

# Company and director sentenced for exposing workers to asbestos

A wood working company and its director have been fined after an inspection by the Health and Safety Executive (HSE) found a series of failings and risks associated with significant quantities of asbestos-containing materials within the premises.

Bristol Crown Court heard that on 10 August 2016, during an unannounced visit to a workshop on Moravian Road, Bristol, the asbestos insulating board lining the building was found to be in very poor condition with many panels having extensive damage. Enforcement notices were served requiring the risks to be controlled and the asbestos materials to be removed by a licenced contractor.



Enquires further to the inspection identified that the company, and its director Wayne Braund, had failed to ensure a suitable and sufficient assessment was carried out to determine whether asbestos was present, and take relevant action to ensure any risks associated with the asbestos materials were controlled. They also fabricated documents to make it appear that the asbestos materials were going to be removed by a relevant licenced contractor.

Stairs2U (Bristol) Limited of The Old Bus Depot, Moravian Road, Bristol pleaded guilty to a charge under Regulation 4 of the Control of Asbestos Regulations 2012. The company was fined £25,000.

Wayne Braund of Fieldgrove Lane, Bitton, Bristol pleaded guilty to a charge under Section 37 of the Health and Safety at Work etc Act 1974. He was sentenced to six months imprisonment suspended for eighteen months and ordered to pay £25,000 costs.

Speaking after the hearing, HSE inspector Stacey Gamwell said: "The risks associated with asbestos-containing materials are well known and advice and guidance is freely available from HSE.

"Duty holders are required to manage the risks from asbestos in any non-domestic premises and ensure that a suitable and sufficient assessment is undertaken to identify asbestos-containing materials and ensure that any

risks are controlled. “

“Employers should not undertake any work with asbestos materials which exposes their employees to asbestos unless the risks have been assessed and relevant control measures have been implemented. Work associated with many categories of asbestos materials including those in this case may only be undertaken by a suitably licenced asbestos removal contractor under stringent procedures.”

For separate offences prosecuted by the Fire Service, Mr Braund was sentenced to a further 12 months in prison, suspended for 18 months. He was also fined £25,000 and ordered to pay £25,000 costs.

#### **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. [hse.gov.uk](http://hse.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><sup>[3]</sup>
4. Further information about safe techniques can be found at: <http://www.hse.gov.uk/asbestos/duty.htm>

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