

# Tyre firm fined after worker dragged into machine

An Essex-based tyre refurbishment company has been fined £54,000 following a worker sustaining significant injuries after being drawn into a machine.

Neal Hetherington was working for D&D Commercial Services Limited at its premises on Lamson Road in Rainham, when the incident happened on 19 August 2021.

The company, which specialises in commercial tyre re-treading, was given the fine as a result of the 42-year-old coming into contact with the spinning blades of a tyre buffing machine. The machine had been freewheeling to a stop after being used, when he was drawn into it by his t-shirt, which resulted in part of his torso being shredded.

Mr Hetherington required immediate hospital treatment for his injuries and was off work for several months afterwards.



Moveable tyre buffing machine arm with orange rasp covers open

An investigation by the Health and Safety Executive (HSE) found that D&D Commercial Services Limited had failed to ensure that the hold-to-run controls were working as they should, and that the brake on the bladed rotating rasp was operational. The brake should have stopped the rasp moving immediately on letting go of the controls, but in fact, would continue to freewheel for approximately five minutes before coming to rest.

HSE prosecuted D&D Commercial Services under Section 2(1) of the Health and Safety at Work etc. Act 1974 for its failure to ensure the health, safety, and welfare of its employees. The company did not enter a plea.

The court found the company guilty following a hearing at Westminster Magistrates Court on 4 September 2024. They were fined £54,000 and ordered to pay costs of £6,000.

After the hearing, HSE Inspector Oscar Dower said "This case sends a clear

message to industry that HSE will hold companies to account if they fail to protect their workers.

“The company allowed its workers to use a machine that was not adequately braked or guarded, leading to significant and wholly avoidable injuries to one of its employees. If the company had ensured the machine’s safety features were working as they should have been, this would not have happened.

“Companies should ensure that safety features of work equipment always remain functional, so that workers are kept safe whilst using machinery.”

This HSE prosecution was supported by HSE enforcement lawyer Arfaq Nabi and Matt Reynolds and HSE Paralegal Officer Imogen Issac.

#### **Notes to editors:**

1. [The Health and Safety Executive](#) (HSE) is Britain’s national regulator for workplace health and safety. We are dedicated to protecting people and places, and helping everyone lead safer and healthier lives.
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. HSE does not pass sentences, set guidelines or collect any fines imposed. Relevant sentencing guidelines must be followed unless the court is satisfied that it would be contrary to the interests of justice to do so. The sentencing guidelines for health and safety offences can be found [here](#).