



Coventry City Council

Legal Services

May 2025

### Recent Cases

#### **Snowdome in Tamworth fined after boy was killed February 2025**

**Summary:** A 12-year-old boy was at a tobogganing birthday party at the Snowdome in Tamworth. He was descending the main ski slope on a toboggan when it slid into the back of a member of staff who was conducting a slope walk. The member of staff fell backwards onto the boy who died at the scene from head injuries.

The HSE investigation found that Snowdome Limited did not have a suitable and sufficient risk assessment for tobogganing activities and had not fully considered all persons likely to be on the slope during tobogganing. As a result, there was no safe system of work, information, instruction, training or supervision to manage the risk of collisions between toboggans and pedestrians.

#### **Learning points:**

- Employers must ensure suitable and sufficient risk assessments are in place and employees are provided with sufficient safe systems of work, information, instructions, training, and supervision.
- Employers are required by law to protect both their employees and others from harm and assessing the risk is just one part of the overall process.

#### **Council fined £13,000 following carbon monoxide leak at primary school March 2025**

**Summary:** A number of staff and pupils attending the school reported feeling ill, experiencing symptoms such as headaches and nausea. Throughout the day, several pupils were sent home and staff had to take medication to relieve symptoms. The following day, testing for a gas leak revealed high levels of carbon monoxide present in areas of the school. The building was evacuated.

The investigation found that one of the boilers was leaking carbon monoxide because of a lack of maintenance. Had there been regular maintenance it would have been identified and the boiler would have been disconnected.

#### **Learning points:**

HSE provides that

"In the absence of specific manufacturers' instructions, effective maintenance should include as a minimum:

- a) examination of the physical condition and safe functioning of appliance(s);
- b) installation pipework;
- c) ventilation and any flue for deterioration;
- d) carrying out performance tests; and
- e) taking the necessary remedial action."

It is important all equipment is maintained and routinely assessed.

#### **Council fined after man falls while installing town's Christmas tree** **April 2025**

**Summary:** Bury Metropolitan Borough Council has been fined £200,000 after a man was injured while installing the town's Christmas tree. The Council employee was using a scissor lift to straighten the 20-foot tall Christmas tree when it toppled over with him still in the basket.

The HSE found that Bury Metropolitan Borough Council had failed to provide the employee with any training in the safe operation of the scissor lift and had failed to carry out a sufficient risk assessment for this activity.

#### **Learning points:**

- Working at height remains one of the leading causes of workplace injury and death. HSE has detailed guidance on working safely at height.
- A suitable risk assessment of the work should have identified the dangers involved and the need to restrict the use of scissor lifts to those with appropriate training.

#### **Health Board fined for failing to manage patients risk of falling** **April 2025**

**Summary:** Betsi Cadwaladr University Health Board has been fined £250,000 following failures relating to patient falls in its hospitals. Three elderly patients sustained falls in 2022 and 2023 and they all sadly died. The cause of death of two of them was identified as being as a direct result of falling.

### **Learning points:**

There must be effective patient fall management plans which:

- ensure patients have appropriate falls risk assessments (with clear risk controls detailed)
- ensure risk assessments are reviewed and updated accordingly in the event of a patient's health deteriorating or if there is an incident
- ensure staff received training on patient falls.

The HSE stated "Staff and agency workers need to follow the same training pathway, ensuring those responsible for falls management have the skills to make appropriate decisions."

### **Council fined for multiple failures on Guided Busway April 2025**

**Summary:** A guided busway is purpose-built track exclusively for buses to bypass traffic congestion. Three people died after being hit by buses on the network and others were injured. Cambridgeshire County Council was fined £6 million.

The Council did not conduct risk assessments until almost a year after the first fatality which was five years after the busway opened. The HSE investigation also found that basic safety measures were missing across the busway including lighting of some crossing points, appropriate speed limits for buses, sufficient measures to separate pedestrians and other users including cyclists from passing buses, and adequate signage warning of dangers.

### **Learning points:**

- Safety measures must be assessed and implemented where they would adequately reduce the risk. Particularly where certain measures are commonplace
- Risk assessments must adequately assess the risk

### **Company fined after load falls and kills cyclist April 2025**

**Summary:** A road haulage company in Nuneaton has been fined £90,000 after a metal heat exchanger fell from a lorry killing a cyclist. One of the heat exchangers fell from the lorry because it had been inadequately secured leading to it being prone to toppling, and the straps used to secure the load were in poor condition.

It was found that the driver had not received training in load security.

### Learning points:

- All goods should be transported in a secure manner
- Drivers should be properly trained in all aspects of their role including loading (if applicable)
- Equipment should be checked and should be in good condition

### **Fine for waste firm after man run over on his first day of work April 2025**

**Summary:** A waste and recycling company in Oldham has been fined £250,000 after a man was run over on his first day at work. He was hit from behind by a moving shovel loader. The digger drove over the man and had to reverse when the alarm was raised by nearby colleagues.

CCTV footage of the incident, has been released and can be accessed here: <https://youtu.be/MrigMIUPxbQ>

(footage may be disturbing to some, viewer caution is advised)

An investigation by the HSE found that he had been hand picking waste after the conveyor belt they used had been removed from use after it was significantly damaged in a fire a few months earlier. Employees were therefore required to work directly on the ground, near moving vehicles with no separation between them. There was no risk assessment and there was a lack of supervision for picking and sorting waste on the ground.

HSE stated:

*“Vehicles such as shovel loaders require plenty of space due to the number of blind spots and poor visibility... This incident was easily avoidable by implementing control measures and safe practises. Measures should have been implemented to ensure that workers present in the yard were not put at risk from moving vehicles in and around where they were working, including rigorous pedestrian and vehicle segregation and safe refuge for workers whilst vehicles are operating.”*

### Learning points:

- HSE guidance states that pedestrians and moving vehicles should be segregated. Guidance on working safely with vehicles in the workplace can be found here: [Introduction to workplace transport safety - HSE](#)
- There was no risk assessment for this altered work activity after the fire and supervision and monitoring was inadequate.