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## **Kent inspection and maintenance company fined for health and safety failings**

A telecommunication inspection and maintenance company has been fined after a forklift truck overturned during an unsafe lifting operation which could have exposed several workers to the risk of death or serious personal injury.

On 3 May 2019, Southend Magistrates' Court heard that on 11 February 2017, two forklifts on Springwood Industrial Estate were being used to level a support column by repeatedly pushing it with one truck and then "catching" it with the other. This operation was high risk and one worker was left to carry out this unsafe work practice on his own.

As a result, the column rolled on its base and fell- pulling over the forklift truck it was attached to. The operator escaped injury as he was operating the other forklift truck at the time. The company then went on to use two forklift trucks to try to right the overturned truck which was also unsafe and put workers at risk.

An investigation by the Health and Safety Executive (HSE) found that Swann I&M Services Limited did not properly plan and supervise this lifting operation to ensure it was carried out in a safe manner.

Swann I&M Services Limited of Tonbridge, Kent pleaded guilty to breaching Regulation 8(1) of the Lifting Operations and Lifting Equipment Regulations 1998 and has been fined £54,000 and ordered to pay costs of £2,442.80.

Speaking after the case, HSE inspector Tim Underwood said "The use of forklift trucks was both impractical and unsafe, putting workers at unnecessary risk. This incident could so easily have been avoided by simply having a competent person plan a safe lifting operation and providing adequate supervision to ensure the lifting operation was carried out safely. Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards."

Further information on the best way to do it the right way can be found on HSE's website:

<http://www.hse.gov.uk/pubns/books/l113.htm>

# Fairground ride inspector fined for issuing safety certificate for roller coaster without crucial test report

A fairground ride inspector has today been fined after he issued a safety certificate for a roller-coaster without ensuring he had a crucial safety report for the ride, which subsequently derailed.

Hamilton Sheriff Court heard that in June 2016, Craig Boswell, a ride inspector trading as Amusement Inspection Services, issued a Declaration of Compliance (DoC) for the Tsunami roller-coaster, operated by M & D (Leisure) Limited at Scotland's Theme Park, Strathclyde Country Park. This indicated the Tsunami was safe to operate. However, on 26 June 2016 a train on the roller-coaster with nine passengers derailed and crashed to the ground, causing serious injuries to those on board.

An investigation by the Health and Safety Executive (HSE) found that Mr Boswell had failed to obtain a suitable report of the non-destructive testing (NDT) that demonstrated that the safety critical parts of the ride had been thoroughly examined while the ride was properly disassembled. Despite this, Mr Boswell issued a Declaration of Compliance which allowed the ride to be operated in an unsafe condition.

Craig Boswell of Uddingston, Glasgow pleaded guilty to Section 3(2) of the Health and Safety at Work etc Act 1974 and was served a Community Payback Order of 160 hours unpaid work, to be carried out over the next 12 months.

Speaking after the hearing HSE inspector Martin McMahon said: "The consequences of this incident, while serious and significant, could have been even more tragic. Many of those members of the public involved continue to be impacted by the events of that day.

"Fairground ride inspectors have a crucial role to play in ensuring rides are safe for the public to enjoy. Failing to carry out all aspects of this work properly can have the most serious of consequences.

"It is incumbent on all ride inspectors to ensure they carry out their work diligently and competently at all times."

# House building company fined after worker struck by steel beam and seriously injured

A house building company has been fined after a sub-contracted worker suffered serious facial injuries when struck by a falling beam.

Llandudno Magistrates' Court heard how the self-employed, joinery sub-contractor was injured on 25 November 2015 when he was struck on the head by a steel beam that fell during construction of a timber frame home at a site on Tremeirchion Road, Bodfari, resulting in serious facial injuries.

An investigation by the Health and Safety Executive (HSE) found the principal contractor Williams Homes allowed its joinery sub-contractor did not closely supervise the work to ensure it was properly planned, managed and monitored.

Williams Homes (Bala) Limited of Eagle House, Severn Street, Welshpool pleaded guilty to breaching Regulation 15 (2) of the Construction (Design and Management) Regulations 2015. The company has been fined £60,000 and ordered to pay costs of £7,233.66

Speaking after the case HSE principal inspector Paul Harvey 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. If a suitable safe system of work had been in place prior to the incident, the serious injuries sustained by the sub-contractor could have been prevented."