

# Lincolnshire food manufacturer fined after employee crushed in cooking machine

A Lincolnshire-based food manufacturer has been fined after one of its employees sustained two broken ribs having been crushed within an industrial cooking machine whilst working to clear a blocked water inlet.

Lincoln Magistrates' Court heard how the employee was crushed in the machine after its safety systems were over-ridden and the machine worked on whilst it was live. It should have been isolated before work on it began.

An investigation carried out by the Health and Safety Executive (HSE) found that the task was carried out by the employees in this fashion on a regular basis and that the company should have been aware . No risk assessment of the task had been completed and employees had not been provided with a safe system of work to carry it out. The lack of a safe system of work for the task and the company's failure to monitor how the work was done, led employees to devise their own way of conducting the procedure which included over-riding the safety systems and using unsafe working practices.

Bakkavor Fresh Cook Ltd of Sluice Road, Holbeach St Marks Spalding pleaded guilty of one breach of Section 2(1) of the Health and Safety at Work etc. Act 1974 and were fined £130,000 and ordered to pay costs of £2607.10.

At the end of the trial HSE inspector Tim Nicholson commented: "Those in control of work have a responsibility to devise safe methods of working and to provide the necessary information, instruction and training to their workers. If a suitable safe system of work had been in place prior to this incident, alongside good monitoring of the way the work was done, the injuries sustained by the employee could have been prevented."

## **Notes to Editors:**

1. The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. We prevent work-related death, injury and ill health through regulatory actions that range from influencing behaviours across whole industry sectors through to targeted interventions on individual businesses. These activities are supported by globally recognised scientific expertise. [hse.gov.uk](http://hse.gov.uk)
2. More about the legislation referred to in this case can be found at: [legislation.gov.uk](http://legislation.gov.uk)
3. Information regarding how to safely carry out maintenance tasks can be found on the HSE website at [hse.gov.uk/safemaintenance](http://hse.gov.uk/safemaintenance)
4. HSE news releases are available at <http://press.hse.gov.uk>

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## Unregistered gas fitter sentenced after carrying out illegal work

A self-employed gas fitter from Burnley has received a 15-month community order after carrying out gas work without being Gas Safe registered.

Preston Crown Court heard that Adam Kilbride carried out work at two properties in Burnley in December 2018 and January 2019, whilst falsely claiming to be Gas Safe registered.

Following notification of installation defects by the occupiers of the properties, Gas Safe inspectors visited one of the properties and found the work to be of a poor standard. It was classed as 'At Risk' and 'Not to Current Standards'

An investigation by the Health and Safety Executive (HSE) found Adam Kilbride was not a registered with Gas Safe Register and was also found to have falsely pretended to be Gas Safe Registered.

Adam Kilbride of Burnley pleaded guilty to breaches of Regulations 3(3), 26(1) and 3(7) of the Gas Safety (Installation and Use) Regulations 1998. He was sentenced to a 15-month community order and 100 hours of unpaid work . He was also ordered to pay £400 compensation to the homeowner and ordered to pay costs of £6000.

Speaking after the hearing, HSE inspector Caroline Shorrocks said: "Adam Kilbride undertook gas work which he knew he was not registered to do. All gas work must be done by registered Gas Safe engineers to ensure the highest standards are met in order to prevent injury and loss of life. Installers will be prosecuted if they carry out gas work without the proper qualifications. We would advise all householders to check that anyone they allow to work on the gas supply is gas safe registered. This can be done at the Gas Safe Register website".

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## [Boat builder fined after labourer suffers injuries](#)

A yacht manufacturer has been sentenced after an employee was injured when his forklift truck overturned.

Plymouth Magistrates' Court heard how on 3 August 2018, a 57-year-old employee of Princess Yachts Limited was injured whilst assisting the unloading of a delivery at the company's Langage site. The victim was using a forklift truck in tandem with another driver to lift a large load from a flatbed lorry. Part of the load was lifted to allow the lorry to move forward, but in doing so another part of the load struck the mast of his forklift causing it to overturn. He sustained ligament and muscle damage to his ankle as a result of the incident and was off work for five months. An investigation by the Health and Safety Executive (HSE) found that the lifting work had not been properly planned or risk assessed. The employees were not aware of relevant procedures and there were safer alternate methods available which had not been considered.

Princess Yachts Limited of Bush Park, Plymouth pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc. Act. The company was fined £200,000.00 and ordered to pay costs of £7,138.20.

Speaking after the hearing, HSE inspector Hatti Shipp said: "The risks associated with unloading vehicles should be recognised and controlled. Complex lifts including handling heavy or unusual loads require careful planning and additional considerations.

"This incident could have been avoided if appropriate safeguards had been put in place. Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards."

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## [Company fined after employee sustains serious injuries in fall from height](#)

A North-East manufacturer of artificial trees, plants and flowers has been sentenced after an



employee suffered serious injuries when he fell from height.

Newcastle Magistrates' Court heard how a warehouse operative, was gathering products from shelf racking. The products were stored in boxes, unwrapped on pallets up to four bays high. Access to the racking was gained by using a ladder and then either dropping the items or carrying them down to the ground. During this work, the operative slipped from the ladder and fell approximately five metres, striking his head on a pallet as he fell, suffering a broken vertebra and a head injury.

An investigation by the Health and Safety Executive (HSE) found that Treelocate (Europe) Limited had failed to properly plan the work and failed to ensure there was safe access to the area and that measures were taken to prevent and/or mitigate a fall from height.

Treelocate (Europe) Limited of Belford Industrial Estate, Belford,

Northumberland,

pleaded guilty to breaching Section 4(1) of the Work at Height Regulations 2005 and was fined £40,000 plus full costs of £1620.40 by Newcastle Magistrates Court.

After the hearing, HSE inspector Phil Chester said: "Treelocate (Europe) Ltd failed to suitably plan and carry out work at height in its warehouse to reduce the risk from working at height as far as is reasonably practicable. Ladders should not just be the go-to piece of equipment for working at height and suitable planning should be done in order to remove the risk where possible."

1. The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. It aims to reduce work-related death, injury and ill health. It does so through research, information and advice, promoting training; new or revised regulations and codes of practice, and working with local authority partners by inspection, investigation and enforcement. [www.hse.gov.uk](http://www.hse.gov.uk)
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3. HSE news releases are available at <http://press.hse.gov.uk>
4. Further information about health and safety during working at height can be found at: <https://www.hse.gov.uk/pubns/indg401.pdf>

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## [Scaffolding company fined after crane operator electrocuted](#)

A company has been fined after a worker was fatally electrocuted whilst operating a lorry mounted crane.

Cardiff Crown Court heard how on 17 May 2016, ASL Access Scaffold Limited employee Martin Tilby was fatally electrocuted when the crane he was operating struck an overhead powerline whilst he was unloading materials in a field at Cowbridge, South Glamorgan.

An investigation by the Health and Safety Executive (HSE) found that no risk assessment had been carried out in the field where the incident happened, and no control measures were put in place to prevent contact with the overhead powerlines.

ASL Access Scaffold Limited of Bridgend Industrial Estate, Bridgend was found guilty of breaching Sections 2 (1) of the Health and Safety at Work Act 1974 and LOLER Regulation 8 (1). The company was fined £160,000 and ordered to pay costs of £45,000.

Speaking after the hearing, HSE inspector Damian Corbett said: "This death was easily preventable, and the risk should have been identified. Employers should make sure they properly assess and apply effective control measures to minimise the risk from striking overhead powerlines. This death would have been preventable had an effective system for managing unloading materials been in place."

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