

# Company fined after worker suffers life-changing injury

Timberline DIY Limited has today been sentenced after an employee injured three of his fingers while cleaning a band re-saw.

South Tyneside Magistrates' Court heard how, on 30 June 2016, the worker was cleaning the saw at the premises on Riley Street, Jarrow, when he made contact with a moving blade. As a result of his injuries, the worker was rushed to hospital where he had to have three of his fingers partially amputated.

An investigation by the Health and Safety Executive (HSE) found the machine was not effectively braked and therefore the cutting blade took an excessive time to stop. Additionally, there were failings in the guarding of the machine and adequate training had not been provided to the worker.

Timberline DIY Limited, of Riley Street, Jarrow, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974 and was fined £40,000 with £8,000 costs.

After the hearing, HSE inspector Fiona McGarry said: "Woodworking machines run at very high speeds and workers are at risk during machine rundown. Fitting effective braking devices reduces the rundown time, making them safer for workers and this could have prevented this incident occurring. New machines should come with braking where necessary but older machines may require it to be retrofitted."

## **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. More information on retrofitting woodworking machine brakes can be found here: <http://www.hse.gov.uk/pubns/wis38.pdf>
4. HSE news releases are available at <http://press.hse.gov.uk>

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

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# Company fined after worker falls through fragile floor

A Colchester-based company has been fined after an employee fell through fragile ceiling tiles.

Basildon Magistrates' Court heard how, on 8 January 2016, a worker was asked to sort shoes which were stored on a floor, next to an unprotected area of fragile ceiling tiles. The worker fell through the fragile ceiling tiles, approximately 2.7m to the floor below suffering serious injuries to their pelvis which resulted in a five day stay in hospital.

An investigation by the Health and Safety Executive (HSE) found the company had not implemented control measures for employees working near fragile ceiling tiles.

Indulgence Patisserie Limited of Clough Road, Colchester pleaded guilty to breaching Regulation 9(1) of the Work at Height Regulations 2005 and has been fined £50,000 and ordered to pay costs of £5,151.50

Speaking after the hearing, HSE inspector Jessica Churchyard 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.

"Working on or near fragile surfaces should be properly assessed and managed. This case highlights the importance for companies to assess and control risks created by non-routine tasks."

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# South Yorkshire skip hire company fined

Skip hire and waste processing company, J Edwards Waste Management Ltd was sentenced today for safety breaches after a worker was injured trying to clear a blockage in a trommel drum.

Sheffield Magistrates court heard how, on 24 March 2015, the drum of the trommel machine used for sorting material had become jammed and the worker did not turn off the machine before going into the drum to clear the blockage.

An investigation by the Health and Safety Executive (HSE) found that after the individual entered the drum of the machine and cleared the blockage, the machine started to operate and rotate while the employee was still inside. The individual was tumbled around and repeatedly struck by the waste material inside the drum before the machine was stopped.

J Edwards Waste Management Ltd of Lidget Lane Industrial Estate, Thurnscoe, Rotherham pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974 and was fined £30,000 with £3621 costs.

After the hearing, HSE inspector Laura Hunter commented: "This case highlight's the importance of isolating machinery before intervening.

"This incident could so easily have been avoided by simply having a safe system of work for clearing blockages after completing a risk assessment"

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# Construction company fined after failing to prevent exposure to carbon monoxide

Willmott Partnership Homes Ltd has today been fined after exposing members of the public to carbon monoxide fumes.

Aylesbury Crown Court heard how, on 11 December 2014, at Hamilton House in Wolverton, a number of gas installations were found to be either immediately dangerous or at risk following the report of a smell of gas by a householder.

An investigation by the Health and Safety Executive (HSE) found that Willmott Partnership Homes Ltd built the flats several years before the incident and in 2014 some remedial work was needed to be carried out on an external wall. During the demolition and reconstruction of the wall, many live flues of gas boilers were removed, damaged and blocked, exposing the residents to a risk from carbon monoxide poisoning.

Willmott Partnership Homes Ltd as the principal contractor had not ensured that an adequate system of work was in place to manage the risks from working around the live flues.

Willmott Partnership Homes Ltd of Incknield Way, Letchworth Garden City pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc Act 1974 and has been fined £1.25 million and ordered to pay costs of £23,972.33.

Speaking after the hearing, HSE inspector Stephen Faulkner said: "Risks from gas installations, including those related to carbon monoxide, need to be managed by all during refurbishment."

"This incident could have been avoided if the company had implemented a safe isolation system for the live boilers."

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## [Devon based welding engineer sentenced after serious injury to worker](#)

An agricultural engineer from Totnes in Devon has been sentenced after a worker sustained serious, life changing injuries after falling through a mezzanine floor whilst it was under construction.

Plymouth Crown Court heard how Russell Soper, trading as RJS Agricultural Welding was contracted to install the mezzanine floor in a unit at the South Hams Business Park in Totnes during March 2017.

On 31st March, 53yr old Derek Mortimore, a self-employed worker contracted by Russell Soper to help with the floor construction, was working on the mezzanine floor while it was still being constructed. During the work, Mr Mortimore fell approximately three meters through the purlins to the concrete floor below suffering serious head injuries. Mr Mortimore remained in hospital for many months after the fall to undergo neurological rehabilitation.

An investigation by the Health and Safety Executive (HSE) found that Russell Soper, as an employer, failed in his duty to ensure the health and safety of his employees and others whilst at work. Insufficient measures were taken to prevent a fall through the mezzanine floor while under construction.

Russell Soper of Diptford, Totnes pleaded guilty to breaching Regulation 4(1) of the Work at Height Regulations 2005. He has been fined £2,500 and ordered to pay costs of £6,132 and a victim surcharge of £170.


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

"Mr Mortimore's injuries were life changing for both him and his family. He could have easily been killed. This serious incident and devastation could have been avoided if basic safe guards had been put in place."

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2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](http://legislation.gov.uk/) <sup>[2]</sup>
3. HSE news releases are available at <http://press.hse.gov.uk><sup>[3]</sup>
4. Further information about health and safety in workplace transport can be found at: <http://www.hse.gov.uk/workplacetransport/driving.htm><sup>[4]</sup>

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