



# STACS of News

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## “James Bond” builder found guilty



A builder who threatened inspectors from the HSE and told them his name was James Bond has been fined.

The man was the site manager of an extensive cottage refurbishment in Staffordshire when unsafe work caught the attention of two inspectors from the HSE. The pair had been carrying out routine inspections in the area when they saw two people on the site accessing a roof from the bucket of an excavator.

Clearly identifying the practice to be unsafe, the inspectors decided they had to stop and take action.

There were around ten workers on the site and when the inspectors approached, the site manager came over to intervene. He refused to identify himself, except as James Bond, and rebuffed their attempts to inspect the site. He went on to tell the inspectors he was in fact the property owner, that the men on site were unpaid friends and relatives, and that they had no legal right to inspect. He followed that up with threats of violence, at which point the inspectors withdrew.

The two inspectors returned to the site a week later, accompanied by officers from Staffordshire Police. The site manager greeted them with a shout of “It’s PC Plod!” while still refusing to identify himself. He maintained that he was the owner, told all his staff not to speak to HSE, except to confirm that they were his relatives and not at work, and told the inspectors once again that they had no right to inspect and to leave the site.

After making several enquiries, the inspectors were able to identify the man as the site manager – this resulted in him being served with enforcement action.

Upon receiving notification that he was to be prosecuted for the offence of obstruction, under 2 counts of section 33(1)(h) of the Health and Safety at Work etc Act 1974, he responded with three expletive laden emails, and said “I won’t jump through your hoops”.

The site manager failed to attend court on two occasions, and on the latter was found guilty after being tried in his absence. He was fined £3,000, ordered to pay full costs of £6,450 and must pay a victim surcharge of £1,200.

## Military veteran struck by collapsing lamppost

A 50-year-old man was standing at the roadside in conversation with a work colleague when the lamppost collapsed, striking him from behind and pinning him to the ground. Overhead cables attached to the lamppost were then snagged by a passing motor vehicle, which dragged the collapsed lamppost over the man.

The man sustained severe, life-threatening and life-changing injuries including multiple spinal, pelvic and rib fractures, an open leg fracture, and a fractured left ankle. He spent seven weeks in hospital and has since undergone multiple surgeries. He continues to receive medical treatment and now has reduced mobility and significant ongoing pain.

Prior to the incident, the injured person retained a high level of fitness and had a very active lifestyle, including regular hill walking and leading a section of army cadets.

An investigation by the HSE established that the lamppost had structurally failed due to severe corrosion at its base. Loss of steel thickness of at least 60 per cent due to corrosion was measured, with many areas showing significantly greater loss. The lamppost, manufactured in the 1950s or 1960s, was well over twice its expected service life of 20-25 years.

Glasgow City Council pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974. The Council was fined £80,000.

## Lifting operation causes head injury

A manufacturer of paper packaging has been fined after a worker suffered a severe skull fracture and permanent injuries when a 4.5-ton machine fell on him.

The 39-year-old sustained a severe skull fracture, bruising to his head and nerve damage to the left side of his face. He has been left with permanent double vision, loss of peripheral vision, facial palsy and hearing loss. He is unable to drive and has required multiple surgeries and ongoing mental health support.

The victim was part of a team relocating the machine from a warehouse to a storage area approximately 160 metres away. The machine, which weighed approximately 4.5 tons and measured 1.56 by 4.15 metres, had no lifting or anchoring points.

Workers had improvised a system involving lifting the machine with a forklift, placing skates underneath, and pulling it forward. The machine had already slid off the forks on at least two occasions before the incident.

At the time of the accident, the victim was positioned underneath the suspended machine to secure a wheel on its underside when it slid from the forks and struck him on the head.

An investigation by the HSE found that the lifting operation had not been properly planned by a competent person. The characteristics of the load, including its weight, size, centre of gravity and lifting points, had not been adequately assessed, and no safe system of work had been put in place.

Moving a machine of this size and weight was not a regular task at the site and there was no established system of work for it.

HSE guidance on [planning and organising lifting operations](#) states that it is important to properly resource, plan and organise lifting operations so they are carried out in a safe manner.

The company pleaded guilty to breaching Regulation 8(1)(a) and (c) of the Lifting Operations and Lifting Equipment Regulations 1998 and was fined £433,333 and ordered to pay a victim surcharge of £32,500.

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