

Decking manufacturer and director sentenced after worker crushed

A Stockport decking manufacturer and a company director have been fined after a delivery driver was crushed by a poorly lifted load.

Manchester Magistrates' Court heard how on the 30 April 2019, a HGV driver was delivering packs of five metre lengths of plastic deck boards to Ultimate Systems Ltd. Several packs of decking were stacked on pallets with an approximate weight of over 2000 kgs.

Company director Andrew Kerr used a forklift truck (FLT) to unload the delivery, lifting the entire stack of pallets at once, which exceeded the FLT load capacity. This caused the forklift to tip forward, which resulted in the load falling onto the HGV driver, trapping him between the load and his own vehicle.

The driver sustained crush injuries to the spine, multiple rib fractures, a broken left collarbone, a punctured lung and ligament damage to the neck. He spent six weeks in Manchester Royal Infirmary, four weeks in an induced coma. He was unable to work for a year.

An investigation by the Health and Safety Executive (HSE) found Mr Kerr was not trained to operate the forklift truck. There was no safe system of work for unloading or loading of decking, and no rules for visiting drivers to wait in a safe area.

Ultimate Systems Ltd of Second Avenue, Poynton Industrial Estate, Poynton, Stockport pleaded guilty to breaching Section 3 (1) of the Health and Safety at Work etc. Act 1974 and was fined £38,000 and ordered to pay costs of £3,741.10

Andrew Kerr of Burnside Way, Winnington, Northwich pleaded guilty to breaching Section 3 (1) of the Health and Safety at Work etc. Act 1974 and was sentenced to 14 weeks imprisonment suspended for 18 months with an additional requirement to complete 180 hours unpaid work and ordered to pay costs of £3,472.30.

Speaking after the hearing, HSE Inspector Stuart Wood said: “Those in control of work have a responsibility to ensure the methods they use to unload and load vehicles is safe.

“If forklift truck operator training and specific site rules to visiting drivers had been in place the serious physical injuries sustained by this driver could easily 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. www.hse.gov.uk
2. More about the legislation referred to in this case can be found at: [www](http://www.hse.gov.uk)
3. HSE news releases are available at <http://press.hse.gov.uk>

The post [Decking manufacturer and director sentenced after worker crushed](#) appeared first on [HSE Media Centre](#).

[Company fined for failing to implement safe systems of work](#)

A bakery has been fined for failing to provide suitable machinery guarding and poor electrical standards.

Luton Magistrates’ Court heard how, during an inspection in June 2019 at Arnaouti Pitta Bread Bakery Limited’s site in Hoddesdon, the company was found failing to maintain guarding standards and electrical safety, risking both amputation and electrocution. The company was prosecuted in 2016 for similar guarding and electrical safety issues.



An investigation by the Health and Safety Executive (HSE) found multiple access points to dangerous parts of machinery, indicating poor maintenance of the guards. Failures in maintenance also exposed employees to live electrical conductors.

Arnaouti Pitta Bread Bakery Limited of Stephenson Close, Hoddesdon, Hertfordshire pleaded guilty to breaching Section 2(1) of the Health and Safety at Work Act 1974 and Regulation 4(2) of the Electricity at Work Regulations 1989. The company was fined £66,000 and ordered to pay costs of £9,586.

Speaking after the hearing, HSE inspector Sandra Dias, said: “Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards.

“Employers should make sure they properly assess and apply effective control measures to eliminate the risk from dangerous parts of machinery.

“Companies need to ensure their electrical systems are maintained to prevent access to exposed live conductors”.

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2. More about the legislation referred to in this case can be found at: [hse.gov.uk/electricity/maintenance/safety.htm](https://www.hse.gov.uk/electricity/maintenance/safety.htm); <https://www.hse.gov.uk/work-equipment-machinery/puwer.htm>

3. HSE news releases are available at <http://press.hse.gov.uk>
4. For more information on working safely with machinery and maintaining safe electrical systems, please visit our pages here: <https://www.hse.gov.uk/work-equipment-machinery/> and <https://www.hse.gov.uk/toolbox/electrical.htm>

The post [Company fined for failing to implement safe systems of work](#) appeared first on [HSE Media Centre](#).

[Construction company fined after excavation collapse](#)

Harlands Builders Limited has been fined for safety breaches after a ground worker was trapped having entered a two-metre-deep excavation.

Bridlington Magistrates' Court heard that on 26 June 2019, the company was

undertaking groundworks at West Farm Stone, Creek Sunk Island, East Riding. The worker had entered an excavation in order to measure the depth when part of it collapsed on him.

An investigation by the Health and Safety Executive (HSE) found that the excavation had three sheer unsupported sides and was not battered back. The worker was trapped by the collapse and sustained a broken tibia and fibula on his left leg. Other workers were also put at risk as they went into the excavation to free the trapped man.

Harlands Builders Limited of Medina House, Station Avenue Bridlington, East Yorkshire pleaded guilty to breaching Regulation 22 (1) of the Construction Design Management Regulations 2015. The company has been fined £12,000 and ordered to pay costs of £1,139.

Speaking after the hearing, HSE inspector Sarah Robinson, said: "The excavation should have been supported or battered back, and no individuals should have been asked to go into the excavation whilst it was unsafe.

"This incident could have led to the death of the worker. The case highlights the importance of identifying and following any risk assessment that was set in place."

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2. More about the legislation referred to in this case can be found at: www.legislation.gov.uk
3. HSE news releases are available at www.press.hse.gov.uk
4. Further information can be found at: www.hse.gov.uk/pubns/cis64.pdf

The post [Construction company fined after excavation collapse](#) appeared first on [HSE Media Centre](#).

[Farming company fined after young worker injured](#)

T Cook & Son (Farmers) Ltd has been sentenced for safety breaches after a 17-year-old worker suffered crush injuries to his foot.

Bridlington Magistrates' Court heard that on 20 December 2017 a concrete

panel was dropped during a lifting operation involving a telehandler vehicle on a farm in Owstwick, Yorkshire.

An investigation by the Health and Safety Executive (HSE) found that the panel was being installed to repair a pig shed. A telehandler was used to lower the panel, weighing over a tonne, into place and the load fell after the tines of the telehandler were withdrawn. The panel fell onto the young worker resulting in mid foot fractures and crush injuries.

T Cook & Son (Farmers) Ltd of Kenby Farm, Owstwick, Roos, Withernsea, East Yorkshire pleaded guilty to breaching Regulation 8 (1) of the Lifting Operations and Lifting Equipment Regulations 1998. The company has been fined £4,690.00 and ordered to pay £11,905.96 in costs.

After the hearing, HSE inspector Sarah Taylor, commented: "All lifting activities should be properly planned by a competent person, appropriately supervised and carried out in a safe manner.

"This incident could so easily have been avoided by simply carrying out correct control measures and safe working practices. HSE will not hesitate to take appropriate enforcement action against those responsible for lifting operations especially when young persons are put at risk."

The post [Farming company fined after young worker injured](#) appeared first on [HSE Media Centre](#).

[Company fined after worker suffers loss of thumb and fingers](#)

Food manufacturer, Young's Seafood Limited, has been fined after a worker was trapped by a mixing machine.

Grimsby Crown Court heard that, on 16 October 2017, the 59-year-old worker was creating the mix for fish cakes at the company's Humberstone Road factory in Grimsby. At the end of a mix run he went to clear the mix from the machine, lifting an interlocked guard that should have stopped the machine from running. He put his hand into the machine without realising it was still running and the augur caught his hand and drew his arm in up to the elbow. The worker managed to free himself from the augur but in removing his arm, his thumb and two of his fingers were severed and he suffered serious tendon damage. Following the incident doctors were unable to reattach his fingers and he has not yet been able to return to work.



An investigation by the Health and Safety Executive (HSE) found that the machine continued to run when the safety guard was lifted and failed to respond when the emergency stop was pressed. The interlocking system was inadequate, and the company had failed to ensure that the machine was effectively maintained. These matters were exacerbated by poor communication between the shop floor and maintenance and an inadequate fault reporting system.

Young's Seafood Ltd of Ross House, Wickham Road, Grimsby Lincolnshire pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974. The company has been fined £787,500 and ordered to pay £33,443.68 in costs.

After the hearing, HSE inspector Carol Downes commented: "The life changing injuries sustained by the employee could have been prevented and the risk should have been identified.

"Being pro-active with preventative maintenance and good communication of faults can reduce the chance of harm."

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

The post [Company fined after worker suffers loss of thumb and fingers](#) appeared first on [HSE Media Centre](#).