

# Fine for MOT testing centre after child crushed by car

An MOT Testing centre in Finsbury Park has been fined £10,000 after a child sustained life changing injuries after being hit by a car and crushed.

A 14-year-old was with an adult, sitting down, waiting for an MOT to be conducted at New Auto Tech Limited on 4 May 2022. The chair was situated in front of the brake rollers, however, as the MOT technician attempted to move the car in reverse, the vehicle was driven forwards off the brake rollers, crushing the child against the wall.

The child required immediate hospital treatment, having sustained multiple pelvis fractures. They were off school for over a year and bed bound for three months following the incident.

There are many known risks associated with the [motor vehicle repair industry](#) and detailed HSE guidance is available.



The child had been sitting down and waiting with an adult for the MOT to be completed

An investigation by the Health and Safety Executive (HSE) found that New Auto Tech Limited had failed to ensure that members of the public were in a safe area when vehicles were being moved.

The MOT Centre had a designated 'viewing area' to the side of the brake roller bay. This was a painted box on the floor with a chair placed inside it. However there were no protective barriers and the business failed to stop customers from moving out of this area into parts of the workshop where vehicles were moving.

New Auto Tech Limited of Alroy Road, London, pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc. Act 1974 for its failure to ensure the health, safety, and welfare of those not in its employment. The company was fined £10,000 and ordered to pay costs of £6,810 following a hearing at Westminster Magistrates Court on 10 January 2025.

After the hearing, HSE inspector Michelle Morphy said: "This case sends a

clear message to MOT Test Centres that HSE will hold them to account if they fail to protect both workers and members of the public.

“On this occasion, they failed to protect a child, by allowing them to move from their allotted viewing area into an operational area, which should have been restricted to workers only.

“As such the child was seriously injured in a totally avoidable incident.”

This HSE prosecution was supported by HM inspector Oscar Dower and brought by enforcement lawyer Jayne Wilson and paralegal officer Lucy Gallagher.

**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 in England and Wales can be found [here](#) and for those in Scotland [here](#).

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## **Company fined after dad's legs crushed by 800kg pallet**

A manufacturer in Sheffield has been fined after a steel pallet landed on an employee, leaving him permanently disabled.

The 800kg load crushed Wayne Hatton's legs during a night shift at Amber Precast Ltd's factory on 14 January 2021.

Mr Hatton, from Doncaster, had his right lower leg amputated with two toes on his left foot also being removed following the incident at Davy Business Park.



Wayne (left) and his mother Marine

The pallet was being removed from a reinforced concrete cast when it fell onto the father-of-two, who had only recently been employed by the firm as a supervisor.

The then 46-year-old spent seven weeks in hospital and now has a prosthetic leg after his right lower leg was amputated.

A Health and Safety Executive (HSE) investigation found the pallet had not been secured onto the lifting chains of the overhead crane before being removed from the concrete cast. This meant the pallet was not supported whilst being moved.



Wayne (right) and his father Henry

The investigation also found Amber Precast Ltd failed to consistently implement a system of work to ensure the pallet could be removed safely. Mr Hatton, now 50, and other members on his team had not received any information or instructions on how to remove the pallet safely.

HSE guidance can be found at: [Provide information, training and supervision: Overview – HSE](#)

Amber Precast Ltd, of Davy Business Park, Prince Of Wales Road, Sheffield, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £60,000 and ordered to pay £5,406.31 in costs at Sheffield Magistrates' Court on 9 January 2025.

HSE inspector Jane Fox said: "This incident could so easily have been avoided with the correct instruction and implementation of an agreed safe working procedure. Amber Precast Ltd left its employees to work out their own methods of completing the pallet removal task, instead of providing them with suitable training and equipment so it could be done safely every time."

This prosecution was brought by HSE enforcement lawyer Andy Siddall and supported by HSE paralegal officer Rebecca Withell.



Wayne (left) and his eldest son Jayden

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## **New simplified advice for installers of stone worktops**

Britain's workplace safety regulator has published a helpful guide of do's and don'ts for people installing stone worktops.

The Health and Safety Executive's (HSE) guidance is designed to remind dutyholders and workers about the need to ensure that suitable procedures and controls are in place to help protect against exposure to stone dust and prevent workers breathing in respirable crystalline silica (RCS).

Stone workers are at risk of exposure to airborne particles of stone dust containing RCS when processing stone, including engineered stone, by cutting, chiselling and polishing. Over time, breathing in these silica particles can cause irreversible, life-changing and often fatal respiratory conditions such as silicosis, chronic obstructive pulmonary disease and lung cancer.

HSE's guidance covers: Competent staff & effective processes, Pre-Installation, On-site Installation, and Post-installation.

Here are just some of the important steps that can be taken to minimise the risk of exposure:

- Installers should understand the risk from processing stone and how to use suitable controls;
- Worktops should be pre-fabricated so further processing on site is avoided;
- Water suppression or on-tool extraction with shroud and dust collector attached to an M-class vacuum should be used to control any dust generated;
- Respiratory protective equipment with an assigned protection factor (APF) of at least 20 (e.g. FFP3 face mask) should be worn when processing the stone
- Cleaning should be by wet methods or dust class M vacuum to prevent creation of dust

A link to the guidance is available here – [Silica in Stoneworking – Work Right to keep Britain safe](#).

Mike Calcutt, Deputy Director at Health and Work, said: "HSE will continue to work with industry stakeholders to raise awareness of managing the risks from exposure to respirable crystalline silica. It's important that businesses act now to ensure they comply with the law and protect their workers from

serious lung diseases.

“Great Britain has a robust and well-established regulatory framework in place to protect workers from the health risks associated with exposure to hazardous substances. We want employers and workers to make sure they are aware of the risks associated with the activities they do, and that's why we are sending this reminder.

“HSE's inspectors have often found poor management of control measures including water suppression, dust extraction, equipment maintenance, cleaning and RPE provision. Employers should ensure suitable control measures are properly used and maintained.”

Employers have a legal duty to create suitable arrangements to manage health and safety and ensure they comply with the Control of Substances Hazardous to Health Regulations 2002 (COSHH) (as amended). Businesses should have in place effective control measures, including combinations of the enclosure and automation of processing equipment, use of water suppression and control of any mist generated and personal protective equipment such as RPE, to reduce workers' exposure to the RCS.

You can sign up for regular updates from HSE on [silica here](#).

#### Further Information:

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 guidance on stone processing is available in the following HSE guides:
3. [ST0: Advice for Managers](#)
4. [INDG463: Control of exposure to silica dust – A guide for employees](#)
5. [HSG201: Controlling exposure to stone dust](#)
6. Further details on the latest HSE news releases is available.

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## **Stone company fined after repeatedly failing to protect workers**

A company that produces stone products and its director have been fined a total of just under £20,000 after repeatedly failing to protect workers from exposure to Respirable Crystalline Silica (RCS).

The Health and Safety Executive (HSE) carried out several inspections on Warmsworth Stone Limited, which produces carved stone masonry products using limestone, sandstone, granite and marble, at the company's site at Knabs Hill Farm on Clayton lane in Thurnscoe, starting in May 2023.



Photos taken at the scene by HSE show the extent of the dust.

Following these inspections, the company was served with seven improvement notices, which covered several failures including exposure to stone dust, control of legionella bacteria and inadequate welfare facilities.

When HSE inspectors returned in September 2023, five of the improvement notices had still not been complied with – despite the company being given an extension to do so following another visit in August.

The company had shown reckless disregard of several health and safety issues including the assessment and control of respirable dust, and the company's standard of health and safety management was far below what is required by health and safety law, leading to HSE's proactive prosecution for failure to control the exposure of workers to RCS.



The company ignored enforcement notices served against them by HSE

Stone workers are at risk of exposure to airborne particles of stone dust containing RCS when processing stone, by cutting, chiselling and polishing. Over time, breathing in these silica particles can cause irreversible, life-

changing and often fatal respiratory conditions such as silicosis, chronic obstructive pulmonary disease and lung cancer. HSE provides a range of guidance for stone workers [Stoneworkers: Health and safety topics](#).



The company failed to protect its workers from exposure to RCA dust

After the hearing the HSE inspector Charlotte Bligh said: "The company management responsible for health and safety were neither informed nor competent enough to carry out their role under the law.

"Over time, the basic measures to secure the health of all on site had not been taken, there had been no attempt to assess health risks and existing control measures had not been properly maintained.

"The company failed to take the initiative in health and safety matters and seek guidance, instruction and competent advice on implementation and communication of those measures necessary to control the risks at the site.

"The provision of suitable protection for worker's health is a basic requirement that this company has failed to meet. HSE will not hesitate to take appropriate action against those that fail to comply with the requirements of enforcement notices."

Warmsworth Stone Limited of 1-3 Sheffield Road, Warmsworth, Doncaster, South Yorkshire pleaded guilty to breaching section 21 of Health and Safety at Work Act 1974 by failing to comply with an Improvement Notice, breaching Regulation 7(1) of the Control of Substances Hazardous to Health Regulations 2002 by failing to adequately control employee exposure to a substance hazardous to health namely RCS and breaching Regulation 9(2)(a) the same Regulations by failing to have local exhaust ventilation subject to a thorough examination and test at least every 14 months.

They were fined £18,000 and ordered to pay costs of £4,064.

Director Simon Jonathan Frith pleaded guilty to being a director of a company that had breached Regulation 7(1) of the Control of Substances Hazardous to Health Regulations 2002 by failing to adequately control employee exposure to

a substance hazardous to health namely RCS and breaching Regulation 9(2)(a) of the same Regulations by failing to have local exhaust ventilation subject to a thorough examination and test at least every 14 months, those offences being committed with his consent, connivance or neglect.

He was fined £1,062, and ordered to pay costs of £3,782.

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## **Company fined after barn roof fall**

A company has been fined £133,000 after a man was left seriously injured when he fell through a barn roof in Southampton.

The 37-year-old from Bursledon had been helping his friend repair a fire-damaged storage barn at Dodwell Farm Limited on Pylands Lane on 9 February 2023. The father-of-one had been at the top of a sloped roof fixing new panels to timbers, but they weren't strong enough to hold his weight. They gave way when he stood on them and he fell through to the hard surface about 10 metres below. The injuries he sustained were severe and resulted in an extended period in hospital.



The barn which roof the man fell through

An investigation by the Health and Safety Executive (HSE) found that safety measures such as barriers, netting or access equipment were not in place.

Dodwell Farm Limited had failed to take appropriate precautions to ensure the safety of workers, and others affected by the work, when replacing the barn roof.

Working at height remains one of the biggest causes of fatalities and major injuries. Common cases include falls from ladders and through fragile surfaces. [HSE guidance is available](#).



The man fell approximately 10 metres through the barn roof

Dodwell Farm Limited of Bursledon pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc Act 1974. The company was fined £133,000 and was ordered to pay £8,816 costs plus £2,000 surcharge at a hearing at Southampton Magistrates Court on 3 Jan 2025.

After the hearing, HSE inspector Nicola Pinckney said: "Too many workers are injured and killed every year as a result of falling from height.

"The sentence imposed on Dodwell Farm Limited should underline to everyone

who carries out work at height that the courts, and HSE, take a failure to follow the regulations extremely seriously.

"Measures to prevent the accident, such as avoiding working from the roof, protecting fragile surfaces and having netting in place, are well known and readily available.

"HSE will not hesitate to take action against companies which do not do all that they should to keep people safe."

This HSE prosecution was brought by enforcement lawyer Iain Jordan and paralegal Helen Jacob.

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