

Two companies fined after floor layer fatally exposed to toxic substance

A supplier and a flooring company have both been sentenced following the death of a floor layer in London.

Westminster Magistrates' Court heard that on 4 September 2015, 30-year-old Paul Tilcock was found deceased by the owner of house in Mitcham on the bathroom floor. The adhesive used to fix the flooring contained a large amount of toxic substance.

An investigation by the Health and Safety Executive (HSE) found that T Brown Group Ltd had not implemented any systems or procedures adequately to control the risks to its employees from working in an enclosed space with a substance known to be hazardous to health, namely dichloromethane. The decision on whether to wear respiratory protection (face masks) or on what type of respiratory protection should be used was left up to employees. When Mr Tilcock's body was found he was wearing a completely ineffectual face mask.

Altro Limited, the flooring company who supplied the adhesive, was found not to have ensured so far as reasonably practicable that the product supplied was safe to use at all times

T Brown Group Ltd of High Street, Ewell, Surrey pleaded guilty to a breach under Section 2 (1) of the Health and Safety at Work etc Act 1974. The company was fined £250,000 and ordered to pay full costs of £23,936.

Altro Limited of Works Road, Letchworth, Herts pleaded guilty to a breach under Section 6 (4) of the Health and Safety at Work etc Act 1974. The company was fined £500,000 and ordered to pay full costs of £34,773.

After the hearing, HSE inspector Peter Collingwood said: *"This tragic incident which has had a devastating effect on a young family was wholly avoidable. It is important that companies have an appreciation of their duties, (whether to its employees or its customers) and have effective systems and procedures in place to ensure that those duties are fulfilled"*.