

# [Airline company sentenced for unsafe operation of a passenger lift](#)

Flybe Ltd has been fined today after an investigation into a worker falling into a lift shaft at Exeter Airport uncovered health and safety failings.

Exeter Magistrates' Court heard that on 15 May 2016, a 34-year-old employee was moving a loaded lift trolley in the tool department of Hanger 2 when he fell into the lift shaft to the bottom floor and suffered injuries.

Although the exact cause of the incident could not be established, the HSE investigation found that the lift doors had a fault which meant that they defaulted to locked. As a result, the emergency door release key was being routinely used by employees to bypass the fault and therefore the lift's safety devices.

Flybe Ltd of New Walker Hanger, Exeter Airport pleaded guilty to breaching Section 2(1) of the Health and Safety at Work Act 1974 and has been fined £100,000 and ordered to pay costs of £9,963.16.

Speaking after the hearing HSE inspector Emma O'Hara said: "Despite a fault, busy workers who were moving parts and tools felt compelled to keep the lift in use. The safety features of the lift were therefore made redundant.

"The lift should have been taken out of service or an alternative system of work should have been in place, and this should have been communicated.

"HSE will not hesitate to take appropriate enforcement action against those that fall below 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. [www.hse.gov.uk](http://www.hse.gov.uk)
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>

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## Council fined after worker falls from stepladder

Central Bedfordshire Council has been sentenced after a worker fell from a roof.

Luton Magistrates' Court heard that on 19 December 2017, the injured person was climbing on to the roof of a school from a stepladder to retrieve a child's shoe when he fell. He sustained eight broken ribs, a grade four lacerated liver and a punctured lung.

An investigation by the Health and Safety Executive (HSE) found that the Council did not have a risk assessment or safe system for working at height in place to retrieve items from the roof.

Central Bedfordshire Council of Priory House, Monks Walk, Chicksands, pleaded guilty to breaching Regulation 4 (1) of Work at Height Regulations 2005 and was fined £9,308.00 with £7,699.32 costs .

Speaking after the hearing HSE inspector, Rubeena Surnam, said: "Falls from height remain one of the most common causes of work-related fatalities in this country and the risks associated with working at height are well known.

"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. If a safe system of work had been in place prior to the incident, the serious injuries sustained by the employee could have been prevented."

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4. [www.hse.gov.uk/work-at-height/step-by-step-guide.htm](http://www.hse.gov.uk/work-at-height/step-by-step-guide.htm)

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## Engineering company fined after employee fall

An engineering company has been fined after a 31-year-old employee fell through a hole in a mezzanine floor during construction work being carried out in Bristol.

Bristol Magistrates' Court heard that on 13 November 2018, an employee of N&C Engineering Services Limited was involved with the installation of flooring at Albion Dockside Works, Hanover Place, Bristol. An opening had been cut in the boarded-out mezzanine floor through which the employee fell three metres to the ground, suffering serious head injuries.



An investigation by the Health and Safety Executive (HSE) revealed that the contractor failed to adequately plan, manage and monitor the construction work, so as to ensure that appropriate methods to prevent or mitigate a fall during the construction work, were in use.

Now-liquidated, N&C Engineering Services Limited of Binegar, Radstock, Somerset was found guilty of breaching Regulation 4(1) of the Work at Height Regulations 2005 and has been fined £1,000 and ordered to pay costs of £1,000.

Speaking after the hearing, HSE inspector, Ian Whittles said: "This incident so easily could have been avoided by simply carrying out correct control measures and safe working practices.

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

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The post [Engineering company fined after employee fall](#) appeared first on [HSE Media Centre](#).

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## [Masonry manufacturer fined for unmaintained safety enclosure](#)

A manufacturer of concrete blocks has been fined for failing to maintain the safety enclosure of the cubing area in the block plant.

Ipswich Crown Court heard that, in April 2018, an inspection of Lignacite Limited's premises on High Street, Brandon found a large area of perimeter fencing set up to prevent access to dangerous automated machinery was missing. Other sections of the fencing were found to be in poor condition and locks at the gated entry points were either broken or left unlocked.



An investigation by the Health and Safety Executive (HSE) found that parts of the perimeter fencing had not been in place since January 2018. The company had also failed to carry out any maintenance necessary to ensure the integrity of the fencing and gates.

Lignacite Limited of Norfolk House, High Street, Brandon pleaded guilty to breaching Regulation 5(1) of the Provision and Use of Work Equipment Regulations 1998 and have been fined £70,000 and ordered to pay full costs of £12,232.02.

Speaking after the hearing, HSE inspector Saffron Turnell said: "This was a case of the company failing to ensure the maintenance of the secure and gated entry to access multiple items of dangerous machinery and equipment.

"Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards and this is irrespective of whether injury has arisen."

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2. More about the legislation referred to in this case can be found at: <http://www.hse.gov.uk/work-equipment-machinery/maintenance.htm>
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## [Employer sentenced for failing to implement safe working practices for the removal asbestos](#)

An employer has been sentenced for failing to reduce exposure and spread of asbestos when demolishing a large pig shed.

Lincolnshire Magistrates' Court heard that, in July and August 2018, whilst carrying out demolition and asbestos removal works at the former pig shed on Caenby Corner, Market Rasen, Lincolnshire, Barry Patchett, trading as BSN Demolition, had failed to remove asbestos containing materials (ACMs) prior to commencing the work. Consequently, the ACMs were needlessly broken up in significant quantities across the site, leading to the risk of spreading asbestos fibres.



An investigation by the Health and Safety Executive (HSE) found that Mr Patchett had received the relevant training on how to remove non-licensed asbestos and had submitted a plan of work to the client which included removing the asbestos sheets manually before demolition, which he chose not to follow. Mr Patchett also failed to have a copy of the plan of work on the premises for workers to follow at the time of the demolition.

Mr Patchett of Firebeacon Farm, Wargholme, Louth pleaded guilty to contravening Regulations 7(2), 11(1) and 12 of the Control of Asbestos Regulations 2012, and was sentenced to 12 weeks imprisonment, suspended for one year, and ordered to pay costs of £1,000.

Speaking after the hearing, HSE inspector Stuart Whitesmith said:

“Asbestos related disease still kills around 5,000 workers each year. Asbestos is not just a problem of the past; it can be present today in any building or industrial process plant built or refurbished before the year 2000.”

“In this case, Mr Patchett failed to follow basic safe working practices required by the Regulations.”

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