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# Mulberry Homes Fined Â£117k after Repeated Health and Safety Breaches

## Description

**A Blackburn-based building firm, Mullberry Homes Ltd, has been fined nearly Â£117,000 for repeated health and safety violations. The company's director, Alistair Wilcock, has also received a formal caution.**

The Health and Safety Executive (HSE) found that Mullberry Homes failed to plan, manage, and monitor safety on construction sites across England. Despite multiple notifications, including improvement and prohibition notices, the company did not ensure safe working conditions at sites in Aintree, Rochdale, and Barrow-in-Furness.

HSE investigators highlighted that Wilcock, the managing director, should have addressed the safety concerns raised. The company pleaded guilty at Manchester Crown Court to breaching regulation 13 of the Construction (Design and Management) Regulations 2015. Consequently, Mullberry Homes was fined Â£116,666 and ordered to pay Â£8,294.40 in costs.

Wilcock, residing in Deer Park, Accrington, admitted to breaching section 37 of the Health and Safety at Work etc Act 1974 and received a formal caution.

HSE inspector Matt Greenly stated, "Companies have a duty of care to their employees. Mullberry Homes and Mr Wilcock had numerous opportunities to improve safety standards but failed, putting workers at risk."

Greenly added that Mullberry Homes has a history of enforcement actions and prosecutions, including under its previous name, Paddle Ltd. He expressed hope that this case would prompt the company to maintain robust health and safety standards in the future.

## Background and Details

The case against Mullberry Homes Ltd is a stark reminder of the importance of adhering to health and safety regulations in the construction industry. The company's repeated failures to comply with these regulations have not only resulted in significant financial penalties but also highlighted the ongoing risks faced by workers on their sites.

The HSE's investigation revealed a pattern of neglect and non-compliance. Despite receiving several notification-of-contravention letters, formal improvement notices, and prohibition notices, Mullberry Homes continued to operate without implementing the necessary safety measures. These notices are issued when a company is found to be in serious breach of health and safety laws, and they require immediate action to rectify the issues identified.

## Specific Incidents

Among the sites investigated were those in Aintree, Rochdale, and Barrow-in-Furness. At these

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locations, the HSE found numerous safety violations, including inadequate risk assessments, poor site management, and failure to provide proper training and equipment to workers. These lapses not only endangered the lives of the workers but also posed significant risks to the public.

The managing director, Alistair Wilcock, was found to have a direct responsibility for these failings. As the person in charge, it was his duty to ensure that all health and safety regulations were followed and that any issues raised by the HSE were promptly addressed. However, the investigation found that Wilcock had failed to take the necessary actions, leading to the repeated breaches.

## Legal Proceedings

The legal proceedings at Manchester Crown Court brought to light the extent of the company's non-compliance. By pleading guilty to breaching regulation 13 of the Construction (Design and Management) Regulations 2015, Mullberry Homes acknowledged its failure to plan, manage, and monitor construction work in a way that ensured the health and safety of workers and others who might be affected by their activities.

The fine of £116,666 reflects the severity of the breaches and the potential harm that could have resulted from the company's negligence. In addition to the fine, the company was ordered to pay £8,294.40 in costs, covering the expenses incurred by the HSE during their investigation and legal proceedings.

## Director's Accountability

Alistair Wilcock's formal caution under section 37 of the Health and Safety at Work etc Act 1974 underscores the personal responsibility of company directors in ensuring compliance with health and safety laws. This section of the Act holds directors and senior managers accountable if their consent, connivance, or neglect leads to health and safety offences.

Wilcock's acceptance of the caution indicates his acknowledgment of the failings under his leadership. This serves as a critical reminder to other directors and senior managers in the construction industry about the importance of their role in maintaining high standards of health and safety.

## HSE's Stance

HSE inspector Matt Greenly's comments following the sentencing highlight the regulator's firm stance on health and safety compliance. He emphasised that companies have a duty of care to their employees and that the HSE will not hesitate to take enforcement action against those who fall below the required standards.

Greenly pointed out that Mullberry Homes had a long history of formal enforcement and prosecutions, including under its previous name, Paddle Ltd. This history of non-compliance suggests a systemic issue within the company's management practices.

## Future Implications

The outcome of this case is expected to serve as a wake-up call for Mullberry Homes and other companies in the construction industry. It underscores the importance of robust health and safety management systems and the need for continuous improvement in this area.

For Mullberry Homes, the challenge now is to rebuild its reputation and ensure that it complies with all health and safety regulations moving forward. This will require a significant shift in the company's approach to health and safety, with a focus on proactive measures to prevent future breaches.

In conclusion, the substantial fine and formal caution issued in this case reflect the serious nature of the health and safety breaches committed by Mullberry Homes Ltd. It serves as a stark reminder to all companies in the construction industry of the critical importance of adhering to health and safety regulations to protect the wellbeing of their workers and the public.

## CATEGORY

1. Lancashire

## POST TAG

1. Alistair Wilcock
2. Compliance Monitoring
3. Construction (Design and Management) Regulations 2015 (CDM)
4. Construction Equipment
5. Construction Materials
6. Duty of Care
7. Employee Training
8. Environmental Safety
9. Financial Penalties
10. Health and Safety Compliance
11. Health and Safety Executive (HSE)
12. Leadership Accountability
13. Matt Greenly (HSE)
14. Mulberry Homes
15. Risk Assessment
16. Safety Gear
17. Safety Inspections
18. Safety Procedures
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