

Employer sentenced for failing to implement safe working practices for the removal asbestos

An employer has been sentenced for failing to reduce exposure and spread of asbestos when demolishing a large pig shed.

Lincolnshire Magistrates' Court heard that, in July and August 2018, whilst carrying out demolition and asbestos removal works at the former pig shed on Caenby Corner, Market Rasen, Lincolnshire, Barry Patchett, trading as BSN Demolition, had failed to remove asbestos containing materials (ACMs) prior to commencing the work. Consequently, the ACMs were needlessly broken up in significant quantities across the site, leading to the risk of spreading asbestos fibres.



An investigation by the Health and Safety Executive (HSE) found that Mr Patchett had received the relevant training on how to remove non-licensed asbestos and had submitted a plan of work to the client which included removing the asbestos sheets manually before demolition, which he chose not to follow. Mr Patchett also failed to have a copy of the plan of work on the premises for workers to follow at the time of the demolition.

Mr Patchett of Firebeacon Farm, Wargholme, Louth pleaded guilty to contravening Regulations 7(2), 11(1) and 12 of the Control of Asbestos Regulations 2012, and was sentenced to 12 weeks imprisonment, suspended for one year, and ordered to pay costs of £1,000.

Speaking after the hearing, HSE inspector Stuart Whitesmith said:

“Asbestos related disease still kills around 5,000 workers each year. Asbestos is not just a problem of the past; it can be present today in any building or industrial process plant built or refurbished before the year

2000.”

“In this case, Mr Patchett failed to follow basic safe working practices required by the Regulations.”

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

The post [Employer sentenced for failing to implement safe working practices for the removal asbestos](#) appeared first on [HSE Media Centre](#).

Waste management and packaging company fined after worker was injured

A waste management and packing company has been fined after a worker was struck by a falling bale of compacted waste paper.

Paisley Sheriff Court heard that on 13 December 2016 an employee of Recycled Packing Ltd was seriously injured in a warehouse in Hillington, Glasgow, when he was struck by a falling bale of paper which weighed approximately 500kg, becoming trapped beneath it.



An investigation by the Health and Safety Executive (HSE) identified that the method of storing bales was unsuitable and bales were stacked in single

columns up to five high with no support or 'tying in' to aid stability. The investigation also found that the practice of removing contamination from bales by hand created voids in lower bales contributing to the risk of stack instability.

Recycled packaging Ltd of Muriel Street, Barrhead pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974 and was fined £20,000.

Speaking after the hearing, HSE inspector Jane Scott said: "In the waste and recycling sector the risks associated with falling objects are well known. This incident could easily have been avoided by providing a segregated workspace for operatives to clean bales before they are stacked and safe bale stacking procedures.

"Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standard."

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Company fined after employee suffers partial amputation of fingers

A food ingredients manufacturer based in Lincolnshire was fined after one of its employees suffered partial amputation of the four fingers on his right hand after it came into contact with the rotating vanes of a rotary valve.

Lincolnshire Magistrates' Court heard that on 18 August 2017 an employee of Kerry Ingredients (UK) Limited was investigating a blockage of flour within a collection hopper at a site on Carr Lane, Gainsborough. During the task, his foot slipped on the ladder he was standing on and, as he reached out to

balance himself, his right hand came into contact with the rotating vanes of a rotary valve. He sustained partial amputations to all four fingers on his right hand.

An investigation by the Health and Safety Executive (HSE), found that the company had failed to carry out a risk assessment for the task of clearing blockages from collection hoppers. As a result, suitable measures to either avoid or minimise the risks from contact with dangerous moving parts of machinery and working at height were not implemented, and a safe system of work for the task was not provided to employees. The investigation also found that insufficient information, instruction and training had been provided to employees as to how the task should be carried out safely, and arrangements for supervision and monitoring were ineffective as dangerous working practices had persisted for a number of years unchallenged.

Kerry Ingredients (UK) Ltd of Carr Lane, Gainsborough pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974. The company was fined £180,000 and ordered to pay costs of £4,622.64.

Speaking after the hearing, HSE inspector Aaron Rashad 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 life changing injuries sustained by the employee could have been prevented."

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[Roofing Contractor fined after an](#)

employee fell from height

A Roofing Contractor has been fined after an employee fell six metres.

Basingstoke Magistrates' Court heard that on 21 June 2017, a man was working on the roof at Lok N Store facility, Basingstoke with two other roofers as part of a 10-week long roof replacement project. The old asbestos cement sheet roof was being removed and replaced with trisomet sheeting. The man and a colleague were working up on the roof and another colleague was working within the building to remove bolts from the underside of the old roof. The man fell 6.7m from the open edge of the roof to the concrete floor below. He sustained multiple fractures.



An investigation by Health and Safety Executive (HSE) found that Lane Roofing Contractors Ltd failed to properly plan and appropriately supervise the work to ensure that the risks created by working at height on a roof was carried out in a safe manner.

Lane Roofing Contractors Ltd of Walsall Road, Birmingham pleaded guilty to breaching Regulation 4 (1) of the Work at Height Regulations 2005. The company has been fined £60,000 and ordered to pay costs of £7,164.80.

After the hearing, HSE inspector Sharron Cripps said: "Falls from height remain the most common cause of work-related fatalities and serious injuries in the construction industry and the risks associated with working at height are well-known.

"Working at height, with large open edges can be particularly dangerous and it is important that those in control of the work identify the risks posed by replacing roofs and then take appropriate control measures to safeguard workers and others, to ensure that the risks are being managed."

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The post [Roofing Contractor fined after an employee fell from height](#) appeared first on [HSE Media Centre](#).

[Company fined after vehicle struck an overhead power cable](#)

Fairhurst Stone Merchants Ltd has been fined for safety breaches after a vehicle made contact with an uninsulated overhead electric power line.

Leeds Magistrates' Court heard that on 25 July 2018, a wagon delivering materials to the company's ready-mix plant in Settle was directed to tip its load close to the overhead power lines. During the tipping procedure the vehicle moved forward and made contact with the power lines which were live at 11,000v, nobody was injured in the incident.

An investigation by the Health and Safety Executive (HSE) found that two years previously, a wagon had made contact with the same power lines. No one was injured but the electricity supplier gave advice regarding avoiding a repeat incident. The only action taken by the company was to put up two small warning notices that the driver failed to see. In addition, the first incident was not reported to HSE as required by the RIDDOR regulations.

Fairhurst Stone Merchants Ltd of Langcliffe Mill, Stainforth Road, Langcliffe, Settle pleaded guilty to breaching Regulation 3 of the Electricity at Work Regulations 1989 and Regulation 7 of the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013. The company has been fined £50,000 and ordered to pay £621.42 in costs.

After the hearing, HSE inspector Julian Franklin commented: "Had the company reported the first incident to HSE and acted on the guidance from the electricity supplier, effective precautions could have been taken to avoid a repeat incident."

“This incident could have led to the death of the wagon driver. Standard industry-wide precautions should be followed to avoid the risk of contacting high-voltage overhead lines.”

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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]
4. Further information can be found at: <http://www.hse.gov.uk/electricity/information/overhead.htm>

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