

# Bus driver sentenced after passengers injured

A bus driver has today been sentenced after he lost control of the bus he was driving, injuring five of his passengers.

Huntingdon Magistrates' Court heard how, on 22 February 2016, the employee of Cambus Limited trading as Stagecoach East, lost control of the bus he was driving as he negotiated a gap in the guided section of the track. The bus jumped over the track, travelled across an adjacent path and came to rest up the side of a grassy embankment. As a result, five of his passengers suffered injuries which included a fractured spine, pelvis, ribs and whiplash.

An investigation by the Health and Safety Executive (HSE) found Mr Le was reading a time duty card whilst driving and therefore had no vision of the busway ahead nor did he have a grip of the steering wheel. The investigation also found Mr Le was driving at speeds of 52mph when the maximum recommended speed in that area was 30mph.

Mr Le Kent Road, Huntingdon, pleaded guilty to breaching Section 7(1) of the Health & Safety etc Act 1974 and has been sentenced to 12 weeks imprisonment, suspended for 12 months, and ordered to pay costs of £2,000.

Speaking after the case, HSE inspector Nigel Fitzhugh said: "Drivers of guided buses must remain vigilant at all times. It is especially important to do so when driving on guided sections as the absence of steering control may create a sense that full control of the bus is being maintained.

"Members of the public should be assured that HSE seriously considers the risks to their health and safety and takes appropriate enforcement action where necessary."

## **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>

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

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# **Company fined after workers exposed to Hand Arm Vibration Syndrome**

Nordam Europe Limited have been fined after workers were exposed to Hand Arm Vibration Syndrome (HAVS).

Cardiff Crown Court heard how around 100 employees of the company, which maintains and repairs aircraft components, were exposed to Hand Arm Vibration (HAV) and developed Hand Arm Vibration Syndrome (HAVS) over 22 years. At least 30 employees were exposed to risk of significant harm.

An investigation by the Health and Safety Executive (HSE) found that employees used a range of hand-held vibrating tools including orbital sanders, rivet guns, grinders and drills. The company should have carried out a suitable assessment of work activities which exposed employees to vibration and should have implemented additional controls to reduce exposure so far as was reasonably practicable.

The investigation found that the company failed in their duty to implement a safe system of work in order to control exposure to vibration. In addition, employees should have undergone suitable health surveillance to identify symptoms at an early stage of the disease. This would have prevented it from progressing to a disabling condition.

Nordam Europe Limited of Hawtin Park, Blackwood, Gwent pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974, and has been fined £400,000 and ordered to pay costs of £39,620.92.

Speaking after the hearing HSE inspector Janet Hensey said: "This was a case of the company completely failing to grasp the importance of HAVS health surveillance.

"If they had understood why health surveillance was necessary, it would have ensured that it had the right systems in place to monitor worker's health and the employee's condition would not have been allowed to develop to a severe and life altering stage".

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## **Shell UK fined after technician struck by cylinder**

Shell UK Limited has today been fined for health and safety breaches after a technician was struck by a cylinder and left severely injured on the Brent Delta offshore installation.

Aberdeen Sheriff Court heard how, on 10 November 2014, technicians were required to replace a gas cylinder within a system used to extinguish fires. When one of the technicians rolled what he thought was an empty cylinder along the floor and took off the protective cap, he realised that it was a fully charged cylinder. The trigger mechanism on the cylinder was activated causing a loud bang and the instantaneous release of the cylinder contents in a white cloud of concentration. The force of the gas release caused the technician to drop the cylinder to the floor causing a valve to shear. This resulted in both cylinder and valve becoming projectiles which struck and severely injured a second technician.

An investigation by the Health and Safety Executive (HSE) found the company failed to take suitable and sufficient steps to ensure risks associated with handling of pressurised cylinders were eliminated. The company also failed to remove pressurised cylinders which were not suitable for use in a safe and secure manner and also failed to ensure the provision of appropriate information and instruction in respect of the handling and use of energised gas cylinders.

Shell UK Limited of Shell Centre, London pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc Act 1974 and was fined £60,000.

Speaking after the hearing, HSE inspector David Josiah said: "This incident could so easily have been avoided by simply carrying out correct control measures and safe working practices.

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

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## **Peterborough company fined for failing to undertake asbestos assessment**

A property management company has today been sentenced after failing to carry out an asbestos survey prior to undertaking extensive refurbishment works.

Huntingdon Magistrates' Court heard how, between April and May 2017, Thistlemoor Healthcare and Management Ltd undertook construction work at two properties, one of which was part of a medical centre in Peterborough. In this time, the company failed to carry out an asbestos survey for either property, both of which were likely to contain asbestos.

An investigation by the Health and Safety Executive (HSE) found the company undertook and carried out construction which was likely to disturb asbestos containing materials during the strip out and part demolition of the two properties. Despite this, the company failed in its duty to carry out an asbestos survey for either property.

Thistlemoor Healthcare and Management Ltd of Thistlemoor Road, Peterborough pleaded guilty to breaching Regulation 5 of Control of Asbestos Regulations 2012 and has been fined £15,000 and ordered to pay costs of £1,805.60.

Speaking after the hearing, HSE inspector Samantha Wells said: "The risk of exposure to asbestos could so easily have been avoided if the company had carried out a suitable and sufficient asbestos assessment to identify the presence of asbestos within properties prior to commencing refurbishment work.

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

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