

# Chemical company fined after worker suffered multiple fractures

Esseco UK Ltd has been sentenced for safety breaches after an employee fell 2.7 metres onto a concrete floor and suffered a fracture to his skull.

Health and safety inspectors have also said it was fortunate nobody was injured in an explosion at a chemical plant in Wakefield in November 2014, for which the company was also fined.

Leeds Crown Court heard that on 11 May 2015, the employee entered the first floor of a building on Calder Vale Road, Wakefield known as 'the Wendy House', in order to inspect the building prior to demolition. As he walked across the metal decking on the first floor, he fell through a gap, which had been created by removal of a piece of equipment, to the floor below. He suffered a fractured skull, fractures to five vertebrae a broken clavicle, broken ribs, a cut on the leg and a dislocated finger.

An investigation by the Health and Safety Executive (HSE) found that the building was redundant and due for demolition. A section of the metal decking floor had previously been removed on 24 April 2015 leaving a gap measuring 0.9m by 0.7m.

Esseco UK Ltd of Calder Vale Road, Wakefield, West Yorkshire pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974. The company has been fined £140,000 and ordered to pay costs of £7,642.

Speaking after the hearing, HSE's head of operations (Chemicals South and East and Human Factors) Catherine Cottam said: "Falls from height remain the one of the largest single causes of death and serious injury within the workplace, and as such it is vital that employers ensure that work with associated with height risks is properly planned, executed and monitored."

Esseco was also prosecuted by HSE following an explosion at the company's chemical plant, also in Wakefield. Nobody was hurt in the blast on 19 November 2014, which caused damage to the steel structure and a release of sulphur dioxide into the atmosphere. The construction of a new process plant at the site was near completion and commissioning of the plant had started in September 2014. Trials were being run on the new plant, which involved the use of the chemicals used in the production process of agricultural liquid fertilizer, including sulphur prill (granules of solid sulphur). There were problems with the enclosed bucket conveyor feed system, which transported the prill from a hopper into the chemical reactor tank. Sulphur dust was created within the conveyor due to physical break down of the prill. The sulphur dust cloud ignited, which caused the explosion.

An investigation by HSE found that commissioning of the plant with inert materials would have identified that the conveyor system was not aligned correctly, resulting in physical degradation of the prill to form an

explosive dust cloud. The specification of components of the conveyor system had not been checked by the dutyholder resulting in the presence of potential of ignition sources within the conveyor system.

The company pleaded guilty to breaching Regulation 4 of the Control of Major Accident Hazard Regulations 1999, was fined £90,000 and ordered to pay costs of £7,642.

Catherine Cottam added: "It was fortunate nobody was injured when this explosion happened. Risks associated with the commissioning of new plant must be considered in detail at early planning stages, and commissioning must be carried out in a detailed and controlled fashion to ensure that risk is reduced to a level as low as is reasonably practicable."

#### **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)<sup>[1]</sup>
2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](http://legislation.gov.uk/)<sup>[2]</sup>
3. HSE news releases are available at <http://press.hse.gov.uk><sup>[3]</sup>
4. Please see the link below to the page on HSE's website that is the best guide to doing it the right way:

[\(\[Working at height: A brief guide \\(hse.gov.uk\\)\]\(http://hse.gov.uk/working-at-height\)\)](http://hse.gov.uk/working-at-height)

The post [Chemical company fined after worker suffered multiple fractures](#) appeared first on [HSE Media Centre](#).

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## **[Construction company fined after worker breaks back in fall from height](#)**

A construction company has been sentenced for failing to comply with work at height regulations after a worker fell through a fibre cement roof sheet sustaining serious injuries.

High Wycombe Magistrates' Court heard that on 6 September 2018, Ross Sly was replacing the roof of an agricultural building in Reading when he stepped

across a roof-light onto a fibre cement roof sheet, which gave way. He fell approximately four metres on to the workshop floor, sustaining multiple fractures to his spine.

An investigation by the Health and Safety Executive (HSE) found that sole trader Mark Wakefield, trading as Mark Wakefield Construction, had failed to take reasonably practicable precautions to safeguard his workers during the re-roofing work.

The workers had been put at risk of falling through fragile roof sheets above areas of the buildings where safety nets had not been installed, underneath the fragile roof sheets. The employer had also failed to put edge protection in place around the perimeter of the main building and workshop to prevent the risk of a fall.

Mark Wakefield of Hilltop Farm, Greenhill, Swindon pleaded guilty to breaching Regulation 4 (1) of the Work at Height Regulations 2005 and was fined £1,400 and ordered to pay costs of £2,000.

Speaking after the hearing, HSE inspector Chris Redfern said: "Falls from height remain the most common cause of work-related fatalities and serious injuries in the construction industry.

"The risks associated with working at height are well-known. It is important that those in control of work at height identify the risks and implement appropriate control measures to safeguard workers.

"HSE will not hesitate to take appropriate enforcement action against those who fall below the required standards."



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2. More about the legislation referred to in this case can be found at: [www.legislation.gov.uk/](http://www.legislation.gov.uk/)
3. HSE news releases are available at: <http://press.hse.gov.uk>
4. Further information on working safely at height can be found at: <https://www.hse.gov.uk/work-at-height/key-messages.htm>

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## [Company fined following fatal gas explosion](#)

An asbestos removal contractor has been fined after a worker was fatally injured and another worker seriously injured in a gas explosion.

Hamilton Sheriff's Court heard how on 5 October 2017, workers were removing a boiler and pipework, and overspraying walls to remove asbestos residue, at the former Pastoral Centre in Bonkle Road, Newmains in Wishaw.

The work was being carried out prior to demolition. The plan was to cut the boiler and pipework into sections to make it easier to remove. However, the gas supply had not been isolated and the workers cut through a live gas outlet pipe, the gas ignited causing an explosion.

Two workers received extensive burns to their body and underwent surgery. One of the employees died in hospital several days after the incident.

An investigation by the Health and Safety Executive (HSE) identified that the risk assessment and plan of work for the job had identified services were present in the boiler room, but the company failed to ensure the gas pipe was isolated and purged of gas before work commenced.

Enviraz (Scotland) Limited of Kelvin Avenue, Hillington Business Park, Glasgow pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974. The company was fined £150,000.

Speaking after the hearing, HSE inspector Helen Diamond said: "This incident could so easily have been avoided if the company had ensured that the gas pipe in the boiler room had been isolated and purged prior to removal. Within the asbestos licensing permissioning regime, HSE expects licensed contractors

to have adequate management arrangements in place to control non-asbestos risks.

“Given the potential consequences of using a power tool on live or unpurged pipework, the management system to establish the status of the pipework needs to be robust and there should be written confirmation of isolation.

“Tragically, one man has lost his life as a result of this incident and a second worker has sustained life-changing injuries.”

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## [Construction company fined for breaching work at height regulations](#)

A construction company has been fined after HSE inspectors found unsafe working at height practises and other unsafe site operations during a routine inspection.

Kidderminster Magistrates’ Court heard that on 8 October 2019, a routine inspection was undertaken at a construction site in Redditch, Worcestershire following a report of a fall from height. During the inspection there was evidence of poor management of work at height, and numerous other uncontrolled site safety risks. This included unsafe work on a flat roof where there was no edge protection as required by the regulations to prevent a fall from height, despite there having been a fall from the same flat roof eight days earlier.

Prohibition Notices were served immediately in response to the work at height breach and for unsafe access and egress into the building. An Improvement Notice was served in relation to planning for work at height and a Notification of Contravention was also served for other identified failings.

SSF Construction Limited of The Old Foundry, Ash Street, Bilston, West Midlands pleaded guilty to breaching Regulation 4(1) of the Work at Height

Regulations 2005 and Regulation 13(1) of the Construction (Design and Management) Regulations 2015. They were fined £48,000 and ordered to pay costs of £3,443.

Speaking after the hearing, HSE inspector Chris Gregory said: “The company had not learnt the lesson from the recent fall from height and failed to ensure that appropriate fall prevention or mitigation measures had been put in place, so there was the potential for further falls from height and serious injuries or fatalities. Other significant risks identified during the inspection confirmed a widespread failure to manage and monitor the site to protect workers and others from foreseeable risks.

“Those in control of work have a responsibility to ensure that work activities are appropriately planned, managed and monitored, and that suitable control measures are both identified and implemented.

“HSE will not hesitate to take proactive enforcement action against those that fall below the required standards – it is clear that in this case we were left with no choice but issue these notices and prosecute.”

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3. HSE news releases are available at <http://press.hse.gov.uk>
4. Further information for planning for construction work at height is available here: Construction – Assessing all work at height – HSE

The post [Construction company fined for breaching work at height regulations](#) appeared first on [HSE Media Centre](#).

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# Company and director prosecuted for repeated poor standards of site safety

A buy to let property developer and company director have been fined for poor health and safety standards on their construction site in Cardiff.

Cardiff Magistrates' Court heard that JNR Developers Limited had consistently performed below required health and safety standards over a period of 10 years, despite interventions from HSE and enforcement action to remedy poor practice.

Health and Safety Executive (HSE) inspections of refurbishment projects under the control of JNR Developers Limited in February, March and April 2018 uncovered serious management failings that had resulted in site activities being performed unsafely. Multiple risks were identified including structural safety concerns, unsafe work at height, poor electrical safety, substandard plant management and inadequate welfare that resulted in immediate enforcement action.

A subsequent HSE investigation into JNR Developers Limited and its director, Mehrdad Chegounchei, identified a long history of enforcement by HSE at construction sites under the control of Mr Chegounchei dating back over 10 years. The investigation also identified that poor safety management and leadership had continued at sites controlled by Mr Chegounchei, despite him receiving director health and safety training as a result of previous HSE enforcement action.

JNR Developers Limited, of Cyncoed, Cardiff pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc Act 1974. The company was fined £32,000 ordered to pay costs of £8,000.

Mehrded Chegounchei pleaded guilty to breaching Section 37(1) of the Health and Safety at Work etc Act 1974. He received a six months custodial sentence, suspended for twelve months, and ordered to undertake eighty hours of unpaid work.

Speaking after the hearing, HSE inspector John Caboche said: "This company and its director failed to adopted correct control measures and safe working practises to maintain expected health and safety standards on site to protect workers.

"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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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.

2. More about the [legislation referred to in this case](#) <sup>[2]</sup>
3. [Latest HSE press releases](#) <sup>[3]</sup>
4. See more information about [the safe use of work equipment](#)

The post [Company and director prosecuted for repeated poor standards of site safety](#) appeared first on [HSE Media Centre](#).