

# Niche Fused Magnesia Limited Fined Â£366,500 for Health and Safety Breach

## Description

On March 8, 2024, Niche Fused Magnesia Limited, a manufacturing company based in Hull, was fined Â£366,500 for breaching Section 2(1) of the Health and Safety at Work Act 1974. The case, heard at Hull Magistrates' Court, revolved around a tragic incident that resulted in the death of an employee, Martyn Green.

## Incident Overview

- **Date of Incident:** August 22, 2018
- **Location:** Niche Fused Magnesia Limited, Hull Road, Salt End, Hull
- **Victim:** Martyn Green, 55, from Hull

Martyn Green was performing maintenance on an overhead gantry crane at the company's Hull Road site. [During the testing of the crane, which had recently undergone repairs, Martyn became trapped between the crane and a roof truss, leading to fatal crush injuries<sup>1</sup>.](#)

## Investigation Findings

The Health and Safety Executive (HSE) conducted an investigation into the incident and found several critical failings:

- **Risk Assessment:** [Niche Fused Magnesia Limited failed to adequately assess the risks associated with the proximity of roof trusses to workers operating the crane from the access platform<sup>1</sup>.](#)
- **Safety Measures:** [The company did not implement necessary safety measures to ensure the work was carried out safely<sup>1</sup>.](#)

## Legal Proceedings

- **Court:** Hull Magistrates' Court
- **Date of Verdict:** March 8, 2024
- **Charges:** Breaching Section 2(1) of the Health and Safety at Work Act 1974
- **Fine:** Â£366,500
- **Additional Costs:** Â£7,325.82 in legal costs

Niche Fused Magnesia Limited pleaded guilty to the charges. [The court's decision underscored the importance of adhering to health and safety regulations to prevent such tragic incidents<sup>1</sup>.](#)

## Statements and Reactions

- **HSE Inspector John Boyle:** “This tragic incident could have been avoided had the company assessed the risks and implemented reasonably practicable safeguards. [Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards](#)<sup>1</sup>.
- **George Green (Victim’s Son):** In his victim personal statement, George expressed his profound loss and the emotional impact of his father’s death. [He described his father as his best friend and mentor, highlighting the personal toll of the incident](#)<sup>1</sup>.

## Conclusion

The case of Niche Fused Magnesia Limited serves as a stark reminder of the critical importance of rigorous health and safety practices in the workplace. The substantial fine imposed reflects the severity of the breach and the need for companies to prioritize the safety and well-being of their employees. This incident not only resulted in a tragic loss of life but also emphasized the legal and financial repercussions of failing to adhere to health and safety regulations.

### CATEGORY

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11. Safety Leadership
12. Work Permit system
13. Workplace Fatality

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