

# Company fined £200,000 after worker fractures arm

A manufacturing company has been fined after an employee was drawn in to a machine and suffered multiple fractures to his left arm.

The man, who is from Newcastle, had recently started working as a manufacturing operative for Gates Engineering & Services UK Limited at its site on Bassington Drive in Cramlington, and was undergoing training when he was assisting another worker on the company's 60-metre lathe on 12 November 2021. The new employee, who was 22 at the time of the incident, was working at the rear of the lathe when the rubber material he had just applied fell from the steel mandrel.

He instinctively reached to grab the material, and at the same time the lathe started, pulling him into the machine. This resulted in his arm being broken in two places.

<https://press.hse.gov.uk/wp-content/uploads/2023/05/Accident-web-under-2mb.mp4>

The machine was used to wrap rubber and other materials around a steel mandrel to form hose bodies for industrial hoses. The system of work at Gates Engineering involved one employee working at the front of the machine operating the controls, with a second employee assisting from the rear, helping to manually position the rubber materials being applied.

However, the manufacturer's manual for the machine stated that the lathe should be enclosed with a fixed perimeter guard, and that access to the work area by persons other than the machine operator prevented.

An investigation by the Health and Safety Executive (HSE) found the company had failed to take effective measures to prevent access to the dangerous parts of the lathe, and that its system of work required employees to stand in an area that was meant to be enclosed by guards. For HSE guidance visit: [Introduction to machinery safety – HSE](#)

Gates Engineering & Services UK Limited, of Bassington Industrial Estate, Bassington Drive, Cramlington, Northumberland, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974. The company was fined £200,000 and ordered to pay £3,653.70 in costs at Newcastle Magistrates' Court on 4 May 2023.

HSE inspector Stephen Garner said: "After this accident, the company was able to install perimeter guards to prevent access to the rear of its 60-metre lathe, and altered its system of work so that operation of the lathe could be carried out from the safe area at the front of the machine – as intended by its manufacturer. This accident could have been prevented if action had been

taken earlier.

“A third-party safety audit commissioned by Gates Engineering, dated 16 January 2018, identified that there was access to moving parts at the rear of the machine due to inadequate guarding. Although this report failed to recommend any remedial measures, taken in combination with the information in the machine’s manual, this represented a missed opportunity to properly safeguard the machine before an accident occurred. Ultimately this accident was both foreseeable and preventable.”

#### **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. [hse.gov.uk](http://hse.gov.uk)
2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](http://legislation.gov.uk/)
3. HSE news releases are available at <http://press.hse.gov.uk>
4. For HSE guidance visit: [Introduction to machinery safety – HSE](#)

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## **Major transport firm hit with £1.9m fine after worker killed by HGV**

Two major transport companies have been fined a combined total of £2.2m after ‘a loving dad and husband’ was killed when he was hit by a HGV in Birmingham.

Neil Roberts, 60, was a depot manager of Turners (Soham) Limited when he was struck by a reversing HGV on 30 August 2019. The incident happened at the premises of The Haulage Group Ltd (previously known as Howell Group Ltd), on Inkerman Street, when the vehicle reversed out of a parking space in the transport yard.

An investigation by the Health and Safety Executive (HSE) found the companies had failed to manage [the risk associated with workplace transport](#).



Mr Roberts was struck by a reversing HGV at a depot on Inkerman Street in Birmingham

In a statement issued by his family, Mr Roberts, from the West Midlands, was described as 'a loving dad' and 'caring husband'.

"He did anything and everything he could to provide for his family," they said.

"Family meant everything to him, he wasn't a man of many words, he mainly showed his emotions through doing and showing you how much he cared. He was always there to help.

"Dad has left a massive hole in all of our lives, and nothing will be able to fill that.

"Not a day goes by where we don't think of him and wish he was still here with us and how unfair it all is.

"Nearly four years have passed, and every happy moment since has been tinged with sadness and every happy moment going forward will be tinged with sadness as Dad isn't here."

Turners (Soham) Limited of Fordham Road, Newmarket, Suffolk pleaded guilty to breaching Section 2(1) and Section 3(1) of the Health and Safety at Work etc Act 1974. The company was fined £1.9m and ordered to pay costs of £7,300.

The Haulage Group Ltd of Unit 28 Maybrook Business Park, Minworth, Sutton Coldfield, West Midlands pleaded guilty to breaching Section 2(1) and Section 3(1) of the Health and Safety at Work etc Act 1974. The company was fined £300,000 and ordered to pay costs of £7,300.

Speaking after the hearing, HSE Principal Inspector Amy Kalay said: "This tragic incident was completely preventable.

"Both companies failed to recognise and control the risks associated with workplace transport, and in particular the dangers of reversing vehicles and poor visibility.

"The principle of ensuring pedestrians and vehicles are kept apart is well

known and the measures needed to ensure separation and control the risk need not be complicated.

“If the companies had acted to identify and manage the risks involved, and to put a safe system of work in place, this incident would not have happened.”

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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 guidance about [workplace transport safety](#) is available.

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## [Health and safety failures found at more than 80% of businesses on island during inspections](#)

More than 80% of businesses checked during an inspection push on the Isle of Wight were found to have breached the law.

The Health and Safety Executive (HSE) carried out a special two-day inspection programme on the island and found 84% of businesses in breach of health and safety regulations.

Issues found included badly maintained electrics, unguarded machinery, work at height taking place unsafely, lack of control of exposure to wood dust, welding fume or other substances hazardous to health and poor welfare facilities.

Eleven HSE inspectors visited the Isle of Wight over two days earlier this month and inspected 33 businesses. The unannounced inspections by Great Britain’s workplace regulator checked a wide range of industries including boatbuilding and repair, waste and recycling, engineering, and farms.

Companies checked ranged from small businesses to large industry-leading firms with hundreds of employees. Breaches of health and safety law were

identified on 84% of sites visited, resulting in four Prohibition Notices, 37 Improvement Notices and numerous instances of written advice.

HSE Principal Inspector Nancy Harman, who led the project, said: “Although we did identify some good practice on the Isle of Wight, there were numerous areas where risks to health and safety were not being properly managed and where improvements were needed.

“As a result of our intervention, we hope to have educated and informed businesses about the measures that they need to have in place to ensure that everyone goes home from work safely and without risks to their health.

“This inspection programme forms part of our ongoing work on the Isle of White and across Hampshire and we will be following up on the premises we visited and others in the coming months.

“By concentrating our resources at the same time, it allowed us to be more efficient in making sure businesses are putting good control measures in place and that the health and safety of workers is at the top of the agenda for everyone.”

The last large-scale inspection visit like this to the Isle of Wight took place in 2019, before the Covid pandemic.

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## **[Durham car cleaning firm fined for putting workers at risk of electric shock](#)**

A County Durham car valeting company has been fined after failing to comply with enforcement notices and putting workers at risk of electrocution.

Health and Safety Executive (HSE) inspectors visited UK Express Valeting Limited’s premises at Abraham Industrial Estate, Bishop Auckland, on 22 March

2022 after a previous visit in March 2020 resulted in enforcement action being taken. This was in relation to [unsafe electrical installations](#) and [inadequate welfare facilities](#).

During the inspection in March 2022, several electrical installations were found to be badly maintained and dangerous. A prohibition notice was served by HSE, preventing the use of some of the work equipment which posed a risk of electric shock or electrocution.



Dangerous electrical wiring was one of the failings identified by inspectors

HSE also served UK Express Valeting Limited with an improvement notice requiring them to arrange for an electrically competent person to undertake a thorough electrical inspection and test of the fixed electrical installation and associated electrical equipment. The company was required to arrange for any defects identified to be rectified by an electrically competent person.

However, despite four other visits taking place over the following seven months, the company failed to take any action. At one these visits, it was noted that the electrical installations had further deteriorated and two further prohibition notices were served on 26 July 2022, prohibiting the use of a roller shutter garage door control and a vacuum cleaner, as both had exposed live conductors which could cause an electric shock or electrocution.

The HSE investigation found workers at UK Express Valeting Limited were put at significant risk of electric shock or electrocution by the lack of maintenance and failure to put right the faults found with the electrical installations. It was also found that the company did not have [valid employers liability compulsory insurance](#).



Dangerous electrical wiring was putting workers at risk

UK Express Valeting of Abraham Enterprise Park, Bishop Auckland, Durham, pleaded guilty to breaching the Health and Safety at Work etc. Act 1974 – for failing to comply with an Improvement Notice, Section 33(1)(g) and section 1(1) of the Employers Liability (Compulsory Insurance) Act 1969.

The company was fined £6,000 and ordered to pay £42,389.80 in costs at Peterlee Magistrates' Court on 16 May 2023.

HSE inspector Clare Maltby said: "Companies are responsible for making certain that their electrical installation and equipment are maintained to prevent danger.

"All car wash and valeting centres must properly maintain their electrical installation and equipment.

"Failure to comply with enforcement notices is a serious offence and HSE will not hesitate to prosecute where companies fail to take the action required."

HSE inspectors were supported on visits to the company by police officers from North East Regional Organised Crime Unit (NEROCU).

Following the investigation, Kev Benson, the North East GAIN Co-ordinator and Disruption Team Manager for NEROCU, is asking residents to be vigilant.

He said: "This is yet another example of the ongoing work with partners to safeguard workers. No one should have to work in conditions that are unsafe and a risk to themselves and others.

"Where necessary we will support action taken by partners to ensure no laws are being broken and any enforcement notices are complied with.

"I am asking members of the public to continue to remain vigilant and report any concerns or information you have about dangerous working conditions. By doing so you're helping keep your community safe for everyone."

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  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 guidance on [electrical safety and maintenance](#), [employers' liability insurance](#) and the [provision of welfare facilities](#) is available.
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## [Company fined after worker's leg amputated](#)

A waste and recycling company has been fined after an employee's leg was amputated after he was run over by a telehandler.

The man, who was 51 at the time, was working for Eco Waste and Recycling Limited at the company's waste transfer site on Hullocks Pit Hill, Newnham Road, Newnham, Hertfordshire, when he was struck from behind by a reversing telehandler on 16 March 2022. He had been sorting recyclable materials by hand.

This incident led to the man's right leg being amputated from above the knee.

An investigation by the Health and Safety Executive (HSE) found Eco Waste and Recycling Limited failed to adequately segregate vehicles and pedestrians at its site and failed to act quickly on the findings of risk assessments.

HSE guidance can be found at: [Waste and recycling industries – Collection – Skip hire and waste transfer \(hse.gov.uk\)](#)

Eco Waste and Recycling Limited, of High Firs Crescent, Harpenden, Hertfordshire, pleaded guilty to breaching 4(1) of the Workplace (Health, Safety and Welfare) Regulations 1992 and Regulation 5(1) of the Management of Health and Safety at Work Regulations 1999. The company was fined £30,000 and ordered to pay £3,102.50 in costs at St Albans Magistrates' Court on 4 May 2023.

HSE inspector Adam Johnson said: "This incident could so easily have been avoided. Segregation measures should have been in place between vehicles and pedestrians.

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

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