

# Building contractor sentenced over unsafe work practice

A Blackburn based building contractor has been sentenced after unsafe work methods constituted a public risk and resulted in asbestos being disturbed.

Preston Crown Court heard that in November 2020, Mr Mohammed Shafiq, owner of a roller shutter business, purchased a former warehouse in Manner Sutton Street, Blackburn to convert into smaller work units, including one for his own use. He was using his own employees for this.

A report was received by the Health and Safety Executive (HSE) from a member of the public, concerned about the fact that bricks from the blocked-up windows were being knocked out from inside onto the street below, causing risk to passers-by.

The HSE investigation found that as well as the risk posed to pedestrians, no edge protection had been installed to prevent the employees from falling. They were also at risk of an internal fall down an open shaft. Additionally, an asbestos survey had not been carried out on the building prior to work commencing.

As a result, piles of disturbed asbestos containing materials such as asbestos cement and insulation, were lying throughout the site. Workers were dry sweeping construction dust and debris possibly containing carcinogenic asbestos dusts without any respiratory protective equipment or suitable personal protective equipment. None of them had been provided with any training in asbestos awareness.

Live electric cables were being trained through water without RCD protection, posing a risk of electric shock, and there was a general lack of training and suitable equipment for work to be carried out in a safe manner. An experienced principal contractor should have been hired to assess risks and undertake refurbishment work in a controlled manner.

Mohammed Shafiq of Whitehead Street, Blackburn pleaded guilty to breaching Regulation 5 of the Control of Asbestos Regulations 2012, Regulation 4 of the Construction (Design and Management) Regulations 2015 and Regulation 4 of the Work at Height Regulations 2005. He received a 12 month suspended sentence and was fined £5,000 and ordered to pay costs of £4636.08

HSE inspector Christine McGlynn said after the hearing: "The public can be reassured that HSE takes concerns seriously and will not hesitate to investigate thoroughly and prosecute those who put workers and members of the public at risk."

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

2. More about the legislation referred to in this case can be found at: [Are you a tradesperson? – Asbestos \(hse.gov.uk\)](#)

[Construction – Assessing all work at height – HSE](#)

[Construction \(Design and Management\) Regulations 2015 \(hse.gov.uk\)](#)

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