

# HSE investigates incident at Cornwall theme park

The Health and Safety Executive (HSE) is investigating an incident at a theme park in Cornwall after three people suffered injuries on a ride and attended hospital.

The incident happened at around 11.45am on 26 July at Flambards theme park in Helston, Cornwall.

HSE is making enquiries into what happened and the ride remains closed to the public.

Simon Chilcott, HSE Principal Inspector, said: "While incidents at theme parks are relatively rare, we are now gathering information to ascertain what happened."

## **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: Information about health and safety at work](#)

2. HSE news releases are available at [HSE Media Centre](#)

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# Uncle who killed nephew on farm appeals for others to stay safe

The grieving uncle of a four-year-old boy killed on a farm has urged everyone in agriculture to do more to keep children safe.

Brian Nutter was at the wheel of a farm vehicle when his nephew Harry Lee fell from the cab footplate and was crushed beneath its wheels.

Mr Nutter, speaking during this year's Farm Safety Week (July 18 – 22), said: "I don't want it to happen again. Everyone needs to think. I hope if people know what happened they'll be a bit more aware of what they're doing, and they won't have to go through what I'm going through."

Mr Nutter, who farms north of Burnley, Lancashire was given a 26-week prison sentence, suspended for 18 months, and was ordered to carry out 250 hours of

unpaid work and pay costs of £5,154 in March this year, following the incident in July 2019.

An investigation by the Health and Safety Executive (HSE) found there were insufficient measures in place to ensure the safety of children on the farm.

The Prevention of Accidents to Children in Agriculture Regulations 1998, prohibits children under the age of 13 from riding on, or operating, vehicles used in agricultural operations. No-one, including children, should ride on the footplate of any agricultural machine.

Mr Nutter was also speaking in the week that the HSE's annual Fatal injuries in Agriculture, Forestry and Fishing in Great Britain report was published, revealing that 25 people had been killed in agriculture-related activities in the previous 12 months.

He said: "We were cleaning a shed out in the farmyard, using a telescopic handler and we had to get something out of the field.

"Harry was with me, and I put him on the machine, as I'd done in the past, and we drove out the yard, on to the lane and into the field. I turned around and he'd gone, and he was under the wheel. It was so, so quick."

Mr Nutter said that he and his family had all grown up around farms and farm vehicles.

He said: "We were brought up on a farm and we did things, and we were lucky that nothing happened. We were brought up doing it and you follow suit. My own children had been on the farm with me, and Harry was the next generation, the younger one.

"He spent a lot of time with me because that's what he wanted to do, and I loved him being with me because I didn't think that we were doing anything wrong. I wish that Harry had stopped in the house that day, but he didn't.

"I miss him loads, every day I miss him. I wish he were here. I'd do anything to bring him back, but I can't and that's the hardest bit. I always think about him, I do a job now and he's always there with me."

Mr Nutter said that the hazards of farming weren't always recognised, but that farms were a dangerous place for children.

He said: "Farms now are getting bigger, machinery is getting bigger, and we're all running at a faster pace and now farming is changing that fast it has become more of a dangerous place for children, but it's so hard when it's their home, that's the biggest trouble. There's less of you doing the work and looking after children at the same time. The children want to be with you because they want to be learning.

"The safest place for the children is in the house. Always take a step back and think. I want people to look and think what you're doing, there's always another way. I know I'm not the first, I hope I'm the last but I know I won't be.

"I want to get the message across. I am one of the people it's happened to, and I don't want it to happen again. People need to be aware of what can happen. Everyone needs to think. If the children aren't there, it can't happen. If Harry had stopped in the house, he'd be here now.

"It's had a massive impact on all the family. Life has changed forever. It'll never be the same again. I wish I'd done something different. It'll never leave me. I wish I'd not had him on the vehicle with me. Please don't do it."

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2. More about the legislation referred to in this case can be found at: [Legislation.gov.uk](#)
3. The Fatal Injuries in Agriculture, Forestry and Fishing in Great Britain report can be found here: [Fatal injuries in agriculture, forestry and fishing in Great Britain: 1 April 2021 to 31 March 2022 \(hse.gov.uk\)](#)
4. HSE news releases are available at [HSE Media Centre](#)
5. For more information on child safety in agriculture: [Agriculture: Children and public safety \(hse.gov.uk\)](#)

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## [Philip White – Robens will still matter over the next 50 years](#)

*Lord Alfred Robens was a prominent post-war industrialist. In 1969, three years after the Aberfan disaster, Robens was selected to chair a committee on workplace health and safety. The Robens Report of July 1972 led to the Health & Safety at Work etc. Act 1974, paving the way for the creation of Health and Safety Executive (HSE) the following year. Fifty years ago this week the report was tabled and debated. **Philip White**, HSE's director of regulation, believes Robens has not only stood the test of time, but remains relevant to HSE in a crucial new phase.*



Lord Robens set to work with the aim of finding a way to reduce Britain's work-related deaths, injuries and ill health. At that time there were around 1,000 work related deaths each year, half a million suffered injuries, and 23 million working days were lost annually through industrial injury and disease. Fifty years on, few would argue his report didn't meet this aim.

We should all reflect on this achievement with pride. I believe that Lord Robens' report, and the Health & Safety at Work etc. Act 1974, is a great British achievement. It demonstrates how government can work with the consent and agreement of those in positions of responsibility across society. It's one of very few pieces of post-war legislation that has stood the test of time – and delivered what it set out to achieve.

Moreover, the spirit of Robens has carried through in several key pieces of legislation that HSE helped introduce to keep pace with changing world or work as well as ensuring the principal of those who create risk must take responsibility for controlling it: the Control of Major Accidents Hazards Regulations (1983), the Control of Substances Hazardous to Health (1988), the Construction Design & Management Regulations (1994) and the Gas Safety Management Regulations (1996).

But we don't just believe in regulating by legislating. Our strategy, *Protecting People and Places* makes clear our commitment to finding new ways to address the most significant risks. As well as an expanding remit that now includes the Building Safety Regulator, which will enable people to feel safe in their homes, and heightened responsibility to the wider environment in our role in chemicals regulations, the economy itself and the way people work is also transforming. The drive to Net Zero will create new challenges, and the revolution in online retail means the model of regulating the retail supply chain may need to be reviewed.

We are under no illusion that some of these challenges are more abstract than those facing the readers of the Robens Report in the 1970s.

Look carefully through the report, and the transcripts of the subsequent parliamentary debates it generated, and you'll find reference to two other issues that needed to be considered – work-related stress and apathy towards health and safety.

Both challenges persist in Britain's workplaces today.

In 2020/21, 822,000 workers reported experiencing work-related stress, depression or anxiety – but it's fair to say that the true figure is greater if you include those suffering in silence.

The Covid-19 pandemic created a renewed focus on health and safety for all of us. While many have positively sought to capitalise and harness this, I am troubled by even casual references creeping back into public conversations that associate health and safety with barriers to fun or innovation, overlooking the true mission of protecting people and places – and getting every worker home safely at the end of their day. If we need to challenge examples of this, we will do so without hesitation, but remembering Robens' principle for controls to be practical and proportionate to the risk.

Robens still matters. And will still matter over the next 50 years.

Philip White, Director of Regulation, HSE

## About HSE

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)

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## [DCM vapour killed a construction worker](#)

A brick and stonework restoration company, Brick Restoration Ltd and its two directors, Stewart Bailey and John McCole, have been sentenced following the death of a construction worker.

Alexandru Sorin was overcome by dichloromethane ('DCM') vapour whilst using a DCM-based paint stripper at a property in London on 25 July 2017.

Mr Sorin was working on his own stripping paint from the walls of a lightwell in the basement of Berkeley Gardens, London. DCM vapour is heavier than air and can accumulate in confined spaces with poor ventilation. While carrying out the work Mr Sorin was overcome by the DCM vapour and died from the exposure.

An investigation by the Health and Safety Executive (HSE) found that Brick Restoration Ltd failed to implement any effective measures to control Mr Sorin's exposure to DCM. His death could have been prevented by eliminating the risk associated with DCM by using a different removal method or by substituting the DCM paint remover for a less hazardous product.

At City of London Magistrates' Court, Brick Restoration Ltd of Worboys Road, Worcester, pleaded guilty to breaching Regulation 7(1) of the Control of Substances Hazardous to Health Regulations 2002 and were fined £50,000 and ordered to pay costs of £2,805.64.

Stewart Bailey of Worboys Road, Worcestershire, pleaded guilty to breaching Section 37(1) of the Health and Safety at Work etc Act 1974 and was sentenced to 200 hours of community service and ordered to pay costs of £2,805.64.

John McCole of Savill Gardens, London also pleaded guilty to breaching Section 37(1) of the Health and Safety at Work etc Act 1974 and was sentenced to 200 hours of community service and ordered to pay costs of £2,805.64

Speaking after the hearing HSE inspector, Owen Rowley, said: 'Mr Sorin's death was entirely avoidable. DCM is a volatile solvent and exposure to high concentrations of vapour can cause loss of consciousness and death.

"Anyone intending work with DCM-based products should carry out a suitable and sufficient risk assessment and implement appropriate control measures. Crucially, DCM-based products should only be used in well ventilated areas to prevent the build-up of vapour."

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  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. Further guidance on working safely can be found at: <https://www.hse.gov.uk/pubns/guidance/dcm2.pdf>
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# Retailer and electrical contracting company fined after electrician sustains serious burns in warehouse explosion

A retail company and an electrical contracting company have been fined after an electrician suffered serious burns to 15 per cent of his body when he was caught in an explosion at a warehouse in Liverpool.

On 22 September 2018, an electrician was using a metal spanner to repair an electrical fault at B&M Retail Ltd warehouse, in Speke. The spanner he was using came into contact with a live busbar (metallic strip) linked to the power distribution causing an electrical explosion.

The 35-year-old electrician sustained serious injuries which included burns to his arms, hands, thighs, legs, and face. He was placed in an induced coma for two weeks and had to undergo several skin grafts..As a result of the incident the electrician was unable to work for five months.

The victim said: "I am very conscious of the scars and always think people are staring at me or talking about me behind my back.

"To me, my arms look like Freddy Kruger's from Nightmare on Elm Street.

"I now can't play with my little boys as much as I used to and I'm worried about hurting myself, and they are worried about hurting me. I have paranoia of being touched.

"I do worry about the future as I know the pain will never go away and might get worse, leaving me unable to work and support my family."

A HSE investigation found that the victim, who was employed by Daker Ltd, had been attempting to connect a generator to B&M's Low Voltage supply in order to allow B&M to operate some of its core site functions whilst high voltage maintenance was being undertaken. This work was complex involving several contractors and required co-ordination of different working parties with specific time limited requirements. There was insufficient planning between parties beforehand including who was in charge of each site, coordination of work and exchange of relevant documentation.

B&M failed to appoint a suitably competent person to plan and carry out the work to connect temporary generators to their distribution board at the premises

Electrical contractors Daker Ltd.'s work methods fell well below the required standards. Electrical work commenced without proper planning. The power supply to the circuit was not stopped prior to the incident and live working was allowed to take place, this meant that the power supply could be switched

on or off at any point, putting workers at risk of electric shock.

B&M Retail Ltd of The Vault, Dakota Drive, Estuary Commerce Park, Speke, Liverpool pleaded guilty to breaching Section 2 (1) and Section 3 (1) of the Health and Safety at Work etc. Act 1974. At Liverpool Crown Court, the company was fined £1,000,000 and ordered to pay costs of £4,978 .

Daker Ltd of Stewart House of Tonge Moor Road, Bolton pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc. Act 1974. The company was fined £100

Speaking after the hearing, HSE inspector Roger Clarke said: "This incident has had life-changing consequences on the victim and his family.

"It could have been avoided if the companies involved had taken the time to appropriately plan and coordinate tasks to ensure the circuit was dead, eliminating the risk of electrocution to workers.

"Working with electricity is a high-risk activity and safety must be a priority."

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2. More about the legislation referred to in this case can be found at:

[The Electricity at Work Regulations 1989. Guidance on Regulations \(hse.gov.uk\)](http://www.hse.gov.uk/electricity/)

[Electricity at work: Safe working practices HSG85 \(hse.gov.uk\)](http://www.hse.gov.uk/electricity/)

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