

# Property development company and director prosecuted after unsafe demolition work

A building development company and its director have been sentenced after unsafe demolition work took place at a former pub in Bexley.

Westminster Magistrates' Court heard that on 22 June 2016, the former Ye Olde Leather Bottle pub was completely demolished without appropriate action taken to ensure members of the public were not in danger of harm.

An investigation by the Health and Safety Executive (HSE) found no safe system of work existed at the time of the incident. There had been no asbestos survey done before the demolition work began, which meant any asbestos-containing materials present would, during the demolition, have caused asbestos fibres to be released and widely spread. The company had not arranged for gas and electricity supplies to be properly disconnected by the appropriate bodies, leading to a potential risk of explosion or of electrocution of people on site.

There were no measures, such as hoarding or fencing, of the site to prevent access to the dangerous activity, or to prevent the ejection of materials from site. The building was on a busy road and pedestrians passing by, including primary school aged children going to and from a school 200 metres away, and traffic were all at risk.

Balmonza Ltd of Woolwich Road, London pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974 and has been fined £20,000 with £1000 costs.

Mr Kulvinder Singh, also of Woolwich Road, London pleaded guilty to Section 37(1) of the Health and Safety at Work etc. Act 1974 and was sentenced to £5000. He was ordered to pay costs of £1000.

Speaking after the hearing, HSE principal inspector Sue Parkyn said: "The work done in a haphazard way and ultimately unsafe manner. This was a very serious incident and it is fortunate nobody was injured as a result. It could so easily have been avoided by ensuring that someone competent was supervising the carrying out the demolition in a planned manner, in accordance with the law, relevant published guidance and British Standards.

"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.

2. Further information is available about [the legislation referred to](#) in this case.
3. [Latest HSE press releases](#).

The post [Property development company and director prosecuted after unsafe demolition work](#) appeared first on [HSE Media Centre](#).

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## [Technician fined for failures in testing carried out on a rollercoaster](#)

A self-employed Non-Destructive Testing (NDT) technician has been fined after a train from a fairground ride he carried out NDT testing on subsequently derailed from the track and crashed to the ground.

Hamilton Sheriff Court heard that in April 2016 William Testo, an NDT technician tested the assembled Tsunami rollercoaster at M & D (Leisure) Limited, Strathclyde Country Park. He then issued an NDT Report dated 25 April 2016. On 26 June 2016 a train on the rollercoaster, with nine passengers, derailed and crashed to the ground causing a number of serious injuries to those on board.

An investigation by the Health and Safety Executive (HSE) found that Mr Testo did not possess the appropriate level of qualification in ultrasonic testing (a method of NDT testing) to allow him to competently check for fatigue cracking on the ride. Further the NDT report he issued failed to properly record parts tested and results obtained.

William Testo of Downiebrae Road, Rutherglen pleaded guilty to breaching Section 3(2) of the Health and Safety at Work etc Act 1974 and was fined £1,000.

Speaking after the hearing HSE inspector Martin McMahon said “NDT Testing forms a vital part in ensuring fairground rides are safe for the public to enjoy. Failing to carry out this work properly can have the most serious of consequences. Many of those members of the public involved continue to be impacted by the events of that day.

“NDT technicians must ensure they carry out their work diligently and competently at all times”.

Mr Testo is the third party to be prosecuted in relation to this incident. Earlier this year M & D (Leisure) Limited was fined £65,000 for breaching Regulation 5(1) of the Provision and Use of Work Equipment Regulations 1998, and Craig Boswell, a ride inspector, was sentenced to 160 hours community payback order for breaching Section 3(2) of the Health and Safety at Work etc Act 1974.

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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>

The post [Technician fined for failures in testing carried out on a rollercoaster](#) appeared first on [HSE Media Centre](#).

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## [Manufacturer fined after employee injured on lathe](#)

A Lancashire manufacturer was fined after an employee was pulled into a metalworking lathe whilst applying emery cloth by hand.

Sefton Magistrates’ Court heard that on 8 February 2019, Stephen Blackburn, an employee of Blackstar Handling Systems Limited was applying emery cloth by hand to a lathe to smooth down a pre-fabricated shaft, at the company’s site in Skelmersdale. His arm was pulled into the machine, sustaining an open fracture, resulting in numerous surgeries including skin grafts.

An investigation by the Health and Safety Executive (HSE) found that Blackstar Handling Systems Limited had not recognised that the unsafe method of using hand held emery cloth on lathes was custom and practice among their employees. The company failed to provide a suitable and sufficient risk assessment and so did not identify and put in place control measures, or

provide training in an alternative safe method of working, such as using a suitable tool post to handle emery cloth.

Blackstar Handling Systems Limited of Douglas Bank House, Wigan Lane, Lancashire, pleaded guilty of breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £20,000 and ordered to pay costs of £3689.60

HSE inspector Catherine Lyon said after the hearing "This injury 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 dangerous parts of machinery."

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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. More information about the use of emery cloth on metalworking lathes can be found at <http://www.hse.gov.uk/engineering/lathes.htm>
4. HSE news releases are available at <http://press.hse.gov.uk>

The post [Manufacturer fined after employee injured on lathe](#) appeared first on [HSE Media Centre](#).

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## **[Council and bus company fined after fatal collision involving a bus passenger](#)**

A local council, and a bus company were fined after a passenger was killed when run over by a lorry at the bus station.

St Albans Crown Court heard how on 13 February 2015, Nicola Berridge stepped off the bus and was run over by a grab lorry as she walked across a pedestrian crossing at the bus station. She suffered fatal injuries. The grab lorry was delivering sand to a contractor as the bus station had been demolished and was being reconstructed at the time.

An investigation by the Health and Safety Executive (HSE) found that the

visibility at this crossing was obstructed by buses which had been permitted to park on double-yellow lines between the crossings for several years. Bedford Borough Council and Cambus Limited, a bus station operator failed to coordinate and cooperate with one another to manage pedestrian and vehicle interaction within the bus station. They had joint responsibility to assess the risk to members of the public from vehicle movements within the bus station and to put in place reasonable measures to reduce that risk so far as was reasonably practicable.

Bedford Borough Council of Cauldwell Street, Bedford pleaded guilty to breaching Section 3(1) of Health and Safety at Work Act, was fined £300,000 and ordered to pay costs of £ 16,803.59.

Cambus Limited of Cowley Road, Cambridge pleaded not guilty to breaching Section 3(1) of Health and Safety at Work Act, was found guilty and fined £350,000 and ordered to pay costs which are still to be agreed

Speaking after the hearing HSE inspector Emma Page said: "There were inadequate control measures in place to segregate vehicles and pedestrians at the site and lack of proper planning in terms of pedestrian access and egress to the bus station.

"Hazards associated with vehicles and pedestrians in the same location, particularly the case in a facility such as a bus station in the centre of a busy town, are well known and easily controlled using reasonably practicable precautions."

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## **[Manufacturing company fined after employee loses fingers](#)**

A manufacturing company has been fined after a worker's hand was damaged

whilst carrying out machinery repairs.

Manchester Magistrates' Court heard how, on 27 July 2018, an employee of Preston Board and Packaging Limited was trying to repair a cardboard slitting machine. Whilst in the process of lifting a chain back onto a sprocket, a roller attached to the chain dropped to the base of the machine trapping his fingers under the chain, resulting in his left-hand ring finger and the tip of his middle finger being severed.

An investigation by the Health and Safety Executive (HSE) found there was no risk assessment or safe system of work in place for replacing/repairing safety wires and chains on the slitter machine.

Preston Board and Packaging Limited, Green Bank Street, Preston pleaded guilty to breaching section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £33,500 and ordered to pay costs of £5,527.16.

HSE inspector Mike Lisle said after the hearing "This injury was easily preventable. The task had been carried out a number of times previously and the risks should have been identified. Employers should properly risk assess machinery operations then apply effective control measures and robust safe systems of work to minimise the risk to employees from dangerous parts of machinery".

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