

# Farming company fined after worker falls from ladder

A farming company has been fined after a worker fell from a ladder sustaining significant injuries.

Greater Manchester Magistrates' Court heard how, on 28 January 2016, an employee of Edge Farming Company was cleaning the gutters on a farm building when the ladder he was working on slipped down the face of the building. The employee suffered a broken arm, shoulder and fractured elbow as a result.

An investigation by the Health and Safety Executive (HSE), found there was inadequate control measures in place with regards to working at height. There was no specific risk assessment for the cleaning of gutters even though it was a regular occurrence on the farm and the company failed to ensure that there was appropriate information, instruction, training and supervision. The defendant had also failed to report the accident within the required timeframe.

Edge Farming Company of Wimboldsley Hall, Wimboldsley, Cheshire, pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc. Act 1974 and Regulation 4 of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) and has been fined £10,000 and ordered to pay costs of £5,826.74 .

Speaking after the case HSE inspector Rose Leese-Weller said: "This incident could have been fatal. Those in control of work have a responsibility to devise safe methods of work and to provide the necessary information, instruction and training to their workers. For example, the work in this case could easily have been carried out using a mobile elevated work platform or a properly designed and erected mobile scaffold tower.

"If a suitable safe system of work had been in place, the life changing injuries sustained by the employee could have been prevented."

## **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. HSE news releases are available at <http://press.hse.gov.uk>
4. More information about working at 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.

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## [West Midlands man handed suspended sentence for unregistered gas work](#)

An unregistered gas fitter was handed a 26-month suspended sentence for carrying out gas work after his Gas Safe Registration had been removed and he had been prohibited from carrying out further work on gas appliances and fittings.

Coventry Magistrates' Court heard that 71-year-old Harcharan Singh Sembi continued to carry out unsafe work on gas appliances despite having been removed from the Gas Safe Register and prohibited from doing further gas work by the Health and Safety Executive (HSE).

An investigation by the HSE found that Mr Sembi was removed from the Gas Safe Register for failing to meet competency standards. Despite this, he continued to carry out unsafe work on gas appliances despite it being an offence to work without Gas Safe Registration and in contravention of an enforcement notice.

Mr Harcharan Singh Sembi of William Groubb Close, Coventry, pleaded guilty to breaching Regulation 3(3) of the Gas Safety (Installation & Use) 1998 Regulations and was sentenced to 12 months in custody, suspended for two years. Mr Sembi also pleaded guilty to breaching Section 33 of the Health and Safety at Work etc. Act 1974 and was sentenced to 14 months in custody, suspended for two years. He was also ordered to undertake 40 hours of unpaid work.

In his sentencing remarks, HHJ Potter commented that Mr Sembi's offences were so serious that he would have imposed an immediate custodial sentence if his personal circumstances had been different. The defendant's age and the circumstances around the support available to his elderly wife were factors taken into consideration by the Judge in concluding that a suspended sentence was proportionate.

Speaking after the hearing HSE Inspector Karl Raw commented: "Harcharan Sembi undertook gas work which he knew he was not registered to do.

"All gas work must be done by registered Gas Safe engineers to ensure the highest standards are met to prevent injury and loss of life."

### **Notes to Editors:**

1. The Health and Safety Executive (HSE) is Britain's national regulator

for workplace health and safety. We seek to 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/)
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## [Company fined after employee injured by machinery](#)

An agricultural engineering company was fined for serious safety failings after a worker was injured at its premises near Blackburn, Lancashire.

Preston Magistrates Court heard how, on 25 November 2016, a 17-year-old trainee was working for Malcolm E Taylor Ltd at the company's site in Langho when he was pulled into machinery used to make cladding for agricultural buildings.

The employee's left arm became trapped between the metal sheeting he was holding and rollers as it was fed into the machine. The young worker suffered extensive damage to his left forearm, leaving him in chronic pain and with significant impairment to the use of his arm.

The Health and Safety Executive (HSE) investigation found that it was possible for employees to reach dangerous parts of the roll-forming machine when it was in operation as Malcolm E Taylor Ltd had failed to suitably guard the machine.

Malcolm E Taylor Ltd of Mellor Brook, Blackburn pleaded guilty to breaching Regulation 11(1) of the Provision and Use of Work Equipment Regulations 1998. The company was fined £12,000 and ordered to pay costs of £2,967.82.

Following the case, HSE inspector Anthony Banks said:

"The dangers of unguarded machinery are well-known. If Malcolm E Taylor Ltd had ensured that suitable guarding was in place, then this incident would have been avoided.

Companies should be aware that HSE will not hesitate to take enforcement action when the required standards are not met".

## Notes to Editors:

1. The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. It aims to reduce work-related death, injury and ill health. It does so through research, information and advice, promoting training; new or revised regulations and codes of practice, and working with local authority partners by inspection, investigation and enforcement. [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. More information about machinery guarding can be found at: <http://www.hse.gov.uk/toolbox/machinery/safety.htm>
5. Regulation 11(1) of the Provision and Use of Work Equipment Regulations 1998 states: "Every employer shall ensure that measures are taken to (a) prevent access to any dangerous part of machinery or to any rotating stock-bar; or (b) to stop the movement of any dangerous part of machinery or rotating stock-bar before any part of a person enters a danger zone."

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## **[British Science Week: HSE launches its annual Science Review 2018](#)**

Marking British Science Week, the Health and Safety Executive (HSE) has today launched its [Annual Science Review](#) with a focus on its work in supporting a sustainable energy sector in the UK.

Made up of 850 engineers and science experts, including mechanical and chemical engineers, explosive specialists and microbiologists, HSE has been working hard this year to establish the safe introduction of low carbon technologies.

The [2018 HSE Annual Science Review](#), packed with case studies and achievements, showcases the work of the team including supporting the safe introduction of blended hydrogen into the National Gas grid, research to enable the introduction of innovative carbon capture and storage technology, as well as the safe implementation of new battery energy storage applications.

Chief scientific adviser and director of research, Professor Andrew Curran, said: "I am very pleased and proud to launch our latest Science Review. Good evidence underpins how we regulate and how we support other organisations and

government departments both in the UK and overseas. It is particularly pleasing in the Year of Engineering to be able to highlight our work enabling a green and sustainable future for the energy sector in the UK.

“By anticipating future health and safety challenges today we can prevent incidents and harm to people tomorrow. Introducing our review during British Science Week also shows how the practical application of science and engineering to real world problems helps Great Britain work well.”

For more information please go to: <http://www.hse.gov.uk/research/>

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2. The science review can be read in full at:  
<http://www.hse.gov.uk/research/content/science-review-2018.pdf>

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## [Company fined after worker loses top of finger](#)

Llanharan Concrete Co. Limited has today been fined after a worker was injured when his glove got entangled with the moving blade of a table saw.

Cardiff Magistrates’ Court heard how the employee of the company was cutting wood with a table saw when his glove got entangled, pulling his finger into contact with it. The injured worker was rushed to hospital where he underwent surgery to amputate the top of his left index finger to the first knuckle.

An investigation by the Health and Safety Executive (HSE) found there was a lack of supervision, no risk assessment or safe system of work was in place for using the table saw, and no training was given to the worker before using the saw. This was despite the company having previously been advised by a HSE inspector, and their own health and safety consultants, to implement safe systems of work for their machinery.

Llanharan Concrete Co. Limited of Llanharan Road, Llanharan, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work Act 1974, and Regulation 3(1) of the Management of Health and Safety Regulations 1999 and has been fined £6,000 and ordered to pay costs of £1,889.

Speaking after the hearing HSE inspector Lee Jones said, “This injury could

have easily been prevented had the risk been identified.

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

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