

9.5k fine for duo following fatal incident

The partners of a Suffolk based farm have been sentenced after a haulage contractor was killed by an overhead power line strike.

Basildon Magistrates' Court heard how on 30 August 2016, Mr Christopher Wilson, a haulage driver, was killed when his tipping trailer was raised and made contact with overhead power lines that ran across part of the yard hard standing at the Airfield Grain store, Parham near Framlingham, Suffolk. The site was managed by Nicholas and Roger Watts, partners of F S Watts & Sons. Mr Wilson was electrocuted and died at the scene.

An investigation by the Health and Safety Executive (HSE) found that F S Watts and Sons had failed to take suitable precautions for work near to the overhead electric power lines despite the recommendations given to them previously by NFU Mutual Risk Management Services (NFU RMS).

Mr Nicholas Watts and Mr Roger Watts each pleaded guilty to breaching regulation 3(1)(a) contrary to regulation 14, of the Electricity at Work Regulations 1989 and each was fined 9,500 and ordered to pay costs of £4,700.

After the hearing, HSE inspector Saffron Turnell said:

“This tragic incident led to the avoidable death of a young father. This death could easily have been prevented if those in control of operations at the grain store had acted to identify and manage the risks involved and put a safe system of work in place.”

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>

Journalists should approach HSE press office with any queries on regional press releases.

Construction company fined after employee crushed by dumper

A groundworks company has been fined after an employee suffered serious internal injuries while working in an excavation at Ghyllgrove Junior & Infants School in Basildon.

Southend Magistrates' Court heard how a site dumper was parked at a slight incline on a heap of excavated soil, adjacent to a partially backfilled trench. The dumper had been left unattended with the engine running when the failure of its handbrake caused it to roll forward into the trench and pin a worker against a pile of stacked concrete blocks. The worker suffered six broken ribs, a collapsed lung, multiple arm fractures and a broken nose.

An investigation by the Health and Safety Executive (HSE) into the incident, which occurred on 24 February 2017, found the company had failed to regularly inspect and maintain the handbrake of the dumper, to ensure it remained effective. The soil heap had been placed too far back from the excavation, preventing it from acting as a safety barrier and there were no wheel stop blocks or chocks available for use by workers. The investigation also found the company failed to ensure this work was appropriately supervised and effectively monitored by management.

S & K Groundwork Solutions Limited, of Maypole Road, Maldon, pleaded guilty to breaching Section 5(1) of the Provision and Use of Work Equipment Regulations 1998, and Section 22(2) of the Construction (Design and Management) Regulations 2015, and has been fined £23,000 and ordered to pay costs of £5220.65.

Speaking after the case, HSE inspector Glyn Davies said "This case highlights the importance of regularly inspecting and maintaining construction vehicles, including site dumpers, to ensure they do not deteriorate to the extent that they put people's safety at risk.

"In this case, the employee's life-threatening injuries could have been avoided if the company's management had regularly and effectively monitored and audited their safety management systems. Use of suitable stop blocks near the edge of the trench excavation, or use of wheel chocks, is one such method that may have prevented this incident, which could easily have been fatal."

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[Company fined after worker develops occupational asthma](#)

A design and manufacturing company has been fined after an employee carrying out soldering works developed occupational asthma.

Basingstoke Magistrates' Court heard that when the employee joined the company in 1975 there was no extraction system in place. Approximately 15-20 years later the company introduced a small bench top air displacement box (ADB) as a fume extractor. Throughout his employment at the company, the worker was exposed to rosin-based solder flux fumes which led to the development of occupational asthma.

An investigation by the Health and Safety Executive (HSE) found there were inadequate control measures for soldering works because the ADB acted as a disperser rather than an extractor. Employees were therefore exposed to harmful fumes from rosin-based solder flux.

Bayham Limited of Rutherford Road, Daneshill Industrial Estate, Basingstoke, pleaded guilty to breaching Regulation 7 (1) Control of Substances Hazardous to Health (amended) Regulations 2002 and was fined £12,000 and ordered to pay costs of £6385.32.

Speaking after the hearing, Health and Safety Executive Inspector Karen Morris said: "The need for appropriate local exhaust ventilation and other control measures need to be in place for employees carrying out soldering work.

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

For more information on working with solder fume visit: www.hse.gov.uk/pubns/indg248.pdf

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[Farming company fined after worker injured in fall from height](#)

A Somerset farming company has been fined after a worker fell 3 metres from a silage clamp onto a concrete floor, sustaining life changing injuries.

Yeovil Magistrates' Court heard how Ian Stewart, a contract herdsman for Evercreech Park Farms Ltd, fractured two vertebrae in his neck and back, suffered nerve damage and was in intensive care for four days when he fell from an adjacent silage clamp whilst assisting lining the walls of a silage bay.

An investigation by the Health and Safety Executive (HSE) into the incident, which occurred on the 16 May 2016, found the company did not have a risk assessment or safe system of work in place for working at height. The investigation also found it would have been reasonably practicable to carry out these tasks in other safer ways, such as by using a mobile elevating work platform

Evercreech Park Farms Ltd of Shepton Mallet pleaded guilty to breaching Regulation 4(1) of the Work at Height Regulations 2005 and has been fined £16,000 and ordered to pay costs of £3,467.07.

Speaking after the hearing, HSE inspector Annette Walker said: "This incident could so easily have been avoided by simply carrying out safe working practices."

"If a suitable safe system of work had been in place prior to the incident, the life changing injuries sustained by Mr Stewart could have been prevented."

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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. Further information about safe techniques can be found at: hse.gov.uk/pubns/books/hsg270.htm www.hse.gov.uk/pubns/indg401.pdf

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[Company fined after death of worker](#)

A Somerset pre-cast concrete products manufacturing company has been fined after a 43-year-old man was fatally injured when trapped by machinery.

Bath Magistrates' Court heard how Jeffery Baulf, a maintenance fitter employed by CPM Group Limited, was carrying out maintenance work while the machine was not isolated. A conveyor started moving and Mr Baulf suffered fatal injuries when he got trapped.

An investigation by the Health and Safety Executive (HSE) into the incident, which occurred on the 3 October 2016, found the company had not implemented procedures to ensure machinery was isolated before starting maintenance work.

The Court heard that the maintenance task was authorised by Mr Baulf's supervisor but the required control measures were not checked before work started as the procedure required.

Access to dangerous moving parts of the machines at the site was generally controlled by enclosures which prevented access to the danger zones. Access into the enclosures was generally controlled by a special key system which should have made sure machinery was isolated and safe to work around when people entered the enclosure.

HSE told the Court that when the site was inspected after the incident a spare key was discovered, which meant that access to machinery in the incident area was possible without turning off and isolating the machine.

During the investigation HSE also found there was insufficient supervision over the isolation of machines; CPM's procedures for safe maintenance work were not consistently understood or applied, pointing to deficiencies in instruction and training; it was common for people to access dangerous areas while machines were running; and there were other spare keys which were easily accessible.

CPM Group Limited of Mells Road, Mells, Somerset, pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc Act 1974 and has been fined £660,000 and ordered to pay costs of £14,563.57.

Speaking after the hearing, HSE inspector Leo Diez said: "This tragic incident, which led to the avoidable death of a man, was easily prevented and the risk should have been identified."

"Employers should make sure they apply effective control measures to minimise the risk from dangerous parts of machinery. Maintenance work should only be carried out when the piece of plant / equipment is isolated and confirmed safe. There should not be any spare keys to captive key systems."

Mr Baulf's wife, Jayne, said: "Losing Jeff in this way was truly shocking and heart breaking for all of us. We think of him every minute of every day. Our lives will never be the same again. Knowing that CPM could have prevented it makes it all the more difficult to bear."

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