

# School and contractor fined for unsafe removal of asbestos

A school and its maintenance contractor have been fined after workers disturbed asbestos at the school while installing a new heating system.

Peterlee Magistrates' Court heard that, in February 2019, T.W. Steam & Heating Services Limited had been contracted by Park View Academy, to install a new heating system in the school building at Park View School, Chester Le Street.

In the course of the work, ceiling tiles containing asbestos were disturbed, potentially exposing several people to asbestos fibres.

An investigation by the Health and Safety Executive (HSE) found that the contractor and the school both failed to refer to existing asbestos registers and management plans to identify the presence of asbestos within the school building.

Park View Academy of Church Chare, Chester Le Street pleaded guilty to breaching sections 2(1) and 3(1) of the Health and Safety at Work etc. Act 1974 and was fined £3000 with £4785.37 costs.

T.W. Steam & Heating Services Limited of Rennys Lane Industrial Estate, Durham pleaded guilty to breaching sections 2(1) and 3(1) of the Health and Safety at Work etc. Act 1974 and was fined £2,000 with £4,710.37 costs.

Speaking after the hearing, HSE inspector Ashfaq Ali commented, "The dangers associated with asbestos are well known and advice and guidance is freely available from HSE and other organisations. Those in charge of premises have a duty to inform contractors of the presence of asbestos containing materials, ensuring that works are carried out safely.

"Those undertaking work which is likely to disturb asbestos, or asbestos containing materials, should ensure that building occupants and operatives are not exposed to asbestos. Those undertaking the work should also provide suitable information, instruction and training to their employees.

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

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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>

4. Further information about safely working with asbestos can be found at:  
<https://www.hse.gov.uk/asbestos/>

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# Farm fined after employee crushed during demolition project

Farming partnership, J & D Foster Farms LLP, has been fined following an incident on its farm where a 21-year-old employee was killed whilst dismantling a redundant piece of farming equipment.

Folkestone Magistrates' Court heard how, on 30 April 2019, an employee was crushed by a grain drying tunnel at Fishpond Farm in Tonbridge. The employee, George Murrell, sustained fatal injuries.

An investigation by the Health and Safety Executive (HSE) found that J & D Foster Farms LLP did not ensure, so far as was reasonably practicable, the health, safety and welfare at work of the two employees and that the system of work in place was intrinsically unsafe. The work involved dismantling the grain drying tunnel whilst working underneath it. The structure had heavy aggregate across the upper walkway.

The partners failed to ensure the structural integrity of the grain drying tunnel was not compromised during the dismantle, putting themselves and their employees at significant risk. This risk materialised when the structure concertinaed and fell, crushing George Murrell under the heavy aggregate and framework of the structure.

J & D Foster Farms LLP of Fishponds Farm, Upper Hayesden Lane, Tonbridge, Kent pleaded guilty to a breach of section 2(1) of the Health and Safety at Work Act 1974. They were fined £60,000 and ordered to pay costs of £6,731.

Speaking after the hearing, HSE inspector Joanne Williams said: "This incident has resulted in a young man losing his life in what was a wholly avoidable incident, caused by the failure of the company to identify their own competencies in what was basically demolition work. All too often those working in the agriculture industry take on tasks which they are not competent to do. As in this case, this work can and does result in serious and even fatal injuries.

"Every year many people are killed or seriously injured within agriculture. Those working in the agricultural sector need to ensure they consider their competency when undertaking unusual activities on farms such as dismantling and demolition. Agriculture accounts for one per cent of Britain's workforce, but 20 per cent of worker deaths, which is an extremely grim statistic.

"Abnormal work on the farm needs to be assessed as to whether the job is within the capability of the farm workers. For demolition work, as in this case, it will likely be safer and more efficient to contract out to professionals who understand the risks associated with demolition and dismantling and can properly plan and carry out the job using the correct equipment."

## Notes to Editors:

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  4. For more information on safe practices involving demolition work visit: [Construction – Demolition – HSE](#)
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## [Quarrying company fined after blasting operation puts workers at risk](#)

Breedon Trading Ltd has been fined for safety breaches after a fly rock projection event occurred during the use of explosives.

Llandudno Magistrates' Court heard that, on 15 January 2020, a blast at Cwt-y-Bugail Quarry in Llan Ffestiniog, Gwynedd, North Wales, resulted in rocks being ejected outside of the danger zone.

An investigation by the Health and Safety Executive (HSE) found that flyrock from the blasting operation, had landed approximately 270m away, punctured the roof of an occupied work shed, and put a hole in the outside pane of the occupied manager's office skylight window.

It was reasonably practicable for the company to ensure that the blasting did not give rise to danger by increasing the danger zone, clearing the increased danger zone, increasing the quality and quantity of stemming for the explosives in the blastholes, and by ensuring an adequate blasting specification was produced and authorised.

HSE found that there were poor stemming practices, the written specification was prepared after the firing of the blast, and an inadequate danger zone was in place. As a result there was a projection of flyrock outside of the danger zone that caused a quarry operative to run for cover and put other employees at risk when the roof of the shed they were working in was punctured.

Breedon Trading Ltd of Pinnacle House, Breedon Quarry, Breedon on the Hill, Derby pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974 by virtue of the Quarries Regulations 1999, regulation 25.

The company has been fined £300,000 and ordered to pay £2,534.80 in costs.

After the hearing, HSE's Adrian Jurg, HM Specialist Inspector of Quarries, commented: "Blasting operations at quarries are inherently high risk, and these risks must be rigorously controlled by good explosives engineering practice and in accordance with legal requirements.

"It is unacceptable that employees, and potentially members of the public, be put at serious risk of being hit by rocks that could easily lead to death or serious injury."

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<https://www.hse.gov.uk/pubns/books/l118.htm>

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## [Trailer manufacturing company fined after worker fell from height](#)

Montracon Limited has been fined for safety breaches after a worker suffered head injuries after falling from a stepladder.

Sheffield Magistrates' Court heard that the 57-year-old worker was cleaning the cant rail of a curtain side trailer that had just been manufactured.

Whilst using stepladders positioned on top of the trailer to reach the work the employee pulled the steps further down the trailer to clean the next section. As he climbed up the steps they started to wobble causing him to fall out of the trailer onto the floor, landing on his head.

An investigation by the Health and Safety Executive (HSE) found that there was no ladder inspection regime in place and the equipment being used was not in good working order.

Montracon Limited of Carr Hill Doncaster West Yorkshire pleaded guilty to breaching Regulation 6(3) of the Work at Height Regulations 2005. The company was fined £172,500.00 and ordered to pay £12,202.69 in costs

After the hearing, HSE inspector Anuja Mistry-Raval commented: "Equipment used to access work at height should be routinely inspected and checked to make sure it is in good condition and safe to use.

"This incident could so easily have been avoided by simply carrying out a proper risk assessment, implementing appropriate control measures and adopting safe working practices

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[Safe use of ladders and stepladders: A brief guide \(hse.gov.uk\)](https://www.hse.gov.uk/publications/indg401.pdf)

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