

# Company fined after worker died following fall from shipping container

A transport and haulage company was sentenced after a worker died after falling from the rear of a transport shipping container.

Newcastle Magistrates' Court heard that on 27 June 2018, J R Adams (Newcastle) Limited employee Keith Robson was involved in the task of unloading goods from the transport shipping container, which was on the back of a large goods road vehicle trailer at the company premises in Gateshead. The employee was inside the open topped container with the rear doors open preparing access for the overhead crane, and then the removal of the shipment of steel girders. While undertaking this work the employee fell approximately 1.5 metres from the rear of the container.

An investigation by the Health and Safety Executive (HSE) found that although the company had various generic risk assessments and safe working method statements, it had not put in place the simple control measures to prevent or mitigate a fall from the rear of this container. It also failed to carry out a suitable or sufficient risk assessment for this specific work activity.

J R Adams (Newcastle) Limited of Gateshead Longrigg, Swallwell, Gateshead pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974. The company was fined £200,000 and ordered to pay costs of £15,322.

Speaking after the hearing, HSE inspector Paul Wilson said: "A worker died from injuries sustained in this incident. His death could have very easily been avoided had the company recognised the risk of a fall from the container when unloading the steel and put in place simple and easily available controls."

## **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](https://www.hse.gov.uk)
2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](https://www.legislation.gov.uk/)

3. HSE news releases are available at <http://press.hse.gov.uk>

4. For more information about machinery safety visit:  
<http://www.hse.gov.uk/toolbox/machinery/safety.htm>

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## Farmer fined after worker becomes entangled in potato harvester

A farmer has been sentenced after a worker suffered multiple injuries after becoming entangled in the contra-rotating rollers of a potato harvester.

Folkestone Magistrates' Court heard that on 21 August 2020, the worker was involved in unblocking the potato harvester at a farm in Kent when he stepped down on to the rollers. The worker was pulled leg first into the machine and became stuck up to his knee. This resulted in burns to the leg, a pulled hamstring, torn calf, broken nerves and hairline fractures to the knee and ankle.

An investigation by the Health and Safety Executive (HSE) found that the farmer had failed to implement a 'safe stop procedure' to isolate power and stop the movement of the rollers before the worker accessed them.

Alan Down of Main Road, Sellindge, Ashford, Kent pleaded guilty to breaching Regulation 11(1)(b) of the Provision and Use of Work Equipment Regulations 1998. He was fined £4,992 and ordered to pay costs of £5,805.

Speaking after the hearing, HSE inspector Sam Brown said: "Too often we see incidents like this, where maintenance is carried out on live machinery and the principles of 'safe stop' and safe maintenance are ignored.

"The agricultural industry accounts for around one per cent of the workforce in Great Britain, yet it accounts for 20 per cent of worker deaths. Many of these deaths are due to poor working practices while carrying out maintenance on machinery. In addition, many more workers are seriously injured each year due to unsafe working practices while working on machinery.

"Those undertaking maintenance work on agricultural machinery should ensure that the principles of 'safe stop' are followed to prevent people being put at risk of injury."

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  2. More about the legislation referred to in this case can be found at: [www.legislation.gov.uk/ukxi/1998/2306/contents/made](http://www.legislation.gov.uk/ukxi/1998/2306/contents/made)
  3. HSE news releases are available at <http://press.hse.gov.uk>
  4. For more information on safe practices, specifically in relation to agricultural machinery visit: [www.hse.gov.uk/agriculture/topics/machinery/safe-use-1.htm](http://www.hse.gov.uk/agriculture/topics/machinery/safe-use-1.htm) and [www.hse.gov.uk/pubns/indg241.pdf](http://www.hse.gov.uk/pubns/indg241.pdf)
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## Principal contractor sentenced for unsafe excavation work



A principal contractor has been sentenced after he was found to have supervised unsafe excavation work at a site in Denton, which put workers in danger and rendered the neighbouring property unstable.

Manchester Magistrates' Court heard how between 2019 and 2020 Mustapha Matib

had employed several groundworkers to excavate land at Gibraltar Lane, Denton in preparation for the construction of a family home. An inspection was carried out at the site in August 2020 after neighbours raised significant concerns, work was stopped when serious fall risks and potential collapse were identified.

An investigation by the Health and Safety Executive (HSE) found that as principal contractor Mr Matib had failed to prepare a construction phase plan, with risk assessments and method statements detailing how the work would be safely carried out. He also failed to appoint a site manager with suitable skills, knowledge and experience to plan, manage and monitor the work; and ensure the health, safety, and welfare of those carrying out the work or others who may be affected by their actions.

Inspectors also identified a large, deep and unprotected excavation, which gave rise to a foreseeable fall risk. In addition, excavations were not shored or suitably battered back to prevent the risk of collapse. Personal protective equipment had not been provided and some workers were working barefoot on site. The site was not adequately secured to prevent unauthorised persons from entering and a neighbouring property had been undermined with parts of the property at risk of collapse due to the excavation work.

Mustapha Matib of Allerton Road, Bradford pleaded guilty to breaching Regulations 2(1) and 3(1) of the Health & Safety at Work etc. Act 1974. He was sentenced to sixteen weeks imprisonment suspended for twelve months, ordered to carry out 200 hours unpaid work and pay costs of £5,673.

Speaking after the hearing, HSE inspector Phil Redman said: "Inspectors will not hesitate to take appropriate enforcement action against dutyholders who fall below the required standards and put lives at risk."

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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. More information about working safely at height can be found at <http://www.hse.gov.uk/toolbox/height.htm>
  4. HSE news releases are available at <http://press.hse.gov.uk>
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# Livestock auction mart fined after fatal incident involving a dairy bull

A livestock auction mart has been fined after an employee was fatally injured when he was struck by a dairy bull he was helping to load it on to a lorry.

Preston Magistrates' Court heard that on 25 August 2017, the employee was helping to move a bull and four cows towards a waiting lorry at the premises of his employer Gisburn Auction Marts Ltd. Whilst trying to load the livestock into the lorry, the bull turned and attacked the employee, causing fatal injuries.

An investigation by the Health and Safety Executive (HSE) found that there weren't any suitable refuges or barriers within the loading area for those handling the livestock to shelter behind, if for example, cattle became fractious.

Gisburn Auction Marts Ltd of The Auction Mart, Gisburn, Clitheroe, Lancashire pleaded guilty to breaching Section 2(1) of the Health & Safety at Work Act 1974. The company was fined £18,000 and ordered to pay costs of £8,819.

Speaking after the hearing, HSE inspector Anthony Banks said: "This incident could so easily have been prevented. The bull was able to strike the employee because he had been unable to outrun or out manoeuvre the bull and he was unable to seek protection from any form of refuge or barrier when it began to charge. The company should have undertaken a suitable and sufficient risk assessment to identify, and put in place, the appropriate control measures."

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# Spring manufacturer sentenced after worker severs fingers

A spring manufacturing company has been fined after an employee had two fingers of his right hand severed whilst attempting to lubricate a bandsaw.

Manchester Magistrates' Court heard how on 2 October 2019, a labourer employed by Hanson Springs Ltd in Rochdale was assisting in the cutting back department to cut sections of steel spring using a vertical bandsaw when the blade began to smoke and squeal. The worker decided to replace the blade, as on inspection it appeared heavily worn. He attempted to lubricate the new blade, by pressing a cardboard tube of wax onto the exposed section of it whilst it ran. The tube was drawn in, in turn drawing in the worker's hand, severing the middle two fingers at the first and second knuckle respectively.

An investigation by the Health and Safety Executive (HSE) found that although the worker had received training from the supervisor in using the machine, it was of poor quality, no formal competency assessment had been carried out, nor was he certain that he could use the machine unsupervised. Furthermore, despite lubrication of the blades in this manner being standard practice within the company, it was unnecessary as the machine was self-lubricating. The worker had been shown how to do this during training in order to minimise the time needed for the blade to become greased using the inbuilt lubrication system and therefore operational. Operational management was not aware of this dangerous practice and therefore no safe method of lubricating the blades had been provided.

Hanson Springs Ltd of Hanson Place, Gorrells Way, Rochdale, Lancashire pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc. Act 1974. The company was fined £200,000 and ordered to pay costs of £5,394.

Speaking after the hearing, HSE inspector Peter Lennon said: "This incident could so easily have been avoided.

"Employers should ensure they carry out an assessment of the risks and put in safe system of works for the operation of all machinery.

"Employers should also ensure that adequate supervision, instruction and training is provided to workers."

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