

# Company sentenced following serious incident in sewer

A water and wastewater company has been fined following an incident in which three workers were carried along a sewer following the collapse of a 150-year-old sewer gate.

Westminster Magistrates' Court heard that, on 29 August 2017, three workers were carrying out preparatory work in a sewer for the Thames Tideway Tunnel at East Greenwich, which is controlled by Thames Water Utilities Limited (TWUL). A 150-year-old cast iron penstock failed engulfing the workers and carrying them along the sewer. The three workers suffered minor physical injuries but have been mentally affected. One worker has been treated for the long-term traumatic stress because of the incident which has prevented him from continuing work in his specialised career.

An investigation by the Health and Safety Executive (HSE) found that Thames Water Utilities Limited (TWUL) had planned individual work activities but failed to properly coordinate these as the permission and authorisation system was fragmented. The company had no effective means of collating, comparing and adapting to the impact of multiple work activities.

Due to an unrelated planned power outage, sewage pumps vital to the control of sewage levels for the work being undertaken at East Greenwich were not available for use which resulted in the failure.

Thames Water Utilities Limited of Clearwater Court, Reading, Berkshire, pleaded guilty to breaching Regulation 3(1)(b) of the Confined Spaces Regulations 1997 and was fined £300,000 and instructed to pay costs of £16,419.

Speaking after the hearing, HSE inspector James Goldfinch said: "This serious incident endangered the lives of three workers and caused lasting adverse mental health effects; the workers narrowly avoided death by drowning in sewage.

"It should serve as a warning and a reminder to all those that work in confined spaces that work in these challenging environments must be properly

planned, coordinated and managed.”

#### **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>

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## **Manufacturer of engineering products and components fined after worker was injured**

Nichol McKay Limited, manufacturer of engineering products and components, has been fined after a profile shed supervisor was struck by a bucket and its contents.

Ayr Sheriff Court heard that, on 4 May 2017, a profile shed supervisor attended the automatic shot blaster to assist a colleague loading a number of components, weighing approximately 60kg each, into a suspended basket. There was no safety catch on the hooks used to hold the load to prevent it becoming detached. Having loaded a number of plates into one such basket, the basket (and its contents) fell from its attachment, striking the supervisor on the head and rendering him unconscious.



During an investigation by the Health and Safety Executive (HSE) a Notice of Contravention and an Improvement Notice were served which required a review of the company's management of lifting operations. The notice was complied with when the company confirmed a new lifting operations procedure and safe system of work.

Nichol McKay Limited, Prestwick Airport, Monkton, Prestwick pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. act 1974 and was fined £12,000.

Speaking after the hearing HSE inspector Aileen Jardine said: "This incident could 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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## [Sink manufacturer fined after worker was injured](#)

A sink manufacturing company has been fined after a tool setter was struck by a moving part of a machine.

Falkirk Sheriff Court heard that, on 13 August 2017, the worker employed by Carron Phoenix Limited was asked by the operator of a machine to address an issue that had arisen at a part of the machine called the 'tool charger' which had become jammed, on the company site at West Carron Works in Falkirk. The tool setter entered the machine using an actuator. This allowed the safety interlock on the door to be overridden which meant the door could be opened without the machine being stopped. As soon as the jam was removed, the machine immediately restarted and a moving part struck the tool setter on the body, pinning him against the machine's outer wall. He sustained three fractures to his pelvis.

During an investigation by the Health and Safety Executive (HSE), a Prohibition Notice was issued preventing any of the interlocks being overridden. An additional Improvement Notice was served requiring Carron Phoenix Ltd to develop and implement a safe system of work and to review all risk assessments.

Carron Phoenix Limited, of West Carron Works, Falkirk, pleaded guilty to breaching Regulations 11(1) and (2) of the Provision and Use of Work Equipment Regulations 1998 and was fined £16,000.

Speaking after the hearing, HSE inspector Kim Ross 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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## **Engineering company fined after two workers suffer serious injuries**

An engineering company has been fined after two workers were seriously injured after being thrown from the chuck of a large vertical boring machine.

Birmingham Magistrates' Court heard that on 5 September 2018, two employees of Sulzer Electro Mechanical Services (UK) Limited, were standing on the chuck of a large vertical boring machine at a site in Bordesley, Birmingham, to set it. The start button was inadvertently pressed and, despite the interlocked perimeter fencing access doors being open, the chuck started to rotate.

An investigation by the Health and Safety Executive (HSE) into the incident found that the interlocks on the perimeter fencing access doors were not working, and there were no safety checks in place to ensure that the interlocks were in working order.

Sulzer Electro Mechanical Services (UK) Limited of Camp Hill, Bordesley, Birmingham pleaded guilty to breaching Section 2(1) of the Health and Safety at Work Act 1974. The company has been fined £86,000 and ordered to pay costs of £2,111.48.

Speaking after the hearing, HSE inspector Christopher Maher said "We hope that as a result of this case, industry will better understand the importance of maintaining effective control measures.

"It is important that guarding arrangements, including interlocks, are checked regularly, to ensure that they are in good repair and efficient working order."

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