

Companies fined after employee fractures leg at reservoir



A contractor and a water management company have been fined after a worker was injured when he was hit by a 1.5 tonne water valve.

Newcastle upon Tyne Magistrates' Court heard that on 5 June 2018, Northumbrian Water Limited had contracted JW Colpitts & Co Limited to connect a 1.5 tonne water valve in a confined chamber at Kielder Reservoir, Northumberland. The valve was suspended from a lorry mounted crane when it swung across the chamber and struck the worker. He sustained an open compound fracture of his tibia and fibula and was airlifted to hospital.

A Health and Safety Executive (HSE) investigation found that both companies had failed to risk assess the work and the additional hazards introduced by a change in the scope of work. They failed to implement suitable safety measures and safe systems of work; and provide adequate supervision to the workers.

Northumbrian Water Limited of Northumbria House, Abbey Road, Pity Me, Durham pleaded guilty to breaching Sections 2(1) and 3 (1) of the Health and Safety at Work etc Act 1974. They were fined £365,000 and ordered to pay costs of £14,360.69 and a victim surcharge of £120.00.

JW Colpitts & Co Limited of John Anderson House, Coniston Road, Blyth Riverside Industrial Estate, Blyth pleaded guilty to breaching Section 2(1) of the Health and Safety at Work Act 1974 etc. They were fined £30,000 and ordered to pay costs of £17,452.22 and a victim surcharge of £120.

Speaking after the hearing, HSE inspector Clare Maltby said: "Companies must understand that work activities involving confined spaces, work at height and lifting operations must be subject to a robust risk assessment. Furthermore, risk assessments should be reviewed if the scope of work changes and

additional hazards are introduced.

“Companies must also ensure that they have suitable safety control measures and safe systems of work in place to address the identified risks. Appropriate arrangements should be in place to supervise and monitor work.”

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.legislation.gov.uk/
3. HSE news releases are available at <http://press.hse.gov.uk>

[Fraudulent gas installer prosecuted for illegal gas work](#)

A gas installer has been fined after repeatedly carrying out gas work whilst falsely claiming to be gas safe registered.

Cardiff Crown Court heard how, between September 2016 and March 2018, Jordan Louis Hare carried out gas work at four domestic premises in Cardiff and Crosskeys, but did not hold the necessary registration to carry out this work. Mr Hare installed gas boilers along with other work at the premises in Cardiff and carried out modifications to gas pipework and installed a gas boiler and gas hob at the property in Crosskeys.

On inspection, works carried out by Mr Hare at all properties, were classed as ‘immediately dangerous’, ‘at risk’, ‘not to current standards’ or ‘building regulations non-compliant’ placing the occupants and other members of the public in significant danger due to the potential risk of gas escape, fire, and explosion.

An investigation by the Health and Safety Executive (HSE) found that the actions of Mr Hare were fraudulent and deliberate. Trading under various names, he pretended to be Gas Safe registered to convince vulnerable people to engage his services to undertake work that he was not competent to do.

Mr Jordan Hare of Foxberry Close, Pontprennau, Cardiff pleaded guilty to breaching four counts of regulation 3(1), 3(3) and 3 (7) of the Gas Safety (Installation and Use) Regulations 1998 along with S22 of the Health and Safety at Work etc, Act 1974. He was given a 10 month custodial sentence

suspended for 18 months, ordered to carry out 200 hours of unpaid work, and pay costs of £5,000 and £125 compensation.

Speaking after the hearing, HSE inspector Gethyn Jones said: "Jordan Hare 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 to prevent injury and loss of life. Householders should check that the engineer carrying out gas work in their home is registered with Gas Safe."

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[Glazing company fined for failing to control risks of vibrating tools](#)

A glass and glazing company which installs and repairs glass windscreens and side windows to buses, coaches, motor homes and trains, has been fined for failing to adequately control the risk to its employees from using vibrating tools.

Reading Magistrates' Court heard how employees of PSV Glass and Glazing Limited were required to use oscillating and reciprocating saws, known as Fein cutters, to remove the thick adhesive that had been used to secure the windows in place – sometimes for their entire shift. HSE received reports of 30 employees at the company being diagnosed with hand arm vibration syndrome (HAVS).

An investigation by the Health and Safety Executive (HSE) found that on and before 20 August 2018, the company failed to adequately assess the risk to employees from exposure to vibration. They did not monitor the use of the Fein cutters and had not implemented measures to control exposure. There was no tool maintenance programme to ensure tools were working effectively to ensure vibration levels were kept to a minimum.

A large number of the 30 technicians affected are relatively young and have

sustained life-changing permanent injury to their hands, which means they can no longer work with vibrating tools. Most now suffer constant pain and sensitivity to cold and struggle with everyday tasks.

PSV Glass and Glazing Limited of Hillbottom Road, High Wycombe pleaded guilty to breaching Regulations 5(1), 6(1), 7(1) and 8(1) of The Control of Vibration at Work Regulations 2005. The company has been fined £211,290.04 including a victim surcharge of £70 and ordered to pay costs of £11,120.04.

Speaking after the hearing, HSE inspector Emma Page said: "This was a case of the company completely failing to grasp the importance of HAVS health surveillance.

"If they had understood why health surveillance was necessary, it would have ensured that they had the right systems in place to monitor workers' health and the employees' condition would not have been allowed to develop to a severe and life altering stage."

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2. More about the legislation referred to in this case can be found at: legislation.gov.uk/
3. For more information on managing the risks of working with vibrating tools visit: hse.gov.uk/vibration/hav/index.htm
4. HSE news releases are available at <http://press.hse.gov.uk>

Plastics manufacturer fined after employee's arm was pulled into rollers of slitter machine.

A company, which manufactures self-adhesive vinyl and other coated plastic films has been fined after an employee's hand became caught between two driven rollers and was pulled into the machine.

Newport Magistrates' Court heard how on 25 July 2019, an employee of Kay Premium Marking Films Limited was attempting to clean glue off a roller within the slitter machine. His hand became caught within the mechanism of

the machine and he sustained a broken ulna, radius and elbow. As a result of the incident the employee underwent surgery to have his arm pinned and plated.

At the time of the incident the machine had no guards in place and there was access to dangerous parts of the machine including the driven rollers whilst it was running.

An investigation by the Health and Safety Executive (HSE), that although the company had a risk assessment in place, it failed to identify the dangerous parts of the machine and the control measures required to prevent access to, or stop the movement of, those dangerous parts before a person could enter the danger zone.

Kay Premium Marking Films Limited, Unit 2, Oakwood Close, Pen Y Fan Industrial Park, Crumlin, Gwent, pleaded guilty to breaching Regulation 11(1) of The Provision and Use of Work Equipment Regulations 1998 and Regulation 3(1) of The Management of Health and Safety at Work Regulations 1999 and have been fined £66,000 and ordered to pay costs of £9998.40.

Speaking after the hearing HSE inspector Seren Linton said "This injury could have easily been prevented had the risk been identified. Employers should make sure they properly assess and apply effective control measures to identify and minimise the risk from dangerous parts of machinery."

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

[Construction company and its groundworks contractor sentenced](#)

A construction company and its groundworks contractor have been fined after unsafe excavation work left a worker with serious burns to his hand and arm.

High Wycombe Magistrates' Court heard that, on the 2 August 2018, a groundworker was preparing the ground to install a post to carry an Automatic Number Plate Recognition Camera (ANPRC), at Twyford near Reading,

Berkshire.

Initially, the worker dug hand, however, due to the ground conditions and numerous hedgerow roots he started to use an 110V mechanical electric breaker.

The incident occurred when the groundworker struck a power cable supplying an adjacent British Telecommunications building. The voltage of the cable was 415v causing the ground worker to receive an electric shock that caused burns to one hand and to his opposite arm.

An Investigation by the Health and Safety Executive (HSE) found that site plans for buried cables had not been consulted and a cable avoidance tool had not been used to locate buried services in advance of carrying out the work. In addition, there was a lack of properly trained labour and supervision in place for the excavation works.

The principal contractor on site had failed to plan, manage and monitor the excavation works and also failed to provide adequate supervision for the ANPR installation project.

CLC Contractors Limited (the Principal Contractor), of Unit 2 Northbrook Industrial Estate, Vincent Avenue, Southampton, S016 6PB pleaded guilty to breaching 13 (1) Construction (Design and Management) Regulations 2015 and were fined £400,000.00 and ordered to pay costs of £5,300.00.

Paul Gale, Company Director of PAG Building Services Ltd of 2 Moore Crescent, Netley Abbey, Southampton, Hampshire pleaded guilty to Section 37(1) Health and Safety Work Act 1974.

Due to the seriousness of the offence the case was referred to Aylesbury Crown Court for sentencing. Paul Gale was sentenced to 14 months imprisonment suspended for 24 months and 150 hour of community service. HSE was awarded costs of £7,200.

Speaking after the case, HSE inspector John Caboche 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 in the safe system of working. In this instance, readily available buried service records were not consulted, and a cable avoidance tool was not provided to the groundworks team. Utilising these simple steps would have prevented this serious incident."

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