – the worst health and safety incident that can happen at a construction site - is therefore of extreme concern. It means that 80% of the deaths over the six year period did not result in a prosecution/conviction.

It is difficult to know how many of these deaths should result in a conviction. Some years ago the HSE undertook research into deaths in the construction sector and found that 70% were due to "management failure". Whilst maybe not all 70% of these would be suitable for a prosecution, a figure close to this would seem appropriate. It is also important to note, as stated above, that a recent audit of the HSE showed that prosecutions should take place nearly three times as often as is currently the case. This would bring the figure closer to 60%.

Lack of criminal accountability has a number of significant effects. The bereaved family often feels very let down by the criminal justice system and there is a real sense of a lack of justice. The particular company(ies) will not be punished when they should have been, and they will not be subject to the specific deterrent effect of a conviction. There will also be no general deterrent effect that would impact upon other companies.

Lack of appropriate prosecutions therefore not only fractures bereaved families' and society's senses of fairness and moral justice, but also means that prevention opportunities are missed. HSE's own research provides strong evidence about the health and safety benefits, and the deterrent impact, of prosecutions/convictions.

Our findings also show the significant inconsistency across the English regions. Whilst all deaths have to be treated with regard to their individual circumstances, it seems inconceivable that there can be any justifiable reason why in the South West, 31% of the deaths (9 out of 29) resulted in convictions, but that in the East

Midlands only 9% (4 out of 43) resulted in a conviction. It seems that a family's likelihood of justice is dependent upon which part of the country they live and work. This is very worrying.

In relation to sentencing, the criticisms should properly be focused on the courts, rather than the HSE. Whilst the average fines following deaths are increasing, the average per death remains at only £49,000. And again there are very significant differences in different parts of the country - from a low average of £18,650 in North East, to £79,000 in Eastern England.

Although in order to properly assess the adequacy of levels of fines, it is necessary to consider the turnover and profits of the company, it is at first sight, very disturbing indeed that over 10% of those construction sector deaths that resulted in a conviction had fines imposed of £5,000.

## **Annex 1: List of those deaths that resulted in total fines of £5,000 or less**

### **INCIDENT 1**

**Name of Company:** Jay Tee Construction Ltd  
**Date of Offence:** 15/05/1998  
**Region:** York and Humberside  
**Fine:** £1,000

### **INCIDENT 2**

**Name of Company:** A & H Davey Roadways Ltd  
**Date of Offence:** 07/06/1998  
**Region:** West Midlands  
**Fine:** £3,000

### **INCIDENT 3**

**Name of Company:** Ace Conveyor Equipment Ltd  
**Date of Offence:** 18/06/1998  
**Region:** Scotland  
**Fine:** £5,000

### **INCIDENT 4**

**Name of Company:** K & L Construction (Stoke) Limited  
**Date of Offence:** 06/11/1998  
**Region:** North West  
**Fine:** £3,000

### **INCIDENT 5**

**Name of Company:** Clark Contracts Ltd  
**Date of Offence:** 01/02/1999  
**Region:** Scotland  
**Fine:** £5,000

### **INCIDENT 6**

**Name of Company:** Raeburn Drilling & Geotechnical Ltd  
**Date of Offence:** 24/02/1999  
**Region:** Scotland  
**Fine:** £1,000

### **INCIDENT 7**

**Name of Company:** Simplex Piling Ltd  
**Date of Offence:** 02/08/1999  
**Region:** South East  
**Fine:** £1,000

### **INCIDENT 8**

**Name of Company:** 1st Saxon Property Services  
**Date of Offence:** 15/11/1999  
**Region:** London  
**Fine:** £5,000

**INCIDENT 9**

**Name of Company:** Oldfield Watson Ltd  
**Date of Offence:** 6/02/2000  
**Region:** North West  
**Fine:** £3,000

**INCIDENT 10**

**Name of Company:** W K Cox Ltd  
**Date of Offence:** 06/07/2000  
**Region:** West Midlands  
**Fine:** £4,000

**INCIDENT 11**

**Name of Company:** Rotel Plant Hire & Cntrs Ltd  
**Date of Offence:** 31/07/2000  
**Region:** East Midlands  
**Fine:** £5,000

**INCIDENT 12**

**Name of Company:** Sharkey Construction Limited  
**Date of Offence:** 01/08/2000  
**Region:** North West  
**Fine:** £2,000

**INCIDENT 13**

**Name of Company:** Morrison Construction Ltd  
**Date of Offence:** 10/10/2000  
**Region:** Scotland  
**Fine:** £5,000  
**Summary:** Operative fatally injured when side of unsupported excavation collapsed, fell in and buried by fallen material.

**INCIDENT 14**

**Name of Company:** Westminster Plant Co Ltd  
**Date of Offence:** 15/03/2001  
**Region:** London  
**Fine:** £5,000  
**Summary:** A tower crane driver fell whilst climbing the access ladder to his cab. The ladder up to the crane had a number of defects.

**INCIDENT 15**

**Name of Company:** Brett Construction Ltd  
**Date of Offence:** 25/06/2001  
**Region:** South East  
**Fine:** £4,500

**Annex 2: Details of Convictions by Year**  
**Annex 3: Details of Convictions by Region**

**ANNEX 2: CONVICTIONS FOLLOWING DEATHS OF CONSTRUCTION WORKERS BY YEAR**

Deaths that took place between 1 April 1998 – 31 March 1999 (1998/99) that resulted in a prosecution and conviction

**INCIDENT 1**

**Name of Company:** Birse Construction Ltd  
**Date of Offence:** 04/05/1998  
**Region:** London  
**Fine:** £80,000

**INCIDENT 2**

**Name of Company:** Darlington Borough Council  
**Date of Offence:** 05/05/1998  
**Region:** North East  
**Fine:** £7,000

**INCIDENT 3**

**Name of Company:** Jay Tee Construction Ltd  
**Date of Offence:** 15/05/1998  
**Region:** York and Humberside  
**Fine:** £1,000

**INCIDENT 4**

**Name of Company:** B J Male & Son Ltd  
**Date of Offence:** 05/06/1998  
**Region:** South East  
**Fine:** £25,000

**Name of Company:** Heaton Waring Ltd  
**Date of Offence:** 05/06/1998  
**Region:** South East  
**Fine:** £25,000

**INCIDENT 5**

**Name of Company:** A & H Davey Roadways Ltd  
**Date of Offence:** 07/06/1998  
**Region:** West Midlands  
**Fine:** £3,000

**INCIDENT 6**

**Name of Company:** Blackpool Borough Council  
**Date of Offence:** 10/06/1998  
**Region:** North West  
**Fine:** £10,000

**INCIDENT 7**

**Name of Company:** A I Harris & Co. ( Newport ) Ltd  
**Date of Offence:** 12/06/1998  
**Region:** Wales  
**Fine:** £1,500

**Name of Company:** Specialist Heavy Engineers Ltd  
**Date of Offence:** 12/06/1998  
**Region:** Wales  
**Fine:** £5,000

**INCIDENT 8**

**Name of Company:** Ace Conveyor Equipment Ltd  
**Date of Offence:** 18/06/1998  
**Region:** Scotland  
**Fine:** £5,000

**INCIDENT 9**

**Name of Company:** MacGregor Energy Services Ltd  
**Date of Offence:** 04/07/1998  
**Region:** Scotland  
**Fine:** £50,000

**Name of Company:** Global Marine UK Ltd  
**Date of Offence:** 04/07/1998  
**Region:** Scotland  
**Fine:** £50,000

**INCIDENT 10**

**Name of Company:** Branford Civil and Marine Ltd  
**Date of Offence:** 24/08/1998  
**Region:** South West  
**Fine:** £18,000

**INCIDENT 11**

**Name of Company:** Thirlstone Homes Ltd  
**Date of Offence:** 17/07/1998  
**Region:** London  
**Fine:** £18,000

**INCIDENT 12**

**Name of Company:** Tarmac Ltd  
**Date of Offence:** 05/08/1998  
**Region:** Eastern  
**Fine:** £100,000

**INCIDENT 13**

**Name of Company:** Ballast Plc  
**Date of Offence:** 12/09/1998  
**Region:** Wales  
**Fine:** £14,000

**Name of Company:** Briggs Roofing & Cladding (North) Ltd  
**Date of Offence:** 12/09/1998  
**Region:** Wales  
**Fine:** £21,000

**INCIDENT 14**

**Name of Company:** Norwest Holst Construction Ltd  
**Date of Offence:** 21/09/1998  
**Region:** West Midlands  
**Fine:** £50,000

**Name of Company:** Doocey Pipelines Ltd  
**Date of Offence:** 21/09/1998  
**Region:** West Midlands  
**Fine:** £45,000

**INCIDENT 15**

**Name of Company:** Mowlem PLC  
**Date of Offence:** 22/09/1998  
**Region:** Eastern  
**Fine:** £40,000

**INCIDENT 16**

**Name of Company:** Giffen Group PLC  
**Date of Offence:** 06/10/1998  
**Region:** London  
**Fine:** £25,000

**INCIDENT 17**

**Name of Company:** Unichema Chemicals  
**Date of Offence:** 13/10/1998  
**Region:** North West  
**Fine:** £27,000

**Name of Company:** Nationwide Site Services (UK) plc  
**Date of Offence:** 13/10/1998  
**Region:** North West  
**Fine:** £3,000

**INCIDENT 18**

**Name of Company:** Capital Demolition Limited  
**Date of Offence:** 26/10/1998  
**Region:** South East  
**Fine:** £40,000

**INCIDENT 19**

**Name of Company:** Barnsley Council  
**Date of Offence:** 31/10/1998  
**Region:** York and Humberside  
**Fine:** £20,000

**Name of Company:** Yorkshire Water Services Ltd  
**Date of Offence:** 31/10/1998  
**Region:** York and Humberside  
**Fine:** £2,500

**Name of Company:** Peter Duffy Ltd  
**Date of Offence:** 31/10/1998  
**Region:** York and Humberside  
**Fine:** £2,500

**INCIDENT 20**

**Name of Company:** K & L Construction (Stoke) Limited  
**Date of Offence:** 06/11/1998  
**Region:** North West  
**Fine:** £3,000

**INCIDENT 21**

**Name of Company:** DGM Roofing Ltd  
**Date of Offence:** 09/11/1998  
**Region:** West Midlands  
**Fine:** £18,500

**INCIDENT 22**

**Name of Company:** Trustseal Limited  
**Date of Offence:** 26/11/1998  
**Region:** South West  
**Fine:** £15,000

**INCIDENT 23**

**Name of Company:** Lafarge Aggregates Ltd  
**Date of Offence:** 11/12/1998  
**Region:** Eastern  
**Fine:** £100,000

**Name of Company:** Tripod Crest Planing Ltd  
**Date of Offence:** 11/12/1998  
**Region:** Eastern  
**Fine:** £75,000

**INCIDENT 24**

**Name of Company:** Stocklin Siemag Ltd  
**Date of Offence:** 30/01/1999  
**Region:** Scotland  
**Fine:** £6,000  
**Summary:** Failure to ensure crane had suitable guardrails - fatal accident occurred.

**Name of Company:** SSI Schaefer Ltd  
**Date of Offence:** 30/01/1999  
**Region:** Scotland  
**Fine:** £6,000  
**Summary:** Failure to provide instruction, training about safe systems of work.

**INCIDENT 25**

**Name of Company:** Clark Contracts Ltd  
**Date of Offence:** 01/02/1999  
**Region:** Scotland  
**Fine:** £5,000

**INCIDENT 26**

**Name of Company:** Steelforce Maintenance Ltd  
**Date of Offence:** 11/02/1999  
**Region:** North West  
**Fine:** £10,000

**INCIDENT 27**

**Name of Company:** Lancashire County Engineering Services  
**Date of Offence:** 12/02/1999  
**Region:** North West  
**Fine:** £100,000

**Name of Company:** ABLE Tool and Plant Hire Ltd  
**Date of Offence:** 12/02/1999  
**Region:** North West  
**Fine:** £3,000

**INCIDENT 28**

**Name of Company:** Raeburn Drilling & Geotechnical Ltd  
**Date of Offence:** 24/02/1999  
**Region:** Scotland  
**Fine:** £1,000

**INCIDENT 29**

**Name of Company:** Bryant Homes North West Ltd  
**Date of Offence:** 01/03/1999  
**Region:** North West  
**Fine:** £19,000

**Name of Company:** John Reilly Civil Engineering Ltd  
**Date of Offence:** 01/03/1999  
**Region:** North West  
**Fine:** £50,000

**Deaths that took place between 1 April 1999 – 31 March 2000 (1999/00) that resulted in a prosecution and conviction**

**INCIDENT 1**

**Name of Company:** Middlesbrough Borough Council  
**Date of Offence:** 03/04/1999  
**Region:** North East  
**Fine:** £17,500

**INCIDENT 2**

**Name of Company:** SDC Builders Ltd  
**Date of Offence:** 14/05/1999  
**Region:** Eastern  
**Fine:** £100,000

**INCIDENT 3**

**Name of Company:** Galliford (UK) Ltd  
**Date of Offence:** 15/06/1999  
**Region:** York and Humberside  
**Fine:** £75,000

**Name of Company:** Yorkshire Water Services Ltd  
**Date of Offence:** 15/06/1999  
**Region:** York and Humberside  
**Fine:** £75,000

**INCIDENT 4**

**Name of Company:** Persimmon Homes (South Coast) Ltd  
**Date of Offence:** 17/06/1999  
**Region:** South West  
**Fine:** £35,000

**INCIDENT 5**

**Name of Company:** RMC Surfacing Limited  
**Date of Offence:** 19/06/1999  
**Region:** South West  
**Fine:** £25,000

**Name of Company:** Suffex Services Ltd  
**Date of Offence:** 19/06/1999  
**Region:** South West  
**Fine:** £12,000

**INCIDENT 6**

**Name of Company:** Hbg Construction (Southern) Ltd  
**Date of Offence:** 22/06/1999  
**Region:** London  
**Fine:** £20,000

**Name of Company:** M G Cosgrove Construction Ltd  
**Date of Offence:** 22/06/1999  
**Region:** London  
**Fine:** £20,000

**INCIDENT 7**

**Name of Company:** Ballast Plc  
**Date of Offence:** 29/06/1999  
**Region:** West Midlands  
**Fine:** £10,000

**Name of Company:** Storage Concepts Ltd  
**Date of Offence:** 29/06/1999  
**Region:** West Midlands  
**Fine:** £12,000

**INCIDENT 8**

**Name of Company:** English Brothers Ltd  
**Date of Offence:** 29/06/1999  
**Region:** Eastern  
**Fine:** £30,000

**INCIDENT 9**

**Name of Company:** Structural Metal Decks Ltd  
**Date of Offence:** 23/07/1999  
**Region:** South East  
**Fine:** £25,000

**INCIDENT 10**

**Name of Company:** Simplex Piling Ltd  
**Date of Offence:** 02/08/1999  
**Region:** South East  
**Fine:** £1,000

**INCIDENT 11**

**Name of Company:** Bison Concrete Products Ltd  
**Date of Offence:** 06/09/1999  
**Region:** London  
**Fine:** £25,000  
**Summary:** Worker crushed by falling floor slab

**Name of Company:** Fitzpatrick Contractors Ltd  
**Date of Offence:** 06/09/1999  
**Region:** London  
**Fine:** £25,000

**INCIDENT 12**

**Name of Company:** Yarm Road Ltd  
**Date of Offence:** 08/09/1999  
**Region:** South West  
**Fine:** £250,000

**Name of Company:** Costain Limited  
**Date of Offence:** 08/09/1999  
**Region:** South West  
**Fine:** £250,000

**INCIDENT 13**

**Name of Company:** Costain Limited  
**Date of Offence:** 07/10/1999  
**Region:** Wales  
**Fine:** £200,000

**INCIDENT 14**

**Name of Company:** HBG Construction Scotland Ltd  
**Date of Offence:** 09/11/1999  
**Region:** Scotland  
**Fine:** £12,000

**INCIDENT 15**

**Name of Company:** 1st Saxon Property Services  
**Date of Offence:** 15/11/1999  
**Region:** London  
**Fine:** £5,000

**INCIDENT 16**

**Name of Company:** BCM Construction Ltd  
**Date of Offence:** 09/12/1999  
**Region:** London  
**Fine:** £40,000

**INCIDENT 17**

**Name of Company:** Galliford Try Partnerships  
**Date of Offence:** 18/01/2000  
**Region:** London  
**Fine:** £40,000  
**Summary:** Child died from fall while playing on scaffold during refurbishment of occupied housing association flats. Principal contractor failed to identify and fence foreseeable access route from public walkway over parapet onto the adjacent scaffold.

**INCIDENT 18**

**Name of Company:** Hewden Stuart Crane Hire Ltd  
**Date of Offence:** 26/01/2000  
**Region:** East Midlands  
**Fine:** £60,000

**INCIDENT 19**

**Name of Company:** Joseph Finney & Sons PLC  
**Date of Offence:** 29/01/2000  
**Region:** North West  
**Fine:** £40,000  
**Summary:** One demolition worker was killed and two other site operatives were seriously injured when two properties at the end of a three storey brick-walled Victorian Terrace undergoing initial demolition works collapsed during windy conditions.

**Name of Company:** KDP Capita Property Services Limited  
**Date of Offence:** 29/01/2000  
**Region:** North West  
**Fine:** £30,000

**INCIDENT 20**

**Name of Company:** B Sure Scaffolding Co  
**Date of Offence:** 25/02/2000  
**Region:** South East  
**Fine:** £2,000

**INCIDENT 21**

**Name of Company:** Oldfield Watson Ltd  
**Date of Offence:** 06/02/2000  
**Region:** North West  
**Fine:** £3,000

**Deaths that took place between 1 April 2000 – 31 March 2001 (2000/01) that resulted in a prosecution and conviction****INCIDENT 1**

**Name of Company:** Ian Smith Construction Ltd  
**Date of Offence:** 06/04/2000  
**Region:** South East  
**Fine:** £10,000

**INCIDENT 2**

**Name of Company:** R M Walker Construction Ltd  
**Date of Offence:** 19/05/2000  
**Region:** York and Humberside  
**Fine:** £10,000

**Name of Company:** Firth Rixson Special Steels Limited  
**Date of Offence:** 19/05/2000  
**Region:** York and Humberside  
**Fine:** £10,000

**INCIDENT 3**

**Name of Company:** Totty Building Services Ltd  
**Date of Offence:** 23/05/2000  
**Region:** York and Humberside  
**Fine:** £10,000  
**Summary:** Roofing sub contractor died when falling through a fragile roof light on a large portal framed building being substantially resheeted. Roof lights not covered and nets not extending to area below work area.

**Name of Company:** Yorkshire Sheeting and Insulation Services Ltd  
**Date of Offence:** 23/05/2000  
**Region:** York and Humberside  
**Fine:** £55,000

**INCIDENT 4**

**Name of Company:** Meynell Plant Hire Ltd  
**Date of Offence:** 02/06/2000  
**Region:** East Midlands  
**Fine:** £25,000  
**Summary:** Lorry with lorry loader crane overturned killing operator. Stabiliser down but not extended. Interlocks that would have prevented such use available as option from crane manufacturer, not fitted. Operator experienced but no attempt at supervision to check safe working.

**INCIDENT 5**

**Name of Company:** London Underground Ltd  
**Date of Offence:** 05/06/2000  
**Region:** London  
**Fine:** £35,000

**Name of Company:** Wilson James Ltd  
**Date of Offence:** 05/06/2000  
**Region:** London  
**Fine:** £35,000

**INCIDENT 6**

**Name of Company:** Byzak Contractors Ltd  
**Date of Offence:** 07/06/2000  
**Region:** Wales  
**Fine:** £8,000

**Name of Company:** Glaslyn Construction and Plant Hire Ltd  
**Date of Offence:** 07/06/2000  
**Region:** Wales  
**Fine:** £13,000

**Name of Company:** Brisco Hire Services Ltd  
**Date of Offence:** 07/06/2000  
**Region:** Wales  
**Fine:** £2,000

**INCIDENT 7**

**Name of Company:** W K Cox Ltd  
**Date of Offence:** 06/07/2000  
**Region:** West Midlands  
**Fine:** £4,000

**INCIDENT 8**

**Name of Company:** Keyclad Ltd  
**Date of Offence:** 12/07/2000  
**Region:** North West  
**Fine:** £40,000  
**Summary:** Roofer fell 20 metres when polycarbonate roofing sheet ripped from fixings whilst roofer unloading materials. Safety net beneath failed - due to excessive load.

**INCIDENT 9**

**Name of Company:** Southern Demolition (Poole) Ltd  
**Date of Offence:** 13/07/2000  
**Region:** South West  
**Fine:** £7,000  
**Summary:** Deceased was crushed between 2 metal beams which were being lifted. There was no lifting plan and the lifting accessories were not thoroughly examined in previous 6 months.

**INCIDENT 10**

**Name of Company:** Conder Structures Ltd  
**Date of Offence:** 19/07/2000  
**Region:** East Midlands  
**Fine:** £100,000  
**Summary:** 16 yr old labourer struck and killed by steel column which fell when the hold down bolts failed. Design of bolts inadequate to resist wind loads, inadequate information provided on allowable wind loads, poor supervision of both design and erection.

**INCIDENT 11**

**Name of Company:** McLean & Gibson International Ltd  
**Date of Offence:** 31/07/2000  
**Region:** South West  
**Fine:** £30,000  
**Summary:** Employee fatally injured when a plastic barrel containing 250kg of nuts and bolts slipped out of fibre slings whilst being lifted, causing crush injuries.

**INCIDENT 12**

**Name of Company:** Rotel Plant Hire & Cntrs Ltd  
**Date of Offence:** 31/07/2000  
**Region:** East Midlands  
**Fine:** £5,000

**INCIDENT 13**

**Name of Company:** Sharkey Construction Limited  
**Date of Offence:** 01/08/2000  
**Region:** North West  
**Fine:** £2,000

**INCIDENT 14**

**Name of Company:** Austin Brickwork Ltd  
**Date of Offence:** 07/08/2000  
**Region:** South East  
**Fine:** £40,000  
**Summary:** Site labourer run over by rough-terrain lift truck operated by untrained and untested driver.

**INCIDENT 15**

**Name of Company:** Fitzpatrick Contractors Ltd  
**Date of Offence:** 06/09/2000  
**Region:** London  
**Fine:** £25,000

**Name of Company:** Bison Concrete Products Ltd  
**Date of Offence:** 06/09/2000  
**Region:** London  
**Fine:** £25,000

**INCIDENT 16**

**Name of Company:** Macdonald Surfacing Ltd  
**Date of Offence:** 19/09/2000  
**Region:** Scotland  
**Fine:** £8,000

**Name of Company:** Aggregate Industries UK Ltd  
**Date of Offence:** 19/09/2000  
**Region:** Scotland  
**Fine:** £2,000

**INCIDENT 17**

**Name of Company:** McLean Homes (North West & Cheshire)  
**Date of Offence:** 21/09/2000  
**Region:** North West  
**Fine:** £150,000  
**Summary:** 54 yr old site storeman was run over and killed by reversing telehandler as it exited the site compound.

**INCIDENT 18**

**Name of Company:** Morrison Construction Ltd  
**Date of Offence:** 10/10/2000  
**Region:** Scotland  
**Fine:** £5,000  
**Summary:** Operative fatally injured when side of unsupported excavation collapsed, fell in and buried by fallen material.

**INCIDENT 19**

**Name of Company:** A.J.R.Guideline Ltd  
**Date of Offence:** 25/10/2000  
**Region:** South West  
**Fine:** £20,000

**INCIDENT 20**

**Name of Company:** Jakto Transport Ltd  
**Date of Offence:** 24/11/2000  
**Region:** York and Humberside  
**Fine:** £25,000  
**Summary:** Deceased was killed by traumatic asphyxiation when he was trapped in the belt/tail end drum of a crushing machine while cleaning out when the machine was in motion. Several faults on the machine showed a failure to maintain

**INCIDENT 21**

**Name of Company:** Westwick Construction  
**Date of Offence:** 28/11/2000  
**Region:** South West  
**Fine:** £17,500

**INCIDENT 22**

**Name of Company:** Billington Modern Structures Ltd  
**Date of Offence:** 05/12/2000  
**Region:** York and Humberside  
**Fine:** £200,000

**INCIDENT 23**

**Name of Company:** Aggregate Industries UK Ltd  
**Date of Offence:** 05/01/2001  
**Region:** Eastern  
**Fine:** £12,000  
**Summary:** A 61 year old man was fatally injured after being run over by a reversing road sweeper during road reconstruction works on the A82.

**INCIDENT 24**

**Name of Company:** AMS No-Dig Limited  
**Date of Offence:** 26/01/2001  
**Fine:** £20,000  
**Region:** Eastern  
**Summary:** A directional drilling machine used to install a new gas main in the road struck an underground pressurised water

main causing the release of a substantial quantity of water. The released water caused a large excavation in the road and local flooding. Vehicles became stranded in a flooded area and one member of the public suffered acute cardiac failure as a result of acute coronary spasm or an arrhythmia precipitated by acute stress.

**Name of Company:** Amec Services Ltd  
**Date of Offence:** 26/01/2001  
**Fine:** £25,000  
**Region:** Eastern

#### **INCIDENT 25**

**Name of Company:** Eaton Engineering Ltd  
**Date of Offence:** 17/02/2001  
**Region:** North West  
**Fine:** £30,000

#### **INCIDENT 26**

**Name of Company:** John Cassidy Ltd  
**Date of Offence:** 24/02/2001  
**Region:** West Midlands  
**Fine:** £6,000  
**Summary:** Employee fatally injured after falling through fragile roof during maintenance work.

#### **INCIDENT 27**

**Name of Company:** Dave O'Keefe & Co Ltd  
**Date of Offence:** 26/02/2001  
**Region:** London  
**Fine:** £25,000  
**Summary:** Death took place when large slab of masonry from base of foundation fell on workers who were digging underpin excavation. Lack of support precautions. Foundations known to contain matrix of rotting wood. Lack of proper risk assessment and method statement.

**Name of Company:** Britin Construction Ltd  
**Date of Offence:** 26/02/2001  
**Region:** London  
**Fine:** £25,000

#### **INCIDENT 28**

**Name of Company:** Westminster Plant Co Ltd  
**Date of Offence:** 15/03/2001  
**Region:** London  
**Fine:** £5,000  
**Summary:** A tower crane driver fell whilst climbing the access ladder to his cab. The ladder up to the crane had a number of defects.

**Deaths that took place between 1 April 2001 – 31 March 2002 (2001/2) that resulted in a prosecution and conviction**

**INCIDENT 1**

**Name of Company:** Brett Construction Ltd  
**Date of Offence:** 25/06/2001  
**Region:** South East  
**Fine:** £4,500

**INCIDENT 2**

**Name of Company:** Dew Construction Ltd  
**Date of Offence:** 21/05/2001  
**Region:** North West  
**Fine:** £20,000  
**Summary:** W Byron, driver of mini-dumper was killed when it overturned into a ditch during work to repair canal washwall at Dean Lock, Leeds/Liverpool canal.

**INCIDENT 3**

**Name of Company:** Eugena Ltd  
**Date of Offence:** 17/06/2001  
**Region:** London  
**Fine:** £40,000  
**Summary:** Mr Mallon fell to his death whilst erecting a building in the grounds of St Thomas' hospital, Lambeth. No supervision was on site from Eugena at the time of the death and the scaffold he was working on had not been inspected for compliance with regulations.

**INCIDENT 4**

**Name of Company:** Swift Roofing Contracts Ltd  
**Date of Offence:** 27/06/2001  
**Region:** South East  
**Fine:** £20,000  
**Summary:** A roofer died as a result of a fall of about 2.25m from a scaffold while fixing vertical tiling to the gable end of a residential property. The scaffold working platform was incomplete and had no edge protection in the area from which the roofer fell.

**INCIDENT 5**

**Name of Company:** Total Gutter Maintenance Ltd  
**Date of Offence:** 26/07/2001  
**Region:** South East  
**Fine:** £12,000  
**Summary:** Roofer fell through a fragile roof light and was killed.

**INCIDENT 6**

**Name of Company:** JMPI Ltd  
**Date of Offence:** 03/09/2001  
**Region:** London  
**Fine:** £8,000.  
**Summary:** Deceased fell from a platform due to an insufficiently secured, extended ladder.

**Name of Company:** TSL Hygiene  
**Date of Offence:** 03/09/2001  
**Region:** London  
**Fine:** £5,000.  
**Summary:** Deceased fell from a platform due to an insufficiently secured, extended ladder.

**INCIDENT 7**

**Name of Company:** Morrison Construction Ltd  
**Date of Offence:** 17/01/2002  
**Region:** West Midlands  
**Fine:** £10,000  
**Summary:** Lorry driver received fatal injuries whilst delivering aluminium formwork to a construction site. During removal of the formwork from the lorry, deceased was assisting a trained banksman when a steel banded pack weighing 0.9 tonnes fell onto him. The appointed person and crane supervisor were on site at the time but did not see the load.

**Name of Company:** RMD Kwikform Limited  
**Date of Offence:** 17/01/2002  
**Region:** West Midlands  
**Fine:** £110,000

**INCIDENT 8**

**Name of Company:** Ashcon Ltd  
**Date of Offence:** 26/03/2002  
**Region:** London  
**Fine:** £6,000  
**Summary:** Govind Vaghji, a handyman, fell 5m from rear scaffold platform and suffered severe head and neck injuries.

**Name of Company:** Rajvel Construction Ltd  
**Date of Offence:** 26/03/2002  
**Region:** London  
**Fine:** £6,000  
**Summary:** Govind Vaghji (Rajvel Construction) Handyman. Fell 5m from rear scaffold platform and suffered severe head and neck injuries.

**Deaths that took place between 1 April 2002 – 31 March 2003 (2002/3) that resulted in a prosecution and conviction**

**INCIDENT 1**

**Name of Company:** Controlled Flame Boilers  
**Date of Offence:** 10/04/2002  
**Region:** London  
**Fine:** £52,000  
**Summary:** Fatal fall of self-employed heating engineer, assisting in lifting of boiler unit.

**Name of Company:** Krypton Health Construction Ltd  
**Date of Offence:** 10/04/2002  
**Region:** London  
**Fine:** £35,000

**INCIDENT 2**

**Name of Company:** BDB Dismantling Ltd  
**Date of Offence:** 28/05/2002  
**Region:** Yorkshire and Humberside  
**Fine:** £15,000  
**Summary:** Demolition worker was crushed and fatally injured when demolishing a pipe gantry. Pre-weakening of the structure (not determined by a competent engineer) allowed the structure to collapse prior to the predetermined time of demolition. There was no safe system of temporary propping to prevent this happening.

**INCIDENT 3**

**Name of Company:** Envirowaste Services Ltd  
**Date of Offence:** 07/06/2002  
**Region:** York and Humberside  
**Fine:** £6,000  
**Summary:** A driver of a skip vehicle was crushed to death against a wall when operating only one outrigger. Controls not labelled and push to operate button bypassed.

**INCIDENT 4**

**Name of Company:** Crowe Plant Fabrication Limited  
**Date of Offence:** 12/07/2002  
**Region:** London  
**Fine:** £30,000  
**Summary:** One scaffolder, Joseph Phillips, killed in fall, another, Leigh Williams, broke his leg when a cradle (roof rig) scaffold collapsed whilst it was being dismantled. Major potential risk to public. Immediate cause was the overbalancing of the rig during the lowering of counterweights (that had been removed from the rear of rig).

**INCIDENT 5**

**Name of Company:** Robertson Group Construction Ltd  
**Date of Offence:** 15/07/2002  
**Region:** Scotland  
**Fine:** £20,000  
**Summary:** Failure to manage and co-ordinate work between different operations on site which resulted in conditions leading to a fatal accident.

**INCIDENT 6**

**Name of Company:** Deighton (South & Midland) Ltd  
**Date of Offence:** 18/07/2002  
**Region:** York and Humberside  
**Fine:** £8,000  
**Summary:** Roofer fell to his death whilst fixing new roof sheets during re-roofing. Poor method statement placing substantial reliance on harnesses but not a practical solution, harnesses not worn and no effective supervision by either principal contractor or defendant. Nets not provided as false ceiling prevented use.

**INCIDENT 7**

**Name of Company:** Seymour (Civil Engineering Contractors) Ltd  
**Date of Offence:** 23/07/2002  
**Region:** North East  
**Fine:** £50,000

**INCIDENT 8**

**Name of Company:** Turnberry Homes Ltd  
**Date of Offence:** 15/09/2002  
**Region:** Scotland  
**Fine:** £30,000  
**Summary:** Member of public gained access to construction site and received fatal injuries.

**INCIDENT 9**

**Name of Company:** Barr Limited  
**Date of Offence:** 14/11/2002  
**Region:** Scotland  
**Fine:** £40,000  
**Summary:** An employee at a mobile concrete batching plant was asphyxiated after being drawn into an aggregate hopper.

**INCIDENT 10**

**Name of Company:** Circleworth Limited  
**Date of Offence:** 18/11/2002  
**Region:** London  
**Fine:** £7,500  
**Summary:** Mr Edward Smith died following a fall of 2.4m. The fall occurred whilst he was attempting to access a scaffold using an inappropriate ladder, no appropriate ladder access had been provided.

**INCIDENT 11**

**Name of Company:** Edmund Nuttall Ltd  
**Date of Offence:** 05/03/2003  
**Region:** Eastern  
**Fine:** £25,000  
**Summary:** Two men died working for a company brought in to provide a quotation for the disposal of Admiralty Submersible Pontoons (ASPs). The men sent to inspect the ASPs were overcome when one attempted to enter the confined space, which was oxygen deficient and the other attempted a rescue.

**Name of Company:** Small & Co (Marine & Engineering) Limited  
**Date of Offence:** 05/03/2003  
**Region:** Eastern  
**Fine:** £100,000

**INCIDENT 12**

**Name of Company:** George Leslie Limited  
**Date of Offence:** 11/03/2003  
**Region:** Scotland  
**Fine:** £25,000  
**Summary:** Employee fell 2.6 metres to his death whilst erecting scaffolding in order to support pipework.

**Deaths that took place between 1 April 2003 – 31 March 2004 (2003/4) that resulted in a prosecution and conviction****INCIDENT 1**

**Name of Company:** Hochtief Akteingesellschaft  
**Date of Offence:** 01/05/2003  
**Region:** South East  
**Fine:** £25,000  
**Summary:** Scaffolder killed falling from falsework scaffold - unsafe system of work and no edge protection.

**Name of Company:** J Murphy & Sons Ltd  
**Date of Offence:** 01/05/2003  
**Region:** South East  
**Fine:** £25,000  
**Summary:** Scaffolder killed falling from falsework scaffold - unsafe system of work and no edge protection. Other operatives placed at risk by falling object.

**INCIDENT 2**

**Name of Company:** M J Gleeson Group Plc  
**Date of Offence:** 16/04/2003  
**Region:** York and Humberside  
**Fine:** £50,000

**Summary:** Deceased crushed to death by a reversing rough terrain lift truck on relatively narrow site roadway.

**INCIDENT 3**

**Name of Company:** W & M Thompson (Earthworks) Ltd  
**Date of Offence:** 01/07/2003  
**Region:** North East  
**Fine:** £1,250  
**Summary:** Employee killed while using a telehandler during demolition work. Examination of this telehandler demonstrated it to be in a poor state of repair in a number of areas.

**INCIDENT 4**

**Name of Company:** Arnold Clark Automobiles Ltd  
**Date of Offence:** 26/07/2003  
**Region:** North West  
**Fine:** £130,000  
**Summary:** Fall through fragile skylight in the roof of building where engaged by local management to clean and repair the roof which had been damaged by birds.

**INCIDENT 5**

**Name of Company:** Installation and Refurbishment Solutions Ltd  
**Date of Offence:** 07/08/2003  
**Region:** London  
**Fine:** £30,000  
**Summary:** Peter Coldspring, a sub-contract painter and decorator was electrocuted whilst carrying out refurbishment work in a flat. Failure to ensure electricity was isolated during works.

**INCIDENT 6**

**Name of Company:** Future Environmental Services Ltd  
**Date of Offence:** 17/10/2003  
**Region:** North West  
**Fine:** £150,000  
**Summary:** Deceased fell 5m over an unprotected edge in the Snipe Clough Consented Sewerage Overflow in Snipe Clough, Alexandra Park, Oldham. Reasonably practicable precautions could have been taken to prevent the fall.

**Name of Company:** Bethell Construction Limited  
**Date of Offence:** 17/10/2003  
**Region:** North West  
**Fine:** £150,000

**INCIDENT 7**

**Name of Company:** Lorimer Electrical (Angus Lorimer T/A) Ltd  
**Date of Offence:** 29/12/2003  
**Region:** North East  
**Fine:** £7,500

**Summary:** Contractor (electrician) sustained fatal head injuries when he fell approx 5 m from 2 stage ladder whilst changing fluorescent light tubes at plastics manufacturer.

**Name of Company:** Primex Plastics Ltd  
**Date of Offence:** 29/12/2003  
**Region:** North East  
**Fine:** £10,000

**INCIDENT 8**

**Name of Company:** Kent Blaxill & Company Limited  
**Date of Offence:** 30/12/2003  
**Region:** Eastern  
**Fine:** £80,000  
**Summary:** Fatal injuries to Brian Lampe, fall from mezzanine floor during dismantling process.

## ANNEX 3: CONVICTIONS BY REGION

### EASTERN ENGLAND

#### INCIDENT 1

**Name of Company:** Tarmac Ltd  
**Date of Offence:** 05/08/1998  
**Region:** Eastern  
**Fine:** £100,000

#### INCIDENT 2

**Name of Company:** Mowlem PLC  
**Date of Offence:** 22/09/1998  
**Region:** Eastern  
**Fine:** £40,000

#### INCIDENT 3

**Name of Company:** Lafarge Aggregates Ltd  
**Date of Offence:** 11/12/1998  
**Region:** Eastern  
**Fine:** £100,000

**Name of Company:** Tripod Crest Planing Ltd  
**Date of Offence:** 11/12/1998  
**Region:** Eastern  
**Fine:** £75,000

#### INCIDENT 4

**Name of Company:** SDC Builders Ltd  
**Date of Offence:** 14/05/1999  
**Region:** Eastern  
**Fine:** £100,000

#### INCIDENT 5

**Name of Company:** English Brothers Ltd  
**Date of Offence:** 29/06/1999  
**Region:** Eastern  
**Fine:** £30,000

#### INCIDENT 6

**Name of Company:** Aggregate Industries UK Ltd  
**Date of Offence:** 05/01/2001  
**Region:** Eastern  
**Fine:** £12,000  
**Summary:** A 61 year old man was fatally injured after being run over by a reversing road sweeper during road reconstruction works on the A82.

#### **INCIDENT 7**

**Name of Company:** AMS No-Dig Limited  
**Date of Offence:** 26/01/2001  
**Fine:** £20,000  
**Region:** Eastern  
**Summary:** A directional drilling machine used to install a new gas main in the road struck an underground pressurised water main causing the release of a substantial quantity of water. The released water caused a large excavation in the road and local flooding. Vehicles became stranded in a flooded area and one member of the public suffered acute cardiac failure as a result of acute coronary spasm or an arrhythmia precipitated by acute stress.

**Name of Company:** Amec Services Ltd  
**Date of Offence:** 26/01/2001  
**Fine:** £25,000  
**Region:** Eastern

#### **INCIDENT 8**

**Name of Company:** Edmund Nuttall Ltd  
**Date of Offence:** 05/03/2003  
**Region:** Eastern  
**Fine:** £25,000  
**Summary:** Two men died working for a company brought in to provide a quotation for the disposal of Admiralty Submersible Pontoons (ASPs). The men sent to inspect the ASPs were overcome when one attempted to enter the confined space, which was oxygen deficient and the other attempted a rescue.

**Name of Company:** Small & Co (Marine & Engineering) Limited  
**Date of Offence:** 05/03/2003  
**Region:** Eastern  
**Fine:** £100,000

#### **INCIDENT 9**

**Name of Company:** Kent Blaxill & Company Limited  
**Date of Offence:** 30/12/2003  
**Region:** Eastern  
**Fine:** £80,000  
**Summary:** Fatal injuries to Brian Lampe, fall from mezzanine floor during dismantling process.

### **EAST MIDLANDS**

#### **INCIDENT 1**

**Name of Company:** Hewden Stuart Crane Hire Ltd  
**Date of Offence:** 26/01/2000  
**Region:** East Midlands  
**Fine:** £60,000

**INCIDENT 2**

**Name of Company:** Meynell Plant Hire Ltd  
**Date of Offence:** 02/06/2000  
**Region:** East Midlands  
**Fine:** £25,000  
**Summary:** Lorry with lorry loader crane overturned killing operator. Stabiliser down but not extended. Interlocks that would have prevented such use available as option from crane manufacturer, not fitted. Operator experienced but no attempt at supervision to check safe working.

**INCIDENT 3**

**Name of Company:** Conder Structures Ltd  
**Date of Offence:** 19/07/2000  
**Region:** East Midlands  
**Fine:** £100,000  
**Summary:** 16 yr old labourer struck and killed by steel column which fell when the hold down bolts failed. Design of bolts inadequate to resist wind loads, inadequate information provided on allowable wind loads, poor supervision of both design and erection.

**INCIDENT 4**

**Name of Company:** Rotel Plant Hire & Cntrs Ltd  
**Date of Offence:** 31/07/2000  
**Region:** East Midlands  
**Fine:** £5,000

**LONDON****INCIDENT 1**

**Name of Company:** Birse Construction Ltd  
**Date of Offence:** 04/05/1998  
**Region:** London  
**Fine:** £80,000

**INCIDENT 2**

**Name of Company:** Thirlstone Homes Ltd  
**Date of Offence:** 17/07/1998  
**Region:** London  
**Fine:** £18,000

**INCIDENT 3**

**Name of Company:** Giffen Group PLC  
**Date of Offence:** 06/10/1998  
**Region:** London  
**Fine:** £25,000

**INCIDENT 4**

**Name of Company:** Hbg Construction (Southern) Ltd  
**Date of Offence:** 22/06/1999  
**Region:** London  
**Fine:** £20,000

**Name of Company:** M G Cosgrove Construction Ltd  
**Date of Offence:** 22/06/1999  
**Region:** London  
**Fine:** £20,000

**INCIDENT 5**

**Name of Company:** Bison Concrete Products Ltd  
**Date of Offence:** 06/09/1999  
**Region:** London  
**Fine:** £25,000  
**Summary:** Worker crushed by falling floor slab

**Name of Company:** Fitzpatrick Contractors Ltd  
**Date of Offence:** 06/09/1999  
**Region:** London  
**Fine:** £25,000

**INCIDENT 6**

**Name of Company:** 1st Saxon Property Services  
**Date of Offence:** 15/11/1999  
**Region:** London  
**Fine:** £5,000

**INCIDENT 7**

**Name of Company:** BCM Construction Ltd  
**Date of Offence:** 09/12/1999  
**Region:** London  
**Fine:** £40,000

**INCIDENT 8**

**Name of Company:** Galliford Try Partnerships  
**Date of Offence:** 18/01/2000  
**Region:** London  
**Fine:** £40,000  
**Summary:** Child died from fall while playing on scaffold during refurbishment of occupied housing association flats. Principal contractor failed to identify and fence foreseeable access route from public walkway over parapet onto the adjacent scaffold.

**INCIDENT 9**

**Name of Company:** London Underground Ltd  
**Date of Offence:** 05/06/2000  
**Region:** LONDON  
**Fine:** £35,000

**Name of Company:** Wilson James Ltd  
**Date of Offence:** 05/06/2000  
**Region:** London  
**Fine:** £35,000

**INCIDENT 10**

**Name of Company:** Dave O'Keefe & Co Ltd  
**Date of Offence:** 26/02/2001  
**Region:** London  
**Fine:** £25,000  
**Summary:** Death took place when large slab of masonry from base of foundation fell on workers who were digging underpin excavation. Lack of support precautions. Foundations known to contain matrix of rotting wood. Lack of proper risk assessment and method statement.

**Name of Company:** Britin Construction Ltd  
**Date of Offence:** 26/02/2001  
**Region:** London  
**Fine:** £25,000

**INCIDENT 11**

**Name of Company:** Westminster Plant Co Ltd  
**Date of Offence:** 15/03/2001  
**Region:** London  
**Fine:** £5,000  
**Summary:** A tower crane driver, fell whilst climbing the access ladder to his cab. The ladder up to the crane had a number of defects.

**INCIDENT 12**

**Name of Company:** Eugena Ltd  
**Date of Offence:** 17/06/2001  
**Region:** London  
**Fine:** £40,000  
**Summary:** Mr Mallon fell to his death whilst erecting a building in the grounds of St Thomas' hospital, Lambeth. No supervision was on site from Eugena at the time of the death and the scaffold he was working on had not been inspected for compliance with regulations.

**INCIDENT 13**

**Name of Company:** JMPI Ltd  
**Date of Offence:** 03/09/2001  
**Region:** London  
**Fine:** £8,000.  
**Summary:** Deceased fell from a platform due to an insufficiently secured, extended ladder.

**Name of Company:** TSL Hygiene

**Date of Offence:** 03/09/2001  
**Region:** London  
**Fine:** £5,000.  
**Summary:** Deceased fell from a platform due to an insufficiently secured, extended ladder.

#### **INCIDENT 14**

**Name of Company:** Ashcon Ltd  
**Date of Offence:** 26/03/2002  
**Region:** London  
**Fine:** £6,000  
**Summary:** Govind Vaghji, a handyman, fell 5m from rear scaffold platform and suffered severe head and neck injuries.

**Name of Company:** Rajvel Construction Ltd  
**Date of Offence:** 26/03/2002  
**Region:** London  
**Fine:** £6,000  
**Summary:** Govind Vaghji (Rajvel Construction) Handyman. Fell 5m from rear scaffold platform and suffered severe head and neck injuries.

#### **INCIDENT 15**

**Name of Company:** Controlled Flame Boilers  
**Date of Offence:** 10/04/2002  
**Region:** London  
**Fine:** £52,000  
**Summary:** Fatal fall of self-employed heating engineer, assisting in lifting of boiler unit.

**Name of Company:** Krypton Health Construction Ltd  
**Date of Offence:** 10/04/2002  
**Region:** London  
**Fine:** £35,000

#### **INCIDENT 16**

**Name of Company:** Crowe Plant Fabrication Limited  
**Date of Offence:** 12/07/2002  
**Region:** London  
**Fine:** £30,000  
**Summary:** One scaffolder, Joseph Phillips, killed in fall, another, Leigh Williams, broke his leg when a cradle (roof rig) scaffold collapsed whilst it was being dismantled. Major potential risk to public. Immediate cause was the overbalancing of the rig during the lowering of counterweights (that had been removed from the rear of rig).

#### **INCIDENT 17**

**Name of Company:** Circleworth Limited

**Date of Offence:** 18/11/2002  
**Region:** London  
**Fine:** £7,500  
**Summary:** Mr Edward Smith died following a fall of 2.4m. The fall occurred whilst he was attempting to access a scaffold using an inappropriate ladder, no appropriate ladder access had been provided.

#### **INCIDENT 18**

**Name of Company:** Installation and Refurbishment Solutions Ltd  
**Date of Offence:** 07/08/2003  
**Region:** London  
**Fine:** £30,000  
**Summary:** Peter Coldspring, a sub-contract painter and decorator was electrocuted whilst carrying out refurbishment work in a flat. Failure to ensure electricity was isolated during works.

### **NORTH EAST**

#### **INCIDENT 1**

**Name of Company:** Darlington Borough Council  
**Date of Offence:** 05/05/1998  
**Region:** North East  
**Fine:** £7,000

#### **INCIDENT 2**

**Name of Company:** Middlesbrough Borough Council  
**Date of Offence:** 03/04/1999  
**Region:** North East  
**Fine:** £17,500

#### **INCIDENT 3**

**Name of Company:** Seymour (Civil Engineering Contractors) Ltd  
**Date of Offence:** 23/07/2002  
**Region:** North East  
**Fine:** £50,000

#### **INCIDENT 4**

**Name of Company:** W & M Thompson (Earthworks) Ltd  
**Date of Offence:** 01/07/2003  
**Region:** North East  
**Fine:** £1,250  
**Summary:** Employee killed while using a telehandler during demolition work. Examination of this telehandler demonstrated it to be in a poor state of repair in a number of areas.

#### **INCIDENT 5**

**Name of Company:** Lorimer Electrical (Angus Lorimer T/A) Ltd

**Date of Offence:** 29/12/2003  
**Region:** North East  
**Fine:** £7,500  
**Summary:** Contractor (electrician) sustained fatal head injuries when he fell approx 5 m from 2 stage ladder whilst changing fluorescent light tubes at plastics manufacturer.

**Name of Company:** Primex Plastics Ltd  
**Date of Offence:** 29/12/2003  
**Region:** North East  
**Fine:** £10,000

## **NORTH WEST**

### **INCIDENT 1**

**Name of Company:** Blackpool Borough Council  
**Address:** Blackpool, Lancashire  
**Date of Offence:** 10/06/1998  
**Region:** North West  
**Fine:** £10,000

### **INCIDENT 2**

**Name of Company:** Unichema Chemicals  
**Date of Offence:** 13/10/1998  
**Region:** North West  
**Fine:** £27,000

**Name of Company:** Nationwide Site Services (UK) plc  
**Date of Offence:** 13/10/1998  
**Region:** North West  
**Fine:** £3,000

### **INCIDENT 3**

**Name of Company:** K & L Construction (Stoke) Limited  
**Date of Offence:** 06/11/1998  
**Region:** North West  
**Fine:** £3,000

### **INCIDENT 4**

**Name of Company:** Steelforce Maintenance Ltd  
**Date of Offence:** 11/02/1999  
**Region:** North West  
**Fine:** £10,000

### **INCIDENT 5**

**Name of Company:** Lancashire County Engineering Services  
**Date of Offence:** 12/02/1999  
**Region:** North West  
**Fine:** £100,000

**Name of Company:** ABLE Tool and Plant Hire Ltd

**Date of Offence:** 12/02/1999  
**Region:** North West  
**Fine:** £3,000

**INCIDENT 6**

**Name of Company:** Bryant Homes North West Ltd  
**Date of Offence:** 01/03/1999  
**Region:** North West  
**Fine:** £19,000

**Name of Company:** John Reilly Civil Engineering Ltd  
**Date of Offence:** 01/03/1999  
**Region:** North West  
**Fine:** £50,000

**INCIDENT 7**

**Name of Company:** Joseph Finney & Sons PLC  
**Date of Offence:** 29/01/2000  
**Region:** North West  
**Fine:** £40,000  
**Summary:** One demolition worker was killed and two other site operatives were seriously injured when two properties at the end of a three storey brick-walled Victorian Terrace undergoing initial demolition works collapsed during windy conditions.

**Name of Company:** KDP Capita Property Services Limited  
**Date of Offence:** 29/01/2000  
**Region:** North West  
**Fine:** £30,000

**INCIDENT 8**

**Name of Company:** Oldfield Watson Ltd  
**Date of Offence:** 6/02/2000  
**Region:** North West  
**Fine:** £3,000

**INCIDENT 9**

**Name of Company:** Keyclad Ltd  
**Date of Offence:** 12/07/2000  
**Region:** North West  
**Fine:** £40,000  
**Summary:** Roofer fell 20 metres when polycarbonate roofing sheet ripped from fixings whilst roofer unloading materials. Safety net beneath failed - due to excessive load.

**INCIDENT 10**

**Name of Company:** Sharkey Construction Limited  
**Date of Offence:** 01/08/2000  
**Region:** North West  
**Fine:** £2,000

**INCIDENT 11**

**Name of Company:** McLean Homes (North West & Cheshire)  
**Date of Offence:** 21/09/2000  
**Region:** North West  
**Fine:** £150,000  
**Summary:** 54 yr old site storeman was run over and killed by reversing telehandler as it exited the site compound.

#### **INCIDENT 12**

**Name of Company:** Eaton Engineering Ltd  
**Date of Offence:** 17/02/2001  
**Region:** North West  
**Fine:** £30,000

#### **INCIDENT 13**

**Name of Company:** Dew Construction Ltd  
**Date of Offence:** 21/05/2001  
**Region:** North West  
**Fine:** £20,000  
**Summary:** W Byron, driver of mini-dumper was killed when it overturned into a ditch during work to repair canal washwall at Dean Lock, Leeds/Liverpool canal.

#### **INCIDENT 14**

**Name of Company:** Arnold Clark Automobiles Ltd  
**Date of Offence:** 26/07/2003  
**Region:** North West  
**Fine:** £130,000  
**Summary:** Fall through fragile skylight in the roof of building where engaged by local management to clean and repair the roof which had been damaged by birds.

#### **INCIDENT 15**

**Name of Company:** Future Environmental Services Ltd  
**Date of Offence:** 17/10/2003  
**Region:** North West  
**Fine:** £150,000  
**Summary:** Deceased fell 5m over an unprotected edge in the Snipe Clough Consented Sewerage Overflow in Snipe Clough, Alexandra Park, Oldham. Reasonably practicable precautions could have been taken to prevent the fall.

**Name of Company:** Bethell Construction Limited  
**Date of Offence:** 17/10/2003  
**Region:** North West  
**Fine:** £150,000

## **SCOTLAND**

#### **INCIDENT 1**

**Name of Company:** Ace Conveyor Equipment Ltd  
**Date of Offence:** 18/06/1998  
**Region:** Scotland  
**Fine:** £5,000

**INCIDENT 2**

**Name of Company:** MacGregor Energy Services Ltd  
**Date of Offence:** 04/07/1998  
**Region:** Scotland  
**Fine:** £50,000

**Name of Company:** Global Marine UK Ltd  
**Date of Offence:** 04/07/1998  
**Region:** Scotland  
**Fine:** £50,000

**INCIDENT 3**

**Name of Company:** Stocklin Siemag Ltd  
**Date of Offence:** 30/01/1999  
**Region:** Scotland  
**Fine:** £6,000  
**Summary:** Failure to ensure crane had suitable guardrails - fatal accident occurred.

**Name of Company:** SSI Schaefer Ltd  
**Date of Offence:** 30/01/1999  
**Region:** Scotland  
**Fine:** £6,000  
**Summary:** Failure to provide instruction, training about safe systems of work.

**INCIDENT 4**

**Name of Company:** Clark Contracts Ltd  
**Date of Offence:** 01/02/1999  
**Region:** Scotland  
**Fine:** £5,000

**INCIDENT 5**

**Name of Company:** Raeburn Drilling & Geotechnical Ltd  
**Date of Offence:** 24/02/1999  
**Region:** Scotland  
**Fine:** £1,000

**INCIDENT 6**

**Name of Company:** HBG Construction Scotland Ltd  
**Date of Offence:** 09/11/1999  
**Region:** Scotland  
**Fine:** £12,000

**INCIDENT 7**

**Name of Company:** Macdonald Surfacing Ltd  
**Date of Offence:** 19/09/2000  
**Region:** Scotland

**Fine:** £8,000  
**Name of Company:** Aggregate Industries UK Ltd  
**Date of Offence:** 19/09/2000  
**Region:** Scotland  
**Fine:** £2,000

#### **INCIDENT 8**

**Name of Company:** Morrison Construction Ltd  
**Date of Offence:** 10/10/2000  
**Region:** Scotland  
**Fine:** £5,000  
**Summary:** Operative fatally injured when side of unsupported excavation collapsed, fell in and buried by fallen material.

#### **INCIDENT 9**

**Name of Company:** Robertson Group Construction Ltd  
**Date of Offence:** 15/07/2002  
**Region:** Scotland  
**Fine:** £20,000  
**Summary:** Failure to manage and co-ordinate work between different operations on site which resulted in conditions leading to a fatal accident.

#### **INCIDENT 10**

**Name of Company:** Turnberry Homes Ltd  
**Date of Offence:** 15/09/2002  
**Region:** Scotland  
**Fine:** £30,000  
**Summary:** Member of public gained access to construction site and received fatal injuries.

#### **INCIDENT 11**

**Name of Company:** Barr Limited  
**Date of Offence:** 14/11/2002  
**Region:** Scotland  
**Fine:** £40,000  
**Summary:** An employee at a mobile concrete batching plant was asphyxiated after being drawn into an aggregate hopper.

#### **INCIDENT 12**

**Name of Company:** George Leslie Limited  
**Date of Offence:** 11/03/2003  
**Region:** Scotland  
**Fine:** £25,000  
**Summary:** Employee fell 2.6 metres to his death whilst erecting scaffolding in order to support pipework.

## **SOUTH EAST**

#### **INCIDENT 1**

**Name of Company:** B J Male & Son Ltd  
**Address:** Chichester, West Sussex  
**Date of Offence:** 05/06/1998  
**Region:** South East  
**Fine:** £25,000

**Name of Company:** Heaton Waring Ltd  
**Date of Offence:** 05/05/1998  
**Region:** South East  
**Fine:** £25,000

**INCIDENT 2**

**Name of Company:** Capital Demolition Limited  
**Date of Offence:** 26/10/1998  
**Region:** South East  
**Fine:** £40,000

**INCIDENT 3**

**Name of Company:** Structural Metal Decks Ltd  
**Date of Offence:** 23/07/1999  
**Region:** South East  
**Fine:** £25,000

**INCIDENT 4**

**Name of Company:** Simplex Piling Ltd  
**Date of Offence:** 02/08/1999  
**Region:** South East  
**Fine:** £1,000

**INCIDENT 5**

**Name of Company:** B Sure Scaffolding Co  
**Date of Offence:** 25/02/2000  
**Region:** South East  
**Fine:** £2,000

**INCIDENT 6**

**Name of Company:** Ian Smith Construction Ltd  
**Date of Offence:** 06/04/2000  
**Region:** South East  
**Fine:** £10,000

**INCIDENT 7**

**Name of Company:** Austin Brickwork Ltd  
**Date of Offence:** 07/08/2000  
**Region:** South East  
**Fine:** £40,000

**Summary:** Site labourer run over by rough-terrain lift truck operated by untrained and untested driver.

**INCIDENT 8**

**Name of Company:** Brett Construction Ltd  
**Date of Offence:** 25/06/2001  
**Region:** South East  
**Fine:** £4,500

**INCIDENT 9**

**Name of Company:** Swift Roofing Contracts Ltd  
**Date of Offence:** 27/06/2001  
**Region:** South East  
**Fine:** £20,000  
**Summary:** A roofer died as a result of a fall of about 2.25m from a scaffold while fixing vertical tiling to the gable end of a residential property. The scaffold working platform was incomplete and had no edge protection in the area from which the roofer fell.

**INCIDENT 10**

**Name of Company:** Total Gutter Maintenance Ltd  
**Date of Offence:** 26/07/2001  
**Region:** South East  
**Fine:** £12,000

**INCIDENT 11**

**Name of Company:** Hochtief Akteingesellschaft  
**Date of Offence:** 01/05/2003  
**Region:** South East  
**Fine:** £25,000  
**Summary:** Scaffolders killed falling from falsework scaffold - unsafe system of work and no edge protection.

**Name of Company:** J Murphy & Sons Ltd  
**Date of Offence:** 01/05/2003  
**Region:** South East  
**Fine:** £25,000  
**Summary:** Scaffolders killed falling from falsework scaffold - unsafe system of work and no edge protection. Other operatives placed at risk by falling object.

## **SOUTH WEST**

### **INCIDENT 1**

**Name of Company:** Branford Civil and Marine Ltd  
**Date of Offence:** 24/08/1998  
**Region:** South West  
**Fine:** £18,000

### **INCIDENT 2**

**Name of Company:** Trustseal Limited  
**Date of Offence:** 26/11/1998  
**Region:** South West  
**Fine:** £15,000

### **INCIDENT 3**

**Name of Company:** Persimmon Homes (South Coast) Ltd  
**Date of Offence:** 17/06/1999  
**Region:** South West  
**Fine:** £35,000

### **INCIDENT 4**

**Name of Company:** RMC Surfacing Limited  
**Date of Offence:** 19/06/1999  
**Region:** South West  
**Fine:** £25,000

**Name of Company:** Suffex Services Ltd  
**Date of Offence:** 19/06/1999  
**Region:** South West  
**Fine:** £12,000

### **INCIDENT 5**

**Name of Company:** Yarm Road Ltd  
**Date of Offence:** 08/09/1999  
**Region:** South West  
**Fine:** £250,000

**Name of Company:** Costain Limited  
**Date of Offence:** 08/09/1999  
**Region:** South West  
**Fine:** £250,000

### **INCIDENT 6**

**Name of Company:** Southern Demolition (Poole) Ltd  
**Date of Offence:** 13/07/2000  
**Region:** South West  
**Fine:** £7,000  
**Summary:** Deceased was crushed between 2 metal beams which were being lifted. There was no lifting plan and the lifting accessories were not thoroughly examined in previous 6 months.

**INCIDENT 7**

**Name of Company:** McLean & Gibson International Ltd  
**Date of Offence:** 31/07/2000  
**Region:** South West  
**Fine:** £30,000  
**Summary:** Employee fatally injured when a plastic barrel containing 250kg of nuts and bolts slipped out of fibre slings whilst being lifted, causing crush injuries.

**INCIDENT 8**

**Name of Company:** A.J.R.Guideline Ltd  
**Date of Offence:** 25/10/2000  
**Region:** South West  
**Fine:** £20,000

**INCIDENT 9**

**Name of Company:** Westwick Construction  
**Date of Offence:** 28/11/2000  
**Region:** South West  
**Fine:** £17,500

**WALES****INCIDENT 1**

**Name of Company:** A I Harris & Co. ( Newport ) Ltd  
**Date of Offence:** 12/06/1998  
**Region:** Wales  
**Fine:** £1,500

**Name of Company:** Specialist Heavy Engineers Ltd  
**Date of Offence:** 12/06/1998  
**Region:** Wales  
**Fine:** £5,000

**INCIDENT 2**

**Name of Company:** Ballast Plc  
**Date of Offence:** 12/09/1998  
**Region:** Wales  
**Fine:** £14,000

**Name of Company:** Briggs Roofing & Cladding (North) Ltd  
**Date of Offence:** 12/09/1998  
**Region:** Wales  
**Fine:** £21,000

**INCIDENT 3**

**Name of Company:** Byzak Contractors Ltd  
**Date of Offence:** 07/06/2000  
**Region:** Wales  
**Fine:** £8,000

**Name of Company:** Glaslyn Construction and Plant Hire Ltd  
**Date of Offence:** 07/06/2000  
**Region:** Wales  
**Fine:** £13,000

**Name of Company:** Brisco Hire Services Ltd  
**Date of Offence:** 07/06/2000  
**Region:** Wales  
**Fine:** £2,000

## **WEST MIDLAND**

### **INCIDENT 1**

**Name of Company:** A & H Davey Roadways Ltd  
**Date of Offence:** 07/06/1998  
**Region:** West Midlands  
**Fine:** £3,000

### **INCIDENT 2**

**Name of Company:** Norwest Holst Construction Ltd  
**Date of Offence:** 21/09/1998  
**Region:** West Midlands  
**Fine:** £50,000

**Name of Company:** Doocey Pipelines Ltd  
**Date of Offence:** 21/09/1998  
**Region:** West Midlands  
**Fine:** £45,000

### **INCIDENT 3**

**Name of Company:** DGM Roofing Ltd  
**Date of Offence:** 09/11/1998  
**Region:** West Midlands  
**Fine:** £18,500

### **INCIDENT 4**

**Name of Company:** Ballast Plc  
**Date of Offence:** 29/06/1999  
**Region:** West Midlands  
**Fine:** £10,000

**Name of Company:** Storage Concepts Ltd  
**Date of Offence:** 29/06/1999  
**Region:** West Midlands  
**Fine:** £12,000

### **INCIDENT 5**

**Name of Company:** W K Cox Ltd  
**Date of Offence:** 06/07/2000  
**Region:** West Midlands  
**Fine:** £4,000

#### **INCIDENT 6**

**Name of Company:** John Cassidy Ltd  
**Date of Offence:** 24/02/2001  
**Region:** West Midlands  
**Fine:** £6,000  
**Summary:** Employee fatally injured after falling through fragile roof during maintenance work.

#### **INCIDENT 7**

**Name of Company:** Morrison Construction Ltd  
**Date of Offence:** 17/01/2002  
**Region:** West Midlands  
**Fine:** £10,000  
**Summary:** Lorry driver received fatal injuries whilst delivering aluminium formwork to a construction site. During removal of the formwork from the lorry, deceased was assisting a trained banksman when a steel banded pack weighing 0.9 tonnes fell onto him. The appointed person and crane supervisor were on site at the time but did not see the load.

**Name of Company:** RMD Kwikform Limited  
**Date of Offence:** 17/01/2002  
**Region:** West Midlands  
**Fine:** £110,000

### **YORK AND HUMBERSIDE**

#### **INCIDENT 1**

**Name of Company:** Jay Tee Construction Ltd  
**Date of Offence:** 15/05/1998  
**Region:** York and Humberside  
**Fine:** £1,000

#### **INCIDENT 2**

**Name of Company:** Barnsley Council  
**Date of Offence:** 31/10/1998  
**Region:** York and Humberside  
**Fine:** £20,000

**Name of Company:** Yorkshire Water Services Ltd  
**Date of Offence:** 31/10/1998  
**Region:** York and Humberside  
**Fine:** £2,500

**Name of Company:** Peter Duffy Ltd  
**Date of Offence:** 31/10/1998  
**Region:** York and Humberside  
**Fine:** £2,500

#### **INCIDENT 3**

**Name of Company:** Galliford (UK) Ltd  
**Date of Offence:** 15/06/1999  
**Region:** York and Humberside  
**Fine:** £75,000

**Name of Company:** Yorkshire Water Services Ltd  
**Date of Offence:** 15/06/1999  
**Region:** York and Humberside  
**Fine:** £75,000

#### **INCIDENT 4**

**Name of Company:** R M Walker Construction Ltd  
**Date of Offence:** 19/05/2000  
**Region:** York and Humberside  
**Fine:** £10,000

**Name of Company:** Firth Rixson Special Steels Limited  
**Date of Offence:** 19/05/2000  
**Region:** York and Humberside  
**Fine:** £10,000

#### **INCIDENT 5**

**Name of Company:** Totty Building Services Ltd  
**Date of Offence:** 23/05/2000  
**Region:** York and Humberside  
**Fine:** £10,000  
**Summary:** Roofing sub contractor died when falling through a fragile roof light on a large portal framed building being substantially resheeted. Roof lights not covered and nets not extending to area below work area.

**Name of Company:** Yorkshire Sheeting and Insulation Services Ltd  
**Date of Offence:** 23/05/2000  
**Region:** York and Humberside  
**Fine:** £55,000

#### **INCIDENT 6**

**Name of Company:** Jakto Transport Ltd  
**Date of Offence:** 24/11/2000  
**Region:** York and Humberside  
**Fine:** £25,000  
**Summary:** Deceased was killed by traumatic asphyxiation when he was trapped in the belt/tail end drum of a crushing machine while cleaning out when the machine was in motion. Several faults on the machine showed a failure to maintain

#### **INCIDENT 7**

**Name of Company:** Billington Modern Structures Ltd  
**Date of Offence:** 05/12/2000  
**Region:** York and Humberside  
**Fine:** £200,000

#### **INCIDENT 8**

**Name of Company:** BDB Dismantling Ltd  
**Date of Offence:** 28/05/2002  
**Region:** York and Humberside  
**Fine:** £15,000  
**Summary:** Demolition worker was crushed and fatally injured when demolishing a pipe gantry. Pre-weakening of the structure (not determined by a competent engineer) allowed the structure to collapse prior to the predetermined time of demolition. There was no safe system of temporary propping to prevent this happening.

#### **INCIDENT 9**

**Name of Company:** Envirowaste Services Ltd  
**Date of Offence:** 07/06/2002  
**Region:** York and Humberside  
**Fine:** £6,000  
**Summary:** A driver of a skip vehicle was crushed to death against a wall when operating only one outrigger. Controls not labelled and push to operate button bypassed.

#### **INCIDENT 10**

**Name of Company:** Deighton (South & Midland) Ltd  
**Date of Offence:** 18/07/2002  
**Region:** York and Humberside  
**Fine:** £8,000  
**Summary:** Roofer fell to his death whilst fixing new roof sheets during re-roofing. Poor method statement placing substantial reliance on harnesses but not a practical solution, harnesses not worn and no effective supervision by either principal contractor or defendant. Nets not provided as false ceiling prevented use.

#### **INCIDENT 11**

**Name of Company:** M J Gleeson Group Plc  
**Date of Offence:** 16/04/2003  
**Region:** York and Humberside  
**Fine:** £50,000  
**Summary:** Deceased crushed to death by a reversing rough terrain lift truck on relatively narrow site roadway.

