

# Car retailer fined for exposing worker to the risk of developing occupational asthma

A car retailer operating across the South East of England has been fined after a car bodywork sprayer developed occupational asthma.

West Hampshire Magistrates' Court heard that, between October 2011 and March 2018, an employee of Harwoods Limited at Audi Southampton had been spraying using paints that contained isocyanates without adequate controls measures in place. Isocyanates are classed as substances hazardous to health, exposure to which can lead to the development of asthma which can have serious life-changing effects.

An investigation by the Health and Safety Executive (HSE) found the company had failed to ensure adequate control measures were in place to minimise exposure to paints containing isocyanates, therefore exposing the employee to the risk of asthma.

Harwoods Limited of Liverpool Gardens, Worthing pleaded guilty to breaching Regulation 7(1) of The Control of Substances Hazardous to Health Regulations 2002 and have been fined £120,000 and ordered to pay costs of £2,657.55.

Speaking after the hearing, HSE inspector Nicola Pinckney said: "This serious health condition could so easily have been avoided by simply implementing correct control measures and appropriate working practices.

"Controlling employee exposure to hazardous substances is a legal requirement on employers and HSE provides guidance on how control can be achieved.

"Appropriate controls could include use of a spray booth to carry out the paint spraying, use of a suitable air-fed respirator, checks to ensure equipment was adequately maintained and training provided to ensure the employee knew the risks and how to control them."

## **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>
4. HSE guidance and information about asthma can be found at:

<http://www.hse.gov.uk/asthma/about.htm>)

The post [Car retailer fined for exposing worker to the risk of developing occupational asthma](#) appeared first on [HSE Media Centre](#).

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## [Tower crane hire company fined after employee received broken vertebrae](#)

A tower crane hire company has been fined after a worker fell two metres when the podium steps he was working on toppled over.

Cambridge Magistrates' Court heard that, in November 2017, a worker was welding metal components while working at height on a set of podium steps which had been taken from another factory. The steps toppled over, causing the employee to fall approximately two metres to the floor and fracture two vertebrae.



An investigation by the Health and Safety Executive (HSE) found that the company had failed to follow its internal procedures, and did not carry out a risk assessment nor determine a safe system of work. The podium steps had been modified with the addition of incorrect feet, contrary to the manufacturers' instructions. Stabiliser bars had also not been fitted and workers had not been trained in their correct use.

London Tower Crane Hire & Sales Limited of Elstree Way, Borehamwood, Hertfordshire, pleaded guilty to breaching Regulation 6 (3) of the Work at Height Regulations 2005. The company has been fined £54,000.00 and ordered to pay costs of £1,544.00.

After the hearing, HSE inspector, Parmjit Gahir, said: "This was a wholly avoidable incident, caused by the failure of the company to adequately plan its work, and put basic safeguards in place.

"The case highlights the importance of following industry guidance in order

to select and correctly assemble access equipment, along with implementing the necessary training, instruction and supervision to prevent such falls occurring. Podium steps are a recognised safe solution for working at height however, if they are used incorrectly, they can become a danger themselves.”

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## [Gas fitter jailed illegal gas work](#)

A self-employed gas fitter has been jailed after working on gas appliances while unregistered.

Manchester Crown Court heard that in November 2014, Mr Richard Goldthorpe was served a Prohibition Notice by the Health and Safety Executive (HSE) banning him from carrying out gas work unless he gained the necessary competence and registered with the Gas Safe Register.

Photo looking at the chimney/flue outlet from the boiler. Incorrect expanding foam seal around chimney/flue outlet. Potential to crush chimney/flue pipe. Expanding foam seal observed at flue air inlet joint. No securing screws in chimney/flue joining coupling.



Picture with notes from Gas Safe Register

An investigation by HSE subsequently found that between 3 March 2018 and 22 March 2019, Mr Goldthorpe undertook work on gas appliances at seven addresses across England. On one occasion, he used a false name. His unsafe work featured on the BBC Watchdog programme.

Several defects were found on each gas appliance worked on by Mr Goldthorpe, including incomplete and defective flue joints, flues not sealed to building structures, and the dangerous decommissioning of a back boiler; all the defects identified posed safety risks for the homeowners and their families.

Richard Goldthorpe, of Irwin Road, St Helens pleaded guilty to:

- Seven separate offences under Section 3 (2) of the Health & Safety at Work etc Act 1974
- One offence under Regulation 3 (3) of the Gas Safety (Installation and Use) Regulations 1998
- One offence under Regulation 3 (7) of the Gas Safety (Installation and Use) Regulations 1998
- One offence under Section 33(1) (g) of the Health & Safety at Work etc Act 1974.

Whilst on bail awaiting sentence, Mr Goldthorpe undertook further gas work whilst unregistered and subsequently pleaded guilty to two additional

offences; one under Regulation 3 (3) of the Gas Safety (Installation and Use) Regulations and one under Section 33(1) (g) of the Health & Safety at Work etc Act 1974.

Mr Goldthorpe was jailed for 16 months.

Speaking following the hearing, HSE inspector Anthony Banks commented: "Richard Goldthorpe knowingly defrauded homeowners and purposely misled them into thinking he was registered with Gas Safe Register.

"Mr Goldthorpe had even been warned on national television that he was breaking the law. The work he did was unsafe and he put several families at risk. It is only a matter of chance that no one was seriously harmed.

"All gas work must be done by registered Gas Safe engineers to ensure the highest standards are met to prevent injury and loss of life. The public should always ask to see the gas engineer's identification and check the registration number online ([www.gassaferegister.co.uk](http://www.gassaferegister.co.uk)) or ring the Gas Safe Register customer helpline 0800 408 5500."

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## [Construction company fined after worker falls from platform](#)

A construction company has been fined after a worker fell from a platform

causing him to be knocked unconscious and suffer a broken wrist.

Peterlee Magistrates' Court heard that, on 28 August 2018, during refurbishment work at Old Eldon Farm, Shildon, a site operative fell from a raised platform. The operative was undertaking work to fit rafters to the roof at the Farm, when he fell approximately 2.2 metres to the floor below, knocking him unconscious.

An investigation by the Health and Safety Executive (HSE) found that Greens Property Developments Limited had failed to ensure that, so far as was reasonably practicable, construction work was carried out without risks to health and safety by failing to plan, manage and monitor work at height.

Greens Property Developments Limited of Chester Road, Sunderland, pleaded guilty to breaching Regulation 13 (1) of the Construction (Design and Management) Regulations 2015 and was fined £18,000 and ordered to pay £25,10.41 costs.

After the hearing HSE inspector, Andrew Woodhall, said: "Falls from height often result in life-changing or fatal injuries. In most cases, these incidents are needless and could be prevented by properly planning, managing and monitoring the work to ensure that effective preventative and protective measures are in place. 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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## **[Buckinghamshire company fined after](#)**

# forklift truck struck worker

A packaging company has been fined after an employee was struck by a reversing forklift truck.

Reading Magistrates' Court heard that on 9 August 2018 an employee, Arthur Weston, working at Boxes and Packaging (Oxford) Limited in Long Crendon, was struck by a reversing forklift truck when he bent down to pick up a broken piece of wood.

An investigation by the Health and Safety Executive (HSE) found there was inadequate separation of fork lift trucks and pedestrians within the workspace. The unit where the Mr Weston worked was in an unsuitable area right next to the traffic route.

Boxes and Packaging (Oxford) Limited of Drakes Drive, Long Crendon was found guilty of breaching Regulations 4 (1) and 17 (1) of Workplace (Health, Safety and Welfare) Regulations 1992. The company has been fined £10,000.00 and ordered to pay costs of £2,560.00.

Speaking after the hearing inspector, Stephen Faulkner, said: "The Company failed to undertake a number of simple safety measures including segregation of reversing vehicles, from employees.

"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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