

Waste company fined after worker crushed between vehicles

A waste management and skip hire company has been fined after a worker suffered multiple injuries when he was struck by a reversing vehicle.

Mold Magistrates' Court heard how on 6 June 2019, a skip lorry driver drove into the waste management yard area of Thorncliffe Building Supplies' Abergele site and parked his vehicle. As he was removing the net from the skip, a loading shovel from the same company reversed into the driver, trapping him between his vehicle and the loading shovel. He sustained life changing injuries including fractures to his pelvis and a crushed bowel.

An investigation by the Health and Safety Executive (HSE) into the incident found that the system of work to control risks from transport was not fully adequate and not monitored; and as a result, was not being followed therefore exposing workers to risks. At the time of the incident the inner banksman, who is responsible for managing traffic at the site, was not present at his station and there weren't any measures in place to prevent new vehicles from accessing the site.

Thorncliffe Building Supplies Limited of Allt y Graig, Meliden Road, Rhyl pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work Act 1974 and have been fined £180,000 and ordered to pay costs of £5,856.

Speaking after the case, HSE inspector Sarah Baldwin-Jones said: "This incident could so easily have been avoided by simply following correct control measures and safe working practices.

"Monitoring of the safe working practice and CCTV evidence would have highlighted risks created when the banksman left the yard area. A rising barrier fitted at the yard entrance, or relief cover for the banksman during the day, would have prevented this incident occurring.

"Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards."

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](https://www.hse.gov.uk)
2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](https://www.legislation.gov.uk/)

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

[Construction company fined for unsafe removal of asbestos](#)

A construction company has been fined after disturbing asbestos and removing it without adequate precautions at a pub in Trowbridge, Wiltshire.

Salisbury Magistrates' Court heard how, on 8 September 2018, Robert Angell undertook work to remove asbestos-containing material while renovating the property.

An investigation by the Health and Safety Executive (HSE) found the company was not licensed to carry out asbestos removal work and failed to take appropriate measures to prevent the spread of the asbestos waste while. As a consequence the work undertaken exposed employees and neighbouring areas to risks from asbestos.

Robert Angell of York Road, Calne, Wiltshire was found guilty of breaching Section 16 of the Control of Asbestos Regulations 2012, together with section 5 (1) and 8(1) of the regulations. The company were fined £300.00 and ordered to pay £8,266.40 in costs.

Speaking after the hearing, HSE inspector Ian Whittles said: "The dangers associated with asbestos, including licensed asbestos, are well-known and a wealth of advice and guidance is freely available from the HSE website.

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Engineering company fined after worker severed finger in machinery

Royston Lead Limited have been sentenced for safety breaches after a worker's hand became trapped in a stamping machine.

Sheffield Magistrates' Court heard that, on 16 January 2018, the 21-year-old worker was feeding lead billets into a lead stamping machine when his hand became caught. The little finger on his right hand was cut to the bone and later had to be partially amputated. He also suffered cuts and subsequent scarring to the ring finger on the same hand.

An investigation by the Health and Safety Executive (HSE) found that the machine was inadequately guarded and there was access to dangerous parts of the machine. A second similar machine was found to have the same guarding deficiencies.

Royston Lead Limited of Pogmoor Works, Stocks Lane, Barnsley, South Yorkshire pleaded guilty to breaching two charges of Regulation 11(1) of the Provision and Use of Work Equipment Regulations 1998. The company has been fined £80,000 and ordered to pay £8,400 in costs.

Speaking after the hearing, HSE inspector Anuja Mistry-Raval said: "Dangerous parts of the machines should have been identified through a suitable and sufficient assessment of the risks posed and then appropriately guarded.

"This incident could so easily have been avoided by simply implementing correct control measures and carrying out safe working practices"

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 3. HSE news releases are available at <http://press.hse.gov.uk>
 4. For more information on safe use of machinery please see the following guidance:
[Work equipment and machinery](#)
[Provision and Use of Work Equipment Regulations 1998 \(PUWER\)](#)
[Safe use of work equipment](#)
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[Director fined for failing to comply with HSE enforcement notices](#)

A director of a former car salvage company has been fined for failing to comply with HSE enforcement notices served to protect the health and safety of workers in his workplace and visitors to the site.

Newport Crown Court heard that between 2018 and 2021, Tahir Karim was in control of activities and persons working at the site known as Long Life Spares, at Graddfa Industrial Estate, Llanbradach and failed to comply with four enforcement notices. The notices had been served in relation to structural safety and the use of unsafe forklift truck vehicles.

An investigation by the Health and Safety Executive (HSE) found that Mr Karim had failed to comply with all of the prohibition notices served. However, he was aware of the risks and directed workers to act in a way that contravened the prohibitions and risked their own safety.

Tahir Karim of Graddfa Industrial Estate, Colliery Road, Llanbradach, Caerphilly, Mid Glamorgan was found guilty of four offences that contravened Section 33 of the Health and Safety at Work etc Act 1974. He was sentenced to 12 months imprisonment.

Speaking after the hearing, HSE inspector Sian Donne, said “We do not tolerate disregard for health and safety and consider the non-compliance of HSE Enforcement Notices as a serious offence.”

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[Contractor and security company fined after security guard dies of](#)

hypothermia at windfarm

Two companies have been fined following an incident where a security guard died after being found lying face down and hypothermic, in deep snow, at a remote hillside in Ayrshire.

Ayr Sheriff Court heard that just after midnight on 22 January 2018, Ronald (Ronnie) Alexander, a 74-year-old security guard employed by Corporate Service Management Limited, was found by Police Scotland's Mountain Rescue Team at Afton Windfarm, a remote site near New Cumnock. Mr Alexander died later that day having never regained consciousness.

Corporate Service Management Limited was contracted by Northstone (NI) Limited, who trade as Farrans, to provide security for this site. Following a site visit by the managing director and operations director of Corporate Service Management, it was agreed that two guards would be required because it was known that mobile phone signals offsite are very poor.

Around lunchtime on 21 January, as forecasted, the weather deteriorated resulting in deep drifts on the road to the site from New Cumnock, and the road between the gatehouse where Mr Alexander worked and the site compound where his colleague was stationed. Although mobile phone communications were known to be poor and inconsistent at the site there was no landline. Two-way radios were available, but these could only be used for the guards to speak with each other and not offsite.

The HSE investigation into Mr Alexander's death found that when preparing their emergency weather plan, Northstone (NI) Ltd had failed to include those times when nobody from the company would be present at the site. The company also failed to ensure there was a back-up generator at either of the guard's locations to ensure that their welfare area would have heating and lighting should the main generator fail, despite this having occurred on several occasions previously. Northstone (NI) Ltd did not ensure that Mr Alexander or his colleague had a reliable means of calling for help.

At around 5pm, Mr Alexander's colleague managed to obtain a signal on his mobile phone and reported to Corporate Service Management's control room that not only had the generator failed, but that the only means of transporting the men offsite, a 4x4 vehicle, had become trapped in the deep snow at the site compound. Despite this, Corporate Service Management did not call the emergency services until after 9pm.

Corporate Service Management's emergency plan relied on there being effective communication between the guards and their control room, however they failed to provide this or to make sure that Northstone (NI) Ltd had provided this at the site.

Northstone (NI) Limited, Kingsway, Dunmurry, Belfast pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc Act 1974 and was fined £768,000.

Corporate Service Management Limited, MacLellan Street, Glasgow pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974 and was fined £100,800.

Speaking after the hearing, HSE inspector Gerard Muir said: "This incident could so easily have been avoided had either company ensured that a suitable assessment had been made of the risk to those working at the site in poor weather, that suitable and sufficient means had been provided for the guards to communicate offsite, and that back-up generators had been provided, particularly when they knew how often the main generator had failed. By simply carrying out these correct control measures and ensuring safe working practices at this site, this tragic event could have been avoided.

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