HSE statement following fatal incident at Theme Park in Ohio, USA

A HSE spokesperson said: “HSE is aware of the tragic accident involving the KMG Afterburner (themed as Fire Ball) machine in Ohio on 26 July.

“There are six machines of this version operating in UK which were all thoroughly inspected within the last 12 months in line with agreed procedures. There is no verified information regarding the immediate cause of the US accident.

“Following the incident, HSE initiated a re-inspection of these machines. As a result, on Friday 28 July an Enforcement Notice was served on five of the machines, which are now to be taken out of use until the notices have been complied with. The sixth, at Lightwater Valley in North Yorkshire, was immediately take out of use following the incident in Ohio. This was a decision taken independently by the operator. Lightwater Valley has agreed to keep this machine out of use until the other five notices have been complied with.

“HSE will ensure operators are kept abreast of information as it arrives and will take such action as is necessary to ensure the rides are inspected and tested as necessary to ensure safety.”

The rides which are subject to the Enforcement Prohibition notice are in the following locations:

– Pleasure Wood Hills – East Anglia

– Ryan Crow Amusements – North East

– Coney Beach Fair – South Wales

– Joseph Manning – based in Hertfordshire

– Brean Theme Park – Somerset

Company fined after worker fell from height

Fruehauf Limited has been fined after a worker sustained fatal injuries after falling from a cherry picker at a factory in Grantham.

Lincoln Magistrates Court heard how on 18 February 2016, the 64-year old

worker fell while climbing from the basket of a cherry picker onto an overhead travelling crane to repair it. The court heard that the work was not properly planned and carried out without suitable harnesses and fall arrest equipment.

An investigation by the Health and Safety Executive (HSE) found that Fruehauf Limited failed to provide and enforce a safe system of work for accessing the overhead cranes in the factory; The company did not have appropriate management arrangements in place for controlling, monitoring and reviewing the safety of maintenance tasks and the activity was not properly risk assessed.

Fruehauf Limited pleaded guilty to being in breach of Regulation 2 (1) of the Health and Safety at Work etc Act 1974, and Regulations 3(1) and 5(1) of the Management of Health and Safety at Work Regulations 1999. The company was fined £200,000 and were ordered to pay costs of £5,622.

Speaking after the hearing HM Inspector Martin Giles said: “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.

This incident could have been prevented had Fruehauf Limited provided appropriate supervision and suitable fall arrest equipment for their workers to wear and use.

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[1]
2. More about the legislation referred to in this case can be found at: legislation.gov.uk/ [2]
3. HSE news releases are available at http://press.hse.gov.uk[3]

£1m fine for Crossrail contractor following three incidents

A joint venture comprising of three companies established to support the Crossrail tunnel construction has been fined a total of more than £1m following three separate incidents on the project, including the death of a worker.

Southwark Crown Court heard Renè Tkáčik died after being crushed by falling wet concrete on 7 March 2014. Two other men were injured following separate incidents within six days of one another, on 16 and 22 January 2015. All three incidents took place in the tunnels around the Fisher Street area.

The three workers were operating under Bam Ferrovial Kier (BFK), an unincorporated joint venture made up of three companies; BAM Nuttall Limited, Ferrovial Agroman (UK) Limited and Kier Infrastructure and Overseas Ltd.

Renè Tkáčik, 43 from Slovakia, was working on a team enlarging the tunnel by removing rings of the existing pilot tunnel and spraying walls with liquid concrete.During this operation, a section of the roof collapsed, fatally crushing Mr Tkáčik.

On 16 January 2015 Terence 'Ian' Hughes was collecting some equipment from inside one of the tunnels when he was struck by a reversing excavator. He suffered severe fractures to his right leg and crush injuries to his left knee and shin.

Six days later worker Alex Vizitiu, who was part of a team tasked with spraying liquid concrete lining, was assisting with the cleaning of the pipes that supply the concrete. Due to a lack of communication one of the lines was disconnected and he was hit by pressurised water and concrete debris. He suffered head and hip injuries as well as a broken finger and was hospitalised for six days.

A Health and Safety Executive (HSE) investigation found a failure to provide a safe system of work relating to the operations Renè Tkáčik and Alex Vizitiu were working on. It was also found there was a failure to properly maintain the excavator which reversed into Ian Hughes.

On all three occasions, the investigation found a failure to properly enforce exclusion zones that would have helped protect workers from foreseeable harm.

Bam Ferrovial Keir, of the corner of Charterhouse Street and Farringdon Road, London has pleaded guilty to three offences. In relation to the death of Renè Tkáčik, it has admitted to breaching Regulation 10(2) of the Work at Height Regulations 2005. It has today been fined £300,000 in relation to this offence.

BFK has pleaded guilty to two separate breaches of Section 22 (1a) of the Construction (Design and Management) Regulations 2007, relating to the two incidents in January 2015. The joint venture has been fined a £600,000 for the incident involving Ian Hughes on 16 January, and £165,000 for the incident relating to Alex Vizitiu on 22 January.

The total fine is therefore £1,065,000. The defendant was also ordered to pay costs of £42,337.28.

HSE Head of Operations Annette Hall said: "The omission to implement exclusion zones in a high hazard environment was a consistent failure in this case. Had simple measures such as these been taken, all three incidents could have been prevented, and Renè Tkáčik may not have died.

“We believe every person should be healthy and safe at work. Here, all three workers were taking part in one of the most important and challenging infrastructure projects of the decade. It was this joint venture’s duty to protect its dedicated and highly-skilled workforce. On these three occasions, BFK failed in its duty, with tragic consequences for Renè Tkáčik and his family.”

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

Food manufacturer fined after worker left seriously injured

A food manufacturing company has been fined after a worker fell six metres from the back of a fork lift truck.

Lincoln Magistrates’ Court heard how an employee of Fishgate Limited was instructed on 16 July 2013 to paint guttering and drainpipes on the outside of a factory in Brookenby, Lincolnshire. The employee was raised up by a forklift driver in an unsecured tote box to paint when he fell to the ground from a height of around six metres resulting in a dislocated arm, cracked pelvis, broken foot and shattered leg.

An investigation by the Health and Safety Executive (HSE) found the work was not properly planned nor was it adequately supervised. The injured worker had not received any training or advice on how to correctly carry out the task.

Fishgate Limited of Brookenby Business Park, Brookenby, Lincolnshire, was found guilty of breaching Section 2(1) of the Health & Safety at Work Act 1974. The company has been fined £100,000 and ordered to pay £19,032.63 in costs.

Speaking after the trial, HSE inspector Samantha Farrar said: “This work activity should have been properly planned. The injured worker should have been given the correct equipment as well as instruction as to how to carry

out the work. The company also failed to adequately supervise the activity which could have prevented the incident.”

Notes to Editors:

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EARLY BIRD OFFER – Workplace Healthy Lungs Summit 2017 – Ends 1 Sept 2017

Registration / Programme / Speakers / Sponsorship / Location / Contact / Related Information

Lung disease remains a serious problem in the workplace. This Summit will describe what HSE is doing about it, what you can do about it, and what science and evidence can tell us.

Benefits of Attending

- Hear about HSE's position on occupational lung disease – what the regulator is going to be doing and what they expect others to do
- Get a better understanding of how to achieve effective control of exposure in practice
- Understand the business case for improved control of risk and hear directly about the human consequences of failure
- Engage with others facing the same challenges – learning from those within your sector and from other sectors regarding good practice and how to engage others for behaviour and attitude change

See the draft overview programme

Who Should Attend

- Employers
- Health and safety professionals, occupational health advisors and consultants.
- Trade and sector bodies, unions, manufacturers of respiratory risk solutions and services.
- Key industry sectors – construction, manufacturing (including stone-working, ceramics, and bakeries) and quarries.
- Academics and professionals working on workplace lung disease.

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Conference Fee

Early Bird registration up until 1st September 2017 is £350. Standard registration from 2nd September is £425. – Book online here

Location and Date

Queen Elizabeth II Centre, Broad Sanctuary, Westminster, London, SW1P 3EE on 22nd November 2017 – Book online here

Contact

HSE Training and Conferences on 01298 218806 or HealthyLungs@hsl.gsi.gov.uk

Book the Early Bird fee online now

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