

# Company and its director prosecuted for unsafe removal of asbestos across Great Britain

An asbestos removal company has been convicted and its director given a prison sentence after failing to ensure the safe removal of asbestos.

Asbestos Boss Limited, also known as Asbestos Team and its director, Daniel Luke Cockcroft, advertised as a licensed asbestos removal company and removed licensable material from domestic properties throughout Great Britain.



An investigation carried out by the Health and Safety Executive (HSE) found that Asbestos Boss Limited had never held a licence and their poor working practices resulted in the large scale spread of asbestos and exposure to homeowners and their families. Little to no precautions were taken by Asbestos Boss Limited and so their own workers, as well as anybody at the premises they were working on, were at serious risk of exposure to asbestos. The company and their director also breached a prohibition notice on several occasions.

HSE has just [launched a campaign](#) highlighting the dangers of asbestos and has guidance on the [safe working with asbestos](#).

At Manchester Magistrates' Court on 10 March, Asbestos Boss Limited of Old Gloucester Street, London was found guilty of breaching regulations 8(1) and 11(1)(a) of the Control of Asbestos Regulations 2012. They were also found guilty of one charge relating to the failure to comply with a prohibition notice at two separate addresses which prevented them from working with licensed asbestos materials. The company are awaiting sentence.

Company director Daniel Luke Cockcroft of Darnes Avenue, Halifax, pleaded guilty to breaching Section 37 of the Health and Safety at Work etc. Act 1974 in relation to the company's failing of regulation 8(1) and 11(1)(a) of the

Control of Asbestos Regulations 2012 as well as the charge for breach of a prohibition notice. He was immediately imprisoned for 6 months and ordered to pay victim compensation.

HSE Inspector Matt Greenly said: "Asbestos is a killer. Companies and their directors need to recognise the dangers of removing asbestos by themselves both to their employees and others. Asbestos removal should only be carried out by trained personnel who understand the risks and how to control them.

"Asbestos Boss Limited have deliberately removed a highly dangerous material resulting in a significant risk of exposure to cancer causing asbestos. They not only have put their customers at risk but have also undoubtedly put themselves, their workers, and their families at serious risk.

"By undertaking asbestos removal work himself, Mr Cockcroft has also chanced his own life, and the life of his family by working unsafely with asbestos, despite knowing full well what the risks were.

"This case should serve as a warning to any other companies who think they can make a quick profit by cutting corners and risking lives. I also hope that potential customers will be able to avoid rogue companies like Asbestos Boss by carrying out simple checks to ensure that any company they employ is legitimate and competent to prevent them and their families being put at serious risk."

Asbestos Boss Limited and Mr Daniel Cockcroft, of Darnes Avenue, Pyenest, Halifax were also prosecuted by Stockport Trading Standards, in a jointly run case with HSE. Daniel Cockcroft and the company were both charged with fraud in relation to falsifying training certificates, a business insurance document and unauthorised use of trade association logos. This gave the impression that the business was credible and that workers were adequately trained and competent in relation to asbestos removal.

Daniel Cockcroft pleaded guilty to fraud and the company was also convicted. Daniel Cockcroft was sentenced to an additional 4 month in prison making a total prison term of 10 months. The company is awaiting sentence at an additional hearing

Councillor Helen Foster-Grime, Stockport Council's Cabinet Member for Communities and Housing, said: "Our Trading Standards team, work closely with other agencies and will do our utmost to ensure offenders like this, who carry out work with no regard for the safety of our residents, are brought to justice.

"I am delighted that these criminals have been held to account. The message is very clear – we will not tolerate this in Stockport and will take robust action wherever possible."

#### **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.

2. More information about the [legislation](#) referred to in this case is available.
3. Further details on the latest [HSE news releases](#) is available.

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## [£30k fine for dental supply company after explosion of flammable liquid](#)

A dental supply company has been fined £30k after an explosion of flammable liquid led to a fire at its premises in Halifax.

John Winters & Company Limited pleaded guilty to safety breaches after one of its employees was put at serious risk in the explosion that led to flames ripping through the building.

Leeds Magistrates' Court heard that, on 23<sup>rd</sup> April 2021, the worker had been decanting heptane from a metal drum into a plastic bulk container. Other employees were also put at risk when the explosion resulted in a fire spreading rapidly throughout other production buildings. Nobody was physically injured in the fire which was tackled by more than 60 firefighters at its height.



The explosion led to a devastating fire

An investigation by the Health and Safety Executive (HSE) found that the decanting of flammables had been unsafely undertaken at the company for several years [despite well-known industry guidance](#).

The splash filling of Heptane generated a static charge creating a spark which caused an explosion during the decanting process, flammable material then spread further as there were no containment measures. The poor practice of storing cardboard boxes nearby fuelled the fire allowing it to spread significantly.



The fire spread quickly throughout the premises

John Winters & Company Limited of Washer Lane, Halifax, West Yorkshire pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974. The company has been fined £30,000 and ordered to pay £8,030.94 in costs.

After the hearing, HSE inspector Andrea Jones said: "Implementing appropriate control measures when handling flammable liquids is essential to prevent the generation of a static charge that can result in explosions and fires.

"The incident could so easily have been avoided by preventing splash filling, introducing appropriate earthing and bonding systems, training and supervision.

"HSE has well know guidance to help companies to understand what's needed."



The fire spread quickly following the

explosion.

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3. Further details on the latest [HSE news releases](#) is available.
4. Guidance is available on safe use and handling of flammable liquids [is available](#).

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## [Company fined after worker loses parts of fingers](#)

A manufacturing company has been fined after an employee lost parts of two fingers when his hand got caught in a machine producing face masks.

The 55-year-old machine operator was working a night shift for Alpha Solway Limited at the company's Yew Tree Way site in Warrington, on 22 April 2021.

After spotting a problem with one of the firm's HX machines, the man attempted to adjust the machine. He had noticed the material heading into the HX machine was folding itself and needed to be flat.

The worker then opened the doors, which were already slightly opened, to the HX machine while it was still running and began adjusting the material.



The HX machine the employee was working on

This led to the man's right hand being caught by the HX machine resulting in most of his little finger and ring finger being ripped off. The man was later hospitalised for three days with his injuries now affecting his everyday life, causing debilitating pain and preventing him from doing manual work.

A Health and Safety Executive (HSE) investigation found Alpha Solway Limited had failed to provide suitable guarding around its HX machines. The company had also failed to undertake and prepare a risk assessment before the HX machines were used. Employees had not been properly trained on how to safely use the HX machines nor were they appropriately supervised and monitored while using the machines with its guards open.

HSE guidance on equipment and machinery can be found here: [Equipment and machinery – HSE](#)

Alpha Solway Limited, of Hangcliff Lane, Lerwick, Shetland, Scotland, pleaded guilty to breaching section 2(1) of the Health and Safety at Work etc. Act 1974. The company was fined £66,000 and ordered to pay £5,440.70 in costs at Warrington Magistrates' Court on 7 March 2023.

HSE inspector Roger Clarke said: "This injury was easily preventable and the risk should have been identified. Employers should make sure they properly assess risk and apply effective control measures to minimise the risk from dangerous parts of machinery."

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2. More about the legislation referred to in this case can be found at:



[Construction – Health and safety for the construction industry \(hse.gov.uk\)](http://www.hse.gov.uk)

3. HSE news releases are available at <http://press.hse.gov.uk>
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## Asbestos: Young tradespeople need to know the risk

Millennials, gen Z workers and other younger people who work as plumbers, electricians, and in other trades need to take the risk of asbestos much more seriously.

That's the message from the Health and Safety Executive (HSE). The workplace regulator has launched a new campaign to raise awareness of the risks associated with the dangerous substance.



The campaign, called [Asbestos and You](#), will target all tradespeople with a focus on younger workers in trades such as plastering and joinery. HSE wants to reach construction workers who started their careers after the use of asbestos was banned in 1999.

The regulator is concerned the length of time it takes for symptoms to develop after asbestos exposure could lead to a perception among today's younger workers that it is something that only impacts older people who were working before the ban.

Five thousand people a year still die from asbestos related illnesses and asbestos can still be found in buildings built or refurbished before the year 2000.

Asbestos containing materials were used extensively in the construction and maintenance of buildings in Great Britain from the 1950s until the ban. That means construction workers of all ages could still be exposed to asbestos fibres today.

HSE's chief executive Sarah Albon said: "Asbestos exposure in Great Britain is still the single greatest cause of work-related deaths. We are committed to protecting people in the workplace and reducing future work-related ill health.

"Everyone working in construction today, of any age, must take the risk from asbestos seriously.

“Asbestos is dangerous when not maintained in a safe condition or if physically disturbed without the right measures in place to avoid fibres being released into the air.”

If asbestos fibres are inhaled, they can cause serious diseases such as mesothelioma, asbestos related lung cancer, asbestosis, and pleural thickening. Construction tradespeople of any age are at significant risk if they disturb materials containing asbestos during repairs and refurbishment.

HSE’s head of health and work policy Mike Calcutt said: “These diseases often take a long time to develop, and it can take 20 to 30 years for symptoms to appear.

“It is crucial that all workers know how to recognise the dangers and take the right actions to protect themselves and those around them from being exposed to asbestos fibres.”

Find out more about the [Asbestos and You](#) campaign, and visit HSE’s website for [further guidance on asbestos](#).

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## **[City council fined after school caretaker dies](#)**

A city council has been fined after a school caretaker died following a fall from a ladder.

David Mobsby, was working was at Blatchington Mill School, a community school in Hove, and suffered a fatal head injury when he fell from the ladder on 3 August 2018.

Mr Mobsby, 71, had been cleaning the roof of a bike shed at the school, on Nevill Avenue, Hove, using a standard-length broom and a telescopic surface cleaner to reach across the roof before falling approximately 2.5 metres onto



the tarmacked surface below.



Mr Mobsby was using the yellow ladder (pictured) before his fall



The bike shed Mr Mobsby was cleaning

An investigation by the Health and Safety Executive (HSE) found Brighton and Hove City Council, the local authority that employs staff at Blatchington Mill School, had failed to ensure that the cleaning of the school's bike sheds was properly planned, appropriately supervised, and carried out using a safe work method.

HSE guidance on work at height can be found here: [Work at height – HSE](#)

Brighton and Hove City Council pleaded guilty to a breach of Regulation 4(1) of the Work at Height Regulations 2005. The council was fined £66,666 and ordered to pay £5,000 in costs at Brighton Magistrates' Court on 28 February 2023.

HSE inspector Natalie Pomfret said: "Falls from height remain one of the most common causes of work-related fatalities in this country and the risks associated with working at height are well-known. In this case, this tragic incident led to a man's avoidable death. This death could have been prevented if his employer had acted to plan and supervise the work activity and ensured

a safe method of work was in place.”

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