

# Farming Business fined after employee crushed by concrete beam

A farming business has been fined after one of its employees fell from a trailer and was crushed to death by a concrete beam that fell with him.

Folkestone Magistrates' Court heard that on 13 March 2018, Trevor 'Ted' Elson of A.A. Clifton Limited, Burmarsh, was working with other employees to move six-metre-long concrete beams from the farmyard to the farmhouse, where an extension was under construction at the site at Hagueldands Farm, Burmarsh Road, Burmarsh, Kent. Each beam weighed more than 300 kg and needed to be lifted by a mechanical telehandler. Whilst on the trailer, attaching lifting chains to unload a beam, the deceased tripped and fell from the edge, catching one of the beams which was unstable from the way previous beams had been removed. This beam then fell from the trailer, landing on his upper body and crushing him to death.



An investigation by the Health and Safety Executive (HSE) found that the operation to move the beams was carried out at short notice and had not been properly planned. The employees were left to decide how to do it themselves, leading to an unsafe system of work. None of them had been trained in lifting and slinging operations.

A.A. Clifton Limited of Hagueldands Farm, Burmarsh, Kent pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work Act 1974 and were fined £30,000, with full costs of £5446.50.

Speaking after the hearing HSE inspector Stephen Green said "This tragic incident led to the avoidable death of a long-term employee. It could easily have been prevented if his employer had acted to identify and manage the risks involved, and to put a safe system of work in place. 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 in the safe system of working.”

#### 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)

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

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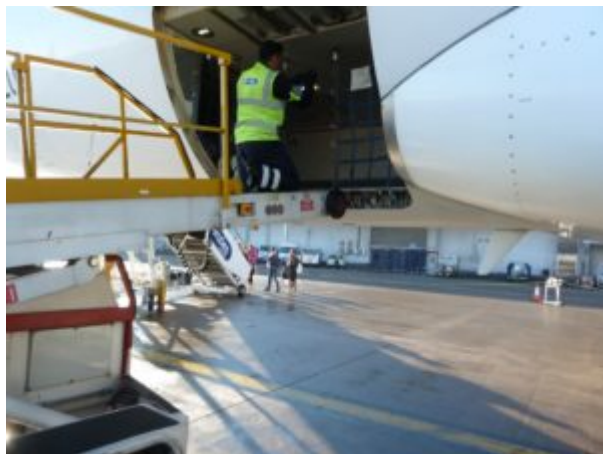
The post [Farming Business fined after employee crushed by concrete beam](#) appeared first on [HSE Media Centre](#).

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## [Company fined after airport baggage handler suffers skull fractures and brain injury](#)

A company providing a range of airline ground support services has been fined after an employee fell from a height of more than two metres.

Luton Magistrates’ Court heard that on 24 December 2016 Rebecca Smith of Menzies Aviation (UK) Limited was injured during the loading of luggage onto an aircraft during an aircraft turnaround at London Luton Airport. Ms Smith fell through a gap in the railing at the top of a luggage belt-loader, whilst kneeling upon it to fasten cargo straps, when the belt loader was struck by a passing vehicle. She fell 2.2m (7 feet) on to the tarmac below. The fall resulted in a loss of consciousness. Ms Smith suffered a brain injury, fractures of the skull and cheekbone. She also suffered permanent hearing loss in her right ear.



An investigation by the Health and Safety Executive (HSE) found Menzies Aviation (UK) Limited had foreseen the risk of a collision between the various vehicles operating in a congested space around the aircraft during a turnaround but had failed to implement measures to guard against the risk of driver error when manoeuvring vehicles around aircraft. The investigation also found the company was aware that belt-loaders had a gap in the railings between the aircraft and the barriers but failed to put in place any meaningful measure to control the risk that someone might fall through.

Menzies Aviation (UK) Limited of London Heathrow Airport, Hounslow pleaded guilty, to breaching section 2(1) of the Health and Safety at Work etc. Act 1974 and has been fined £181,5000 and ordered to pay costs of £21,043.

Speaking after the case, HSE inspector Emma Page said:

“Airports are busy and complex workplaces where workers face many hazards, particularly from the movement and operation of aircraft and vehicles. Currently, accident rates in the industry are well above the national average for all industries. Companies should assess the risks to their own and others’ employees and put in place measures to control these risks.

“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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## [Roofing company fined after worker fall](#)

A roofing company has been fined after a worker suffered serious back injuries when he fell from a ladder whilst transporting a bucket full of broken tiles.

Folkestone Magistrates' Court heard that on 2 October 2018, AU Roofing and Building Ltd workers were working on a roof in Elmes Avenue, Ramsgate, Kent where they were required to carry buckets of materials by hand down the scaffold access ladder. Davey Battams, aged 31, was unable to maintain a constant three points of contact with the ladder, resulting in the fall.



An investigation by the Health and Safety Executive found the contractor had not provided basic lifting aids, such as a wheel and pulley, which would have eliminated this risk.

AU Roofing and Building Services Ltd of Canterbury Road East, Ramsgate, Kent

pleaded guilty to breaching Section 2(1) of the Health and Safety at Work Etc. Act 1974. The company has been fined £28,800.00 and ordered to pay costs of £4,213.70.

After the hearing, HSE inspector Andrew Cousins commented: "This incident could have been so easily avoided by simply providing basic and inexpensive lifting aids, which are industry standard.

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

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## **[Contractor fined for failing to provide minimum welfare facilities](#)**

A principal contractor has been fined after repeatedly failing to provide minimum welfare facilities at a construction site in Burton on Trent.

Newcastle-under-Lyme Magistrates' Court heard that, for a period up to August 2018, Mr Jevgenijs Sondors of J S Services failed to provide minimum welfare facilities for workers on the site of a residential refurbishment on Shakespeare Road, Burton on Trent, despite being served Improvement Notices to put such facilities in place.



An inspection by the Health and Safety Executive (HSE) found there were no welfare facilities available for workers on the site for at least four and a half months. The site lacked hot water, a toilet, washing facilities and rest facilities. Following a concern being raised, HSE served two Improvement Notices and a Prohibition Notice on Mr Sondors who was acting as principal contractor for the refurbishment. Mr Sondors then installed a toilet in the property but it was not linked to the water supply. A watering can had to be used to “flush” the toilet. Water in the property was provided via a single cold water pipe attached to a wall with a bucket underneath. No cleaning or drying facilities were provided. Follow up visits to the site, after the compliance date for the notice expired, found that the necessary improvements had not been made.

Mr Jevgenijs Sondors of St Paul Street West, Burton on Trent was found guilty in his absence of breaching Regulation 13(4)(c) of the Construction (Design and Management) Regulations 2015 and Section 21 of the Health and Safety at Work etc Act 1974. A warrant had been issued for his arrest. Mr Sondors was arrested, taken in to custody and held for 24 hours before appearing before the Magistrates’ Court. He was fined £300 and ordered to pay full costs of £3,851.06.

Speaking after the hearing, HSE inspector Katherine Cotton said: “The welfare facilities available for those working at the site fell far below the legally required standard. Construction workers should be provided with a minimum standard of welfare facilities including clean, flushing toilets and cleaning and drying facilities.

“Dutyholders should be aware that HSE will hold to account those who do not comply with health and safety legislation, or who do not comply with enforcement notices served on them.”

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## [Castings company fined after a worker's hand was crushed in a machine](#)

A foundry company who cast parts for the automotive industry has been fined after an employee had two fingers amputated while attempting to clear a blockage in a moulding machine.

Chesterfield Justice Centre heard that, on 28 February 2018, an employee of William Lee Ltd was attempting to clear a blockage of sand in a moulding machine using a length of metal rod at the company site on Callywhite Lane, Dronfield. The blockage cleared without warning and the employee's right hand was crushed between the rod and the machine, resulting in two fingers being amputated, and a number of fractured bones.

An investigation by the Health and Safety Executive (HSE) found revealed that had a suitable and sufficient risk assessment been completed the company should have identified that there was a risk to employees created by intervention in the machine when blockage clearance was required. Specific procedures should therefore have been created for blockage clearance. The company could then have developed appropriate instruction, training and information related to the task.

William Lee Ltd of Callywhite Lane, Dronfield, Chesterfield pleaded guilty of breaching the Health and Safety at Work etc Act 1974 section 2(1). The company was fined £60,000 and ordered to pay costs of £6,000.

Speaking after the hearing, HSE inspector David Keane said: "If a suitable safe system of work had been in place prior to the incident, the life changing injuries sustained by the employee could have been

prevented.”

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