

# Companies fined after workers exposed to asbestos

RJW Building Solutions Limited, a contractor carrying out refurbishment work at the Sea Hotel in South Shields, and Hotel 52 (Sea) Limited, the client company who arranged this work, were sentenced after workers disturbed asbestos.

South Tyneside Magistrates' Court heard that while workers were refurbishing the bar area of the Sea Hotel in September and October 2018, they disturbed asbestos.

An investigation by the Health and Safety Executive (HSE) found that both companies had failed to ensure an appropriate assessment was carried out to check for the presence of asbestos in the areas of the Sea Hotel where refurbishment work was taking place.

RJW Building Solutions Limited of Bridge End Industrial Estate, Hexham pleaded guilty to breaching Regulation 5 of the Control of Asbestos Regulations 2012 and was fined £20,000 with £1,084.59 costs.

Hotel 52 (Sea) Limited of Stockbridge, Newcastle upon Tyne pleaded guilty to breaching Section 3 (1) of the Health and Safety at Work Act 1974 etc and was fined £16,000 with £1,246.90 costs.

After the hearing, HSE inspector Loren Wilmot said:

"Asbestos is a naturally occurring mineral fibre which was widely used in both building and engineering materials for its strength, heat and chemical resistance. There are several different types of asbestos however they all share similar properties. When asbestos is disturbed, fibres are released into the air where they can be inhaled and may penetrate the lungs. This can cause serious diseases including mesothelioma, lung cancer and asbestosis. These diseases do not have an immediate effect, they often take a long time to develop, but once diagnosed, they are often fatal.

"Asbestos related disease is responsible for the premature deaths of approximately 5000 people annually. Whilst the supply and manufacture of asbestos has been prohibited in the UK for approximately 20 years it can still be present in any building or industrial process plant built or refurbished before the year 2000.

"In this case both the client and contractor failed to protect workers from the risks to their health by failing to prevent their exposure to asbestos."

## **Notes for 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](http://www.hse.gov.uk)

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>

The post [Companies fined after workers exposed to asbestos](#) appeared first on [HSE Media Centre](#).

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## [Essex engineering firm sentenced after worker suffered serious hand injuries](#)

An engineering firm was sentenced for safety breaches after a worker severed two fingers.

Chelmsford Magistrates' Court heard that on 5 June 2018 an employee of Essex Governor Services Limited was polishing a work piece with an emery cloth whilst it was rotating in a manual metal working lathe at the company site in Colchester. His index and middle finger were severed as they were dragged in between the tool and the chuck. He later had his index finger sewn back in the place of his middle finger, but the other one could not be saved.

An investigation by the Health and Safety Executive (HSE) found the unsafe practice of using emery cloths in this way was custom and practice at the site. Essex Governor Services Limited had failed to identify the risks associated with the activity and as a result these practices had continued over a significant period. In addition, employees and their supervisor had not been provided with adequate information, instruction and training to work safely on the lathes.

Essex Governor Services Limited of Wormingford Road, Fordham, Colchester, pleaded guilty to breaching section 2(1) of the Health and Safety at Work Act 1974. The company has been fined £24,000 and ordered to pay costs of £4414.48 and victim surcharge of £170.

After the hearing HSE inspector Carla Baron said; "This incident could have easily been avoided had appropriate training and supervision been in place.

"Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the current standards. In this particular case, there is well-known industry guidance published on the HSE website that prohibits the application of a cloth directly by hand on a rotating manual metal working lathe."

1. The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. It aims to reduce work-related death, injury and ill health. It does so through research, information and advice, promoting training; new or revised regulations and codes of practice, and working with local authority partners by inspection, investigation and enforcement. [gov.uk](http://gov.uk)<sup>[1]</sup>
2. More about the legislation referred to in this case can be found at: [legislation.gov.uk](http://legislation.gov.uk)<sup>[2]</sup>
3. HSE news releases are available at <http://press.hse.gov.uk>
4. <http://www.hse.gov.uk/pubns/eis2.pdf>

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## [Steel company fined £1.8m after two engineers died in an explosion](#)

Celsa Manufacturing (UK) Ltd have today been fined after an explosion killed two workers and seriously injured another at the Celsa Steelworks site in Cardiff.

A Health and Safety Executive investigation found the explosion would have come without warning to employees Peter O'Brien and Mark Sim, who died at the company's Rod and Bar Mill. Darren Wood, another employee, also suffered serious injuries.

Cardiff Crown Court heard that on 18 November 2015, electrical engineer Peter, 51, was working with mechanical engineer Mark, 41 in the basement of the site. They were working on an accumulator vessel when it exploded.



A HSE investigation found that a flammable atmosphere developed within the accumulator as hydraulic lubrication oil was being drained from it. The flammable atmosphere was ignited by an electric heater within the accumulator.

The investigation found that the company failed to assess the risks to which its employees were exposed when draining lubrication oil from the accumulator. Manually draining hydraulic lubrication oil from the accumulator by a procedure referred to as a 'blow down' had developed through the Company employees' local custom and practice; this "procedure" was not fully understood or consistently carried out by the Company's employees, exposing them to the risk of explosion.

Celsa Manufacturing (UK) Ltd, Castle Works, East Moors Road Cardiff, pleaded guilty to breaching Regulation 3 of the Management of Health and Safety at Work Regulations 1999. The company has been fined £1.8m and ordered to pay costs of £145,771.85.

Speaking after the hearing, HSE inspector Lee Schilling said: "This incident, which had devastating consequences for all of those involved, was entirely preventable. The company failed to assess the risks of the maintenance work and identify suitable control measures to prevent an explosion."

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## [Self-employed plumber sentenced after conducting unregistered gas work](#)

An Essex based plumber has been sentenced after carrying out unsafe and unregistered gas work in Brentwood, Essex.

Chelmsford Magistrates' Court heard that during November 2016 Josh Pitman, trading as Pitman Plumbing, installed a new Worcester Bosch Combi boiler and pipework in one property, and relocated a Baxi Duo-tec boiler and associated pipework in another, whilst not being registered with the Gas Safe Register. Mr Pitman forged the signature of a registered gas engineer, and a gas leak was detected at one of the properties following his work.

An investigation by the Health and Safety Executive (HSE) found that Mr Pitman was not competent to work on the gas appliances and did not possess the necessary qualifications to carry out gas work. He was not registered with Gas Safe Register at the time he carried out the work.

Mr Pitman of Billericay, Essex, pleaded guilty to breaching two charges of Regulation 3(3) of the Gas Safety (Installation and Use) Regulations 1998. He was sentenced to 12 weeks custody for each offence, to be served concurrently, suspended for two years. He was also ordered to carry out 160 hours of unpaid work and 10 Rehabilitation Activity Requirement Days. Mr Pitman was also required to pay costs of £1,000 and a £630 compensation order to one of the homeowners.

After the hearing HSE inspector Adam Hills said "Mr Pitman showed a clear disregard for the law and put his customers' lives at risk. He had previously been an apprentice in the gas trade, so it is inconceivable that he did not know of the requirement for gas safe registration.

"Carrying out gas work is difficult, specialised and potentially very dangerous. It is therefore vital that only registered gas engineers, who are trained and competent, work on gas appliances and fittings."

Jonathan Samuel, chief executive of Gas Safe Register, added: "Every Gas Safe

registered engineer carries a Gas Safe ID card, which shows who they are and the type of gas appliances they are qualified to work on. We always encourage the public to ask for and check the card, and if they have any concerns about the safety of work carried out in their home, to speak to us on 0800 408 5500 or visit our website at [www.gassaferegister.co.uk](http://www.gassaferegister.co.uk).”

For more information about gas safety visit <http://www.hse.gov.uk/gas/index.htm>

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## [Farm fined after employee died following fall from a ladder](#)

A farm has been fined after an employee fell from height whilst loading a straw spreader as part of the daily bedding up operation for the farm’s animals.

Leicester Magistrates’ Court heard that on 14 July 2018, an employee of A Kirkham & Son, received injuries and subsequently died in hospital from those injuries, whilst working at height to load a straw spreader at Rushey Fields Farm, Woodhouse Eaves, Loughborough. The employee was loading the spreader with straw and fell from a ladder whilst cutting strings from a bale of straw. The employee was found on the ground, having fallen from height. He suffered serious, fatal head injuries from the fall.



An investigation by the Health and Safety Executive (HSE) found there was no suitable and sufficient risk assessment or safe system of work in place for this operation. It was possible for the task to be carried in other ways and avoid working from a ladder.

A Kirkham & Son, of Farm Rushey Lane, Loughborough pleaded guilty to breaching Regulation 6(2) of the Work at Height Regulations 2005. The farm has been fined £12,000, and ordered to pay costs of £6296.32.

After the hearing HSE inspector Jenna McDade said “This incident could have been avoided had the operation been properly risk assessed and a safe system of work been put in place.

“Businesses should be aware that HSE will not hesitate to take appropriate action against those that fall below the required standard.”

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