

# Construction firm fined after workers exposed to asbestos

A construction company has been fined after workers were exposed to asbestos whilst refurbishing a flat in St John's Wood, Westminster.

Westminster Magistrates' Court heard that between 14 May and 31 August 2018, ASAI Construction Ltd, the Principal Contractor for the project, failed to obtain a Refurbishment and Demolition asbestos survey prior to commencing work on site. During the project ASAI Construction Ltd was made aware by a subcontractor that there was asbestos containing material (ACM) within the flat, however the company allowed work to continue and failed to ensure that the ACMs were removed safely. As a result, several people were exposed to asbestos fibres over a prolonged period.

An investigation by the Health and Safety Executive (HSE) found that ASAI Construction Ltd failed to take reasonably practicable steps to prevent the people working on site being exposed to asbestos.

ASAI Construction Ltd of Harrowdene Road, Wembley pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc Act 1974. The company was fined £30,000 and ordered to pay costs of £2,837.

Speaking after the hearing, HSE inspector Owen Rowley said: "There are currently more than 5,000 asbestos-related deaths each year in the UK. Any asbestos on site should be identified before refurbishment or demolition work takes place and suitable steps must be taken to control the risk of exposure.

"In this case ASAI Construction Ltd's failure to manage the risk of exposure to asbestos was compounded by their lack of response when concerns were raised regarding its presence on site.

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

## Note 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: [www.legislation.gov.uk/](http://www.legislation.gov.uk/)
3. HSE news releases are available at: <http://press.hse.gov.uk>
4. More information regarding asbestos health and safety can be found at <https://www.hse.gov.uk/asbestos/>

The post [Construction firm fined after workers exposed to asbestos](#) appeared first on [HSE Media Centre](#).

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## Port fined after employee suffers life changing injuries in truck incident

The Port of Sheerness Limited, one of the core terminals of Peel Ports London Medway, has been fined following an incident where an employee was seriously injured by a clamp truck.

Folkstone Magistrates' Court heard that on 28 October 2018, an employee was hit by a five tonne clamp truck in a paper reel shed on the Sheerness Port. The employee sustained an open leg fracture and was knocked unconscious. He was subsequently airlifted to hospital and had to have his leg amputated.

An investigation by the Health and Safety Executive (HSE) into the incident found that the Port of Sheerness Limited failed to ensure pedestrians and vehicles could circulate and operate safely, putting the employee and others at significant risk. Supervisors were frequently working amongst five to six clamp trucks whilst undertaking the supervision of the paper reel unloads. It was found that there had been previous incidents where supervisors had been in close proximity of the vehicle operations on the port and had been hit by vehicles or product. Port of Sheerness Limited had only reviewed the immediate work relating to the incidents.

Port of Sheerness Limited of Sheerness Docks, Sheerness, Kent pleaded guilty to breaching Section 2 of the Health and Safety at Work Act 1974. They were fined £60,000 and ordered to pay costs of £10,886.

Speaking after the hearing, HSE inspector Joanne Williams said: "This incident has resulted in life changing injuries in a wholly avoidable incident, caused by the failure of the company to identify the roles of the supervisors in the reel sheds and how the work was actually being undertaken.

"They did not learn from the previous incidents involving supervisors and lift trucks to review supervisory activities across the port. There is no excuse for companies that neglect this risk.

"Pedestrians, whether they are employees or not, should be kept separate from these types of vehicles through physical barriers or safe systems of work that are clear and well supervised.

"Every year many people are killed or seriously injured in incidents involving workplace transport, and there are significant risks associated with operating vehicles on ports, particularly when, as in this case, the vehicles have restricted visibility due to the lifting of large paper reels. These risks can be easily controlled using reasonably practicable precautions."

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3. HSE news releases are available at <http://press.hse.gov.uk>
4. Guidance can be found on the HSE web site: <http://www.hse.gov.uk/pubns/books/hsg136.htm>  
<https://www.hse.gov.uk/ports/index.htm>

The post [Port fined after employee suffers life changing injuries in truck incident](#) appeared first on [HSE Media Centre](#).

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## [Two construction companies fined after worker seriously injured in excavation collapse](#)

Auberne Homes Limited and groundworks contractor W & E Lammie have been fined after an employee of W & E Lammie was crushed and severely injured during an excavation collapse.

Ayr Sherriff Court heard that, on 20 February 2018, employees of W & E Lammie were carrying out drainage works within an excavation at a construction site at Holmhead Gardens, Cumnock, when a section of the unsupported wall of the excavation collapsed and crushed one of the employees, causing serious injuries.

An investigation by the Health and Safety Executive (HSE) identified that W & E Lammie failed to plan the precautions or practicable steps necessary to prevent danger to any person entering the excavation, failed to provide supports or battering to ensure the excavation did not collapse and failed to provide appropriate training and supervision to the employees carrying out the drainage works. The investigation also identified that in their role as principal contractor, Auberne Homes Limited, failed to plan, manage and monitor the drainage works being carried out on their construction project.

W & E Lammie, a now dissolved partnership, having previously had a place of business at Muirkirk Road, Cumnock pled guilty to breaching Regulation 15(2) of The Construction (Design and Management) Regulations 2015 and were fined £18,000.

Auberne Homes Limited, of Beresford Court, Ayr pled guilty to breaching Regulation 13(1) of The Construction (Design and Management) Regulations 2015

and were fined £35,000.

Speaking after the hearing, HSE inspector Duncan Officer said: “This incident could so easily have been avoided had the excavation work been properly planned and carried out by suitably trained individuals to ensure that the appropriate safety measures were implemented to prevent excavation collapse. Had the principal contractor carried out suitable checks they could have been identified that those carrying out the work were untrained and that safe working practices were not being followed on site.

“The requirement for control measures and safe working practices during excavation work are well-known in the construction industry. HSE will not hesitate to take appropriate enforcement action against those responsible for the excavation works and those in control of the construction site where these required standards are not met.”

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

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## **[HSE is proud to publish this year’s Annual Science Review: ‘COVID-19: Collaboration in a time of crisis’](#)**

HSE’s Annual Science Review 2021 has been launched, focusing on ways science and evidence is being used to prevent death, injury and ill-health in Great Britain’s workplaces.



## Annual Science Review 2021



The Review illustrates how our robust scientific evidence has been supporting the government's response to the pandemic. We look at HSE's contribution to the evolving global evidence base and the routes we have used to share that knowledge, including:

- Work to support the rapid increase in supply of suitable PPE to the NHS front line
- Biosafety training in relation to COVID-19, including for workers handling bulk quantities of live virus for vaccine research
- Enabling additional hand sanitisers to reach the market quickly
- Developing an understanding of transmission through computational fluid dynamics simulations.
- Supporting and informing the Scientific Advice to Government in Emergencies (SAGE) response to COVID-19

The review also highlights the range of studies HSE scientists are working on to support healthy and safe work in Great Britain, including:

- The safe introduction of hydrogen technologies and supporting the UK target to achieve net zero emissions
- Assessing the evidence for safe levels of exposure to toxicological hazards
- The evidence supporting an award-winning campaign that reduced the risk of Legionnaires' disease outbreaks
- Supporting industry on a commercial basis, such as using our world class experiment facilities to test the heat resistance of components for jet engines

HSE's Chief Scientific Adviser and Director of Research, Professor Andrew Curran, said:

"We are proud of the impact our science has had on keeping people and work environments healthy and safe.

"It is difficult to pick any particular highlights. However, in terms of sheer scale, I am particularly impressed by the work our technical experts

have been doing to ensure that any personal protective equipment that enters the supply chain in Great Britain will protect the person who wears it.

“During these difficult times, it is easy to forget that many businesses continued to operate with COVID-secure measures in place.

“While Great Britain remains one of the safest places to work in the world, unfortunately workplace incidents have still occurred. We have continued to carry out forensic incident investigation, having ensured that our science and research facility in Buxton is COVID-secure.”



*HSE's Buxton Science and Research Facility from the Air*

The HSE Annual Science Review is available at <https://www.hse.gov.uk/research/review.htm>

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3. HSE news releases are available at <http://press.hse.gov.uk>
4. HSE is a scientific and evidence based organisation and employs over 850 scientists, engineers, physicians and analysts. It is recognised as one of the world's leading providers of health and safety solutions to industry, government and professional bodies.
5. HSE Annual Science Review are available here: <https://www.hse.gov.uk/research/review.htm>
6. Follow HSE Science on twitter @CSA\_HSE

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## [Woodworking company fined after worker suffered multiple leg injuries](#)

Arnold Laver & Company Ltd have been sentenced for safety breaches after a worker was struck by objects falling from an articulated trailer.

Bradford Magistrates' Court heard that on 24 July 2019, the 45-year-old worker had been unloading the bottom deck of the double deck articulated trailer, which was being used for overflow storage at the company's Manningham Sawmill site in Canal Road, Bradford.

An investigation by the Health and Safety Executive (HSE) found that the trailer was being used to store mainly composite decking on the lower deck. The upper deck contained packs of MDF architrave, timber stock, and various promotional materials.

Another operative needed to place a pallet of decking on the bottom deck, and to make more space to do that he removed a side support, which helped to hold the top deck of the trailer up. However, another side support had already been disengaged and when the second support was removed the loaded top deck of the trailer partially collapsed. Part of a pack of architrave slid off the top deck and hit the worker. He suffered a broken left femur and other bones in his left foot.

Arnold Laver & Company Ltd of Bramall Lane Sheffield South Yorkshire pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974. The company has been fined £150,000 and ordered to pay £1,719 in costs.

Speaking after the hearing, HSE inspector David Beaton said: "The use of the trailer as a storage facility had not been properly risk assessed.

"This incident could so easily have been avoided by simply using correct control measures and safe working practices."

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

4. Please see the link below to the page on HSE's website that is the best guide to doing it the right way:

<https://www.hse.gov.uk/work-equipment-machinery/power.htm>

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