

Kent waste company fined £150k for failing to comply with HSE notices

A Kent waste company has been fined £150,000 for several health and safety breaches.

City of London Magistrates' Court heard that a Health and Safety Executive (HSE) inspection in August 2020 found that employees of BSP (Knockholt) Limited manually sorting through waste in its yard near Orpington were at risk of being struck by heavy machinery moving next to them. It also found that there were inadequate rest facilities for employees to use during break times.

[Two improvement notices were served](#) on the company in September 2020, and a date for compliance in October 2020 was set. However, a further site inspection in February 2021 found that the company had not complied with either notice.

At City of London Magistrates' Court on 22 March 2023, BSP (Knockholt) Limited, which went into liquidation in October 2022, was found guilty of failing to comply with two Improvement Notices.

It was fined £140,000 for failing to comply with a notice served under regulation 17(1) of the Workplace (Health, Safety and Welfare) Regulations 1992, regarding segregation of vehicles and pedestrians, and £10,000 for a notice served under regulation 25(1) of the same regulations regarding welfare facilities. Costs of £2,459 and a victim surcharge of £190 were also awarded.

Speaking after the hearing, HSE Inspector Gordon Carson said: "BSP (Knockholt) Limited showed a disregard for the safety and health of its employees by failing to take action, when required by HSE, to ensure they were not at risk of being struck by heavy plant, and provided with adequate and clean welfare facilities during the Covid-19 pandemic.

"HSE will not hesitate to take action against duty holders where they have placed their employees at risk and have decided not to comply with enforcement action."

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. More information about the [legislation](#) referred to in this case is

available.

3. Further details on the latest [HSE news releases](#) is available.
4. Further information about [HSE improvement notices](#) is available

[Property owner sentenced after builder suffered life changing injuries](#)

A Derbyshire property owner has been given a community order after a father-of-two sustained life changing injuries when a wall collapsed on top of him during a barn conversion.

Nigel Edwards failed to have a [structural assessment of the outbuildings](#) carried out as part of his planning for the project at his home in Woodhouses. The outbuildings were being converted into holiday let accommodation when a stone wall collapsed on 40-year-old Steven Tyson on 8 October 2021.

The married father of two daughters from Melbourne, suffered a catalogue of serious injuries, including a fractured skull, a bleed on the brain and multiple broken bones, including 11 of his ribs. He was rushed to hospital, where he spent the next 18 days in “immense pain”.



Steven Tyson suffered multiple broken bones, including a fractured skull when the wall collapsed

He said: “The pain was made worse by the fact I was unable to see my daughters in hospital due to the Covid-19 restrictions on visitors.

"I am still in pain today and struggle to put weight on my right ankle.

"Due to the traumatic head injury, I was unable to drive for six months."

Derby Magistrates Court heard how the building had undergone significant structural alterations. It was while Mr Tyson was clearing up outside, that the external face of the stone gable wall collapsed on top of him causing life threatening injuries.



The site where the wall collapsed in Woodhouses, Derbyshire

An investigation by the Health and Safety Executive (HSE) found that Nigel Edwards had failed to have a structural assessment of the outbuildings undertaken prior to starting the work. As a result, no measures had been identified or implemented to stabilise the building while underwent the alteration. Similarly, there was no plan in place for dismantling parts of the building safely, exposing workers and members of the public to the risk of injury or death from the full or partial collapse of the structures.

Mr Tyson, who has been left blind in one eye as well as losing hearing in his right ear, went on to say how the incident had left him unable to work in the construction industry.

"I might never be able to," he added.

"The injuries have also impacted on my hobbies, which included karate, dog walking and metal detecting.

"I have also had therapy sessions to try and come to terms with the physical and psychological impacts of what happened.

"This is something I thought I would never have to do."



Steven Tyson suffered multiple broken bones, including a fractured skull when the wall collapsed

Nigel Edwards of Tutholme, Woodhouses, Melbourne, Derbyshire, pleaded guilty to breaching Regulations 19(1) and 20(1) of the Construction (Design and Management) Regulations 2015. He was made the subject of a 12-month community order and told to complete 80 hours of unpaid work. He must also pay costs of £4,097.94.

Speaking after the hearing, HSE inspector Robert Gidman said: "It is vital that all demolition and dismantling is adequately planned and that a competent structural engineer is engaged by those in control of work where there is the risk of collapse of any structure.

"If this project had been planned effectively, engaging the right people at the right time to ensure a suitable safe system of work was implemented, the life changing injuries sustained by the injured person could have been prevented."

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3. Further details on the latest [HSE news releases](#) is available.
4. Further information about [structural safety](#) is also available.

HSE hosts its first building safety conference

The first Building Safety Conference, hosted by HSE's Building Safety Regulator (BSR) is taking place today, Wednesday 22 March 2023, at Central Hall, Westminster

BSR was created following Dame Judith Hackett's review and part of the building safety reforms since the Grenfell tragedy.

The event will see nearly 1,000 practitioners gather together to hear directly from the new regulator about the important changes that will come into effect from April 23, under the new Building Safety Act 2022.

Throughout the day, delegates will develop their knowledge and understanding of how the reforms will impact on them and their organisation.

As high-rise residential building registration for all Accountable and Principle Accountable Persons opens in April, the conference will provide insight and develop the knowledge of these individuals and organisations in relation to their responsibilities.

There will also be an opportunity to hear more about the changes that will come into effect later in the year, with sessions from industry experts and keynote speakers including our Chief Inspector of Buildings, Peter Baker.

The day is aimed at helping Accountable Persons, Building Control professionals and Construction and Design professionals, who will take on various new roles and responsibilities needed to comply with building safety law.

[Sign up](#) to get further updates on BSR.

Company fined £175,000 after worker suffers brain trauma

A London company has been fined £175,000 after a worker suffered serious head injuries that saw him hospitalised for seven months.

The man, who was 35 at the time, was working at a domestic property on Elmfield Avenue, Crouch End, London, on 3 March 2019 when he sustained head injuries during concrete pumping operations carried out by sub-contractor Singh Will Mix It Ltd.

The concrete pump operator was cleaning the pump's hose after it had been used to pump concrete for a ground floor extension. As he was doing this, the pump became blocked, leading to a sudden release of pressure and causing the hose to whip and strike him in the head. The man was not qualified to operate the machine.

The man spent seven months in hospital following the incident, suffered brain trauma, and continues to have difficulties with his speech, memory and movement.



The property on Elmfield Avenue, Crouch End, London

An investigation by the Health and Safety Executive (HSE) found Singh Will Mix It Ltd failed to ensure workers had the necessary skills, knowledge, experience and training to carry out the work and they failed to have appropriate health and safety systems in place to carry out the work safely.

Singh Will Mix It Ltd, of Larkshall Road, Walthamstow, London, was found guilty of breaching Sections 2(1) and 3(1) of the Health & Safety at Work etc. Act 1974 following a trial at Southwark Crown Court. The company was fined £175,000 and ordered to pay £75,722 in costs at Southwark Crown Court on 15 March 2023.

HSE inspector Gordon Nixon said: "HSE will not hesitate in prosecuting where contractors and operatives do not have the appropriate skills, knowledge, experience and training when carrying out dangerous tasks and putting people at risk."

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Firm receives £190k fine after worker seriously injured

A Hereford company has been fined £190k after an employee was seriously injured after falling into a pit.

The man was working for Wyman-Gordon Limited, a company that produces forgings for the aerospace industry, when he fell into the bottom of a pit on 25 November 2018. He sustained deep cuts to his head that required eight stitches. He had been working at the company's premises on Spa Road, Lincoln.

While changing an oil seal on a counterblow hammer, a lifting sling containing a 169kg load broke. The load fell and broke the board the worker was standing on, causing him to fall into the bottom of the pit.

The man has revealed how the incident left him feeling anxious after returning to work.

The worker said in his victim impact statement: "I was on sick leave for three weeks.

"After the accident I became more anxious while doing high risk work. I continue to have a problem with my back. I go to physiotherapy via the NHS when necessary. Currently, it has become difficult for me to get up in the morning because of my back.

"I also have frequent headaches. I have been to different hospitals in connection with that, but no cause has been determined.

"Also the accident had a partial impact on looking after my wife as I could not lean forward and bend down for about two weeks. My daughter had to assist both me and my wife during all that time."

An investigation by the Health and Safety Executive (HSE) found Wyman-Gordon Limited failed to ensure so far as is reasonably practicable, the health, safety and welfare at work of its employees during the ram seal replacement. There was no safe system of work that properly addressed work at height and lifting operations. The company should not have lifted loads over employees and either prevented the need to work at height, or used alternative methods for doing so. HSE guidance on equipment and machinery can be found at: [Equipment and machinery – HSE](#)

Wyman-Gordon Limited, of Holmer Road, Hereford, Herefordshire, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974. The company was fined £190,000 and ordered to pay £35,000 in costs at Lincoln Magistrates' Court on 16 March 2023.

HSE inspector Stacey Gamwell said: "Employers have a responsibility to devise safe methods of working that properly address the risks, had one been in place prior to the incident, the injuries sustained by the employee could have been prevented. There is guidance freely available on the HSE Website regarding the safe planning, organisation and undertaking of lifting operations. Guidance is also freely available in relation to working at height safely."

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