

# Contractor sentenced following safety failings during demolition work

A north west contractor has been sentenced after disturbing asbestos during demolition works and damaging underground cables that resulted in severe disruption to services.

Blackpool Magistrates' Court heard how Peter Walling's company had been contracted to demolish a former medical centre in Blackburn and clear the land ready for development. Between 15 November and 6 December 2018, four separate incidents occurred on site when an excavator operated by Mr Walling, caused damage to underground cables and a sub-station which caused loss of electricity supplies to the local area and repair costs to the electricity supplier of £49,000. In addition to this, Mr Walling removed asbestos containing materials prior to an asbestos survey taking place, potentially exposing workers to asbestos.

An investigation by the Health and Safety Executive (HSE) found that Mr Walling did not ensure all services had been disconnected prior to starting work. He had ignored warnings from Electricity North West to stop work when low voltage cables were first dug up by the excavator, causing damage to the live substation, and only stopped working in a dangerous area when the police attended the scene. Mr Walling did not implement a safe system of work when operating near to underground cables and failed to ensure that workers on site were not exposed to asbestos.

Peter Andrew Walling of Arley Rise, Mellor, Blackburn pleaded guilty to breaching Section 37(1) of the Health and Safety at Work etc. Act 1974. He was sentenced to 200 hours unpaid work and received a ten-month prison sentence suspended for 18 months and was ordered to pay costs of £7,000.

HSE inspector Christine McGlynn said after the hearing: "These incidents could so easily have been avoided by simply carrying out correct control measures and safe working practices. Mr Walling recklessly failed to heed warnings and advice and put not only himself but also others on site at risk of electrocution and risk of exposure to asbestos containing materials.

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

## **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)
2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](http://legislation.gov.uk/)
  3. More information about working safely near underground cables can be found at <https://www.hse.gov.uk/construction/safetytopics/underground.htm>
  4. HSE news releases are available at <http://press.hse.gov.uk>

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