

North West roofer sentenced after failing to manage health and safety on site

A Manchester-based roofer has today been sentenced after breaching health and safety laws.

Greater Manchester Magistrates' Court heard how, on 7 November 2017, Michael Anthony Roden (who also trades as M&R Roofing and Onyx Roofing) and his employee were contracted to carry out roof replacement work at Wheildons Butchers, Manchester. Mr Roden failed to implement any form of edge protection or scaffolding whilst the roofing work was carried out and did not have employers' liability compulsory insurance.

An investigation by the Health and Safety Executive (HSE), found that Mr Roden had previously been served with two prohibition notices on two separate occasions with regards to working from a height with no suitable edge protection. Despite this, Mr Roden continued to work without appropriate scaffolding and, in doing so, put himself and his employee at risk of a fall from height, as well as members of the public who were at risk from any falling materials.

Michael Anthony Roden of Ribble Walk, Droylsden, Manchester pleaded guilty to breaching Regulation 6 (3) of the Work at Height Regulations 2005, Regulation 10 (1) of the Work at Height Regulations 2005 and Section 1 (1) of the Employers' Liability (Compulsory Insurance) Act 1969. He was sentenced to six months imprisonment suspended for two years, 240 hours community service and ordered to pay costs of £4,600.

Speaking after the hearing, HSE inspector Matt Greenly said: "This incident could so easily have been avoided by simply having the correct control measures and safe working practices in place. Mr Roden chose to save money by not having scaffolding and in doing so put his life at risk as well as the lives of his employee and visitors to the butcher's shop.

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

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](https://www.hse.gov.uk)
2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](https://www.legislation.gov.uk/)

3. HSE news releases are available at <http://press.hse.gov.uk>
4. More information about working from height can be found at:
<http://www.hse.gov.uk/work-at-height/index.htm>

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

Company fined after workers suffer serious leg injuries

An engineering company was sentenced today after two employees were seriously injured during work to dispose of old gas cylinders at the company's site in Hull.

Beverley Magistrates' Court heard how, on 6 January 2017, a worker at Redhall Engineering Services Ltd was asked to decommission approximately eight or nine gas cylinders believed to contain oxygen. The employee laid the cylinders outside in the yard with the pressure release valves open to try and empty out any gas that remained inside. Later, the employee began to remove the pressure release valves from the tops of the cylinders.

On the last cylinder it became apparent that the valve was stuck and could not be removed. Another employee of the company came to help and they attempted to dislodge and remove the valve using a hammer. During this attempt the cylinder and valve separated violently as gas which remained in the cylinder was released. The cylinder fired into the workshop and struck two employees who were standing inside.

Both employees suffered serious injuries to their lower limbs, one sustaining a broken tibia and fibular to both legs, and the other a broken tibia and fibular to his left leg and extensive nerve and tissue damage. Both men required multiple surgeries and spent several weeks in hospital. One of them has still not been able to return to work.

An investigation by the Health and Safety Executive (HSE) found that, at the time of the incident, there was no safe system of work in place for the decommissioning and disposal of old gas cylinders, and the company had not carried out a suitable risk assessment to identify the associated risks.

Redhall Engineering Services Ltd of Winestead Lane, Hull pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work Act 1974 and was fined £14,000 and ordered to pay costs of £2,687.00.

Speaking after the hearing, HSE inspector James Harvey said: "This case highlights the serious risks posed by gas cylinders and how the correct

disposal as well as cylinder handling and storage is fundamental to ensuring safety.”

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Suspended sentence for South East scaffolder following unsafe work

A Kent-based scaffolder has been sentenced after unsafe working practices were observed during the erection of scaffolding.

Medway Magistrates’ Court heard how, on 19 August 2016, Mr Steven David Connolly was working at a site in Chartham, Kent when an inspector observed him employing unsafe working practices when erecting scaffolding.

An investigation by the Health and Safety Executive (HSE) found Mr Connolly was working unsafely and putting himself at serious risk of falling from the scaffold under construction. He ignored interjections of a HSE inspector, refusing to work safely and instead subjecting her to a torrent of abuse. Mr Connolly then left the scaffold in an unsafe and incomplete condition with no warning for subsequent users.

Mr Steven David Connolly of Greenacres, Lower Kingswood, Surrey pleaded guilty to breaching Regulations 6(3) and 8(a) of The Work at Height Regulations 2005. He was sentenced to 24 weeks imprisonment, suspended for 18 months. He has also been subject to the condition of a curfew between 9am and 5pm at his home address for which he will be tagged and ordered to pay costs of £2,000.

After the hearing HSE inspector, Andrew Cousins said: “An already worrying situation was compounded by the defendant’s unwarranted abuse of a public official and then leaving the scaffold in a perilous condition. He

effectively obstructed the inspector in the exercise of her duty by his attitude, language and behaviour as well as his refusal to provide his identity or who he was working for.

“Those in control of work have a responsibility to devise safe methods of working and to provide the necessary information, instruction and training to their workers in the safe system of working. 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.”

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Company fined after worker fell down a lift shaft

A care home was sentenced after an employee suffered significant injuries after falling around 1.5 metres down a lift shaft.

Northampton Magistrates’ Court heard how on 25 September 2016 the employee was using the platform lift to transport the residents’ breakfasts from the kitchen to the dining room on a different floor. An interlock system which meant that the lift door could only be opened when the platform was at the right floor was broken. The employee fell down the shaft because the platform was at a lower level.

An investigation by the Health and Safety Executive (HSE) found that the door locking mechanism had been broken for about a month prior to this incident and management failed to deal with the known issue of employees overriding the door safety locking mechanism with a screwdriver. The lift had also not been thoroughly examined.

Sutton in the Elms Care Limited of Sutton Lane, Leicester pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974 and Regulation 9(3)(a)(i) of the Lifting Operations and Lifting Equipment Regulations and has been fined £14,000.00 and ordered to pay costs of £2535.90

Speaking after the hearing HSE inspector Michelle Morrison said “This incident could so easily have been avoided, had the management at the care home ensured that employees were not manually over-riding safety features on this platform lift. Safety features on all work equipment are designed to keep people safe and prevent accidents, such as this one.

“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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Sole trader fined after worker injured

An East Lothian-based sole trader was today fined after a self-employed furniture maker was injured on their premises.

Edinburgh Sheriff Court heard how, on 25 February 2016, a self-employed furniture maker was working on the premises owned by Peter Anselm Fraser, trading as A and A Fraser Property. Whilst the furniture maker was moving wood over the planer blade, the machine skidded on the table causing her left hand to slip off the top edge and come into contact with the exposed part of the blade. As a result, the furniture maker suffered hand injuries.

An investigation by the Health and Safety Executive (HSE) found the planer machine was fitted with a fence guard but lacked a bridge guard at the area she was working. The absence of a bridge guard on the planer created an increased risk where the operator might inadvertently come into contact with the exposed portion of the blade.

Peter Anselm Fraser trading as A and A Fraser Property of Gifford, East Lothian, pleaded guilty to breaching of Regulation 11(1) and (2) of the Provision and use of Work Equipment Regulations 1998 and was fined £6,700.

Speaking after the hearing, HSE inspector Kim Munro said: “This injury was

easily preventable and the risk should have been identified.

“Employers/sole traders should make sure they properly assess and apply effective control measures to minimise the risk from dangerous parts of machinery.”

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