

# Construction company fined after undertaking unlicensed asbestos work

A Bristol-based construction company has today been sentenced for carrying out unlicensed asbestos work.

Bristol Magistrates' Court heard how, during July 2017, a project was undertaken to refurbish The Cherry Tree pub at Oldland Common, Bristol, into eight flats. T.W. Parker (Building & Groundworks) Ltd was commissioned to conduct the works.

A survey of the site on 13 July found waste materials, including asbestos insulation board, were left lying outside the building. Asbestos containing materials, which would require a licence to remove, were also found to be present amongst the debris and in the building structure.

An investigation by the Health and Safety Executive (HSE) found the removal work was initiated under the control of T.W. Parker (Building & Groundworks) Ltd and was done prior to the refurbishment survey. Mr Parker had been advised that a refurbishment survey was to be undertaken before works commenced. He failed to request information from the client with regards to the potential presence of asbestos containing materials, despite some material being marked as containing asbestos, and failed to use a licensed contractor to undertake the removal works.

T.W. Parker (Building & Groundworks) Ltd of Hicks Common Road, Winterbourne pleaded guilty to breaching Section 5, 8(1) and 16 of the Control of Asbestos Regulations 2012. The company has been fined £7,000 and ordered to pay costs of £1,264.60.

Speaking after the hearing, HSE inspector Ian Whittles said: "The dangers associated with asbestos are well-known and a wealth of advice and guidance is freely available from the HSE website.

"Companies 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. [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>

Journalists should approach HSE press office with any queries on regional

press releases.

---

## **Become a #DustBuster and show your support for our health campaign**

Our inspectors will be visiting construction sites across Great Britain to see if businesses have measures in place to protect their workers' lungs from the likes of asbestos, silica and wood dust. We will specifically be looking for evidence of construction workers knowing the risk, planning their work and using the right controls.

Become a #DustBuster and show your support to the campaign by downloading our free selfie cards and sending us your photos via the #DustBuster and #WorkRight hashtags on Twitter at @H\_S\_E, or on Facebook via @hsegovuk and @SaferSites. We will retweet and repost the best ones so get involved!

Is your site ready for a health inspection? Find out [here](#).

[Selfie sign – enjoy retirement](#)

[Selfie sign – kids](#)

[Selfie sign – lung cancer burden](#)

[Selfie sign – occupational asthma](#)

[Selfie sign – play footy](#)

[Selfie sign – die young #2](#)

[Selfie sign – die young](#)

---

## **Company fined after worker suffers life-changing injury**

Timberline DIY Limited has today been sentenced after an employee injured three of his fingers while cleaning a band re-saw.

South Tyneside Magistrates' Court heard how, on 30 June 2016, the worker was cleaning the saw at the premises on Riley Street, Jarrow, when he made contact with a moving blade. As a result of his injuries, the worker was

rushed to hospital where he had to have three of his fingers partially amputated.

An investigation by the Health and Safety Executive (HSE) found the machine was not effectively braked and therefore the cutting blade took an excessive time to stop. Additionally, there were failings in the guarding of the machine and adequate training had not been provided to the worker.

Timberline DIY Limited, of Riley Street, Jarrow, pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc. Act 1974 and was fined £40,000 with £8,000 costs.

After the hearing, HSE inspector Fiona McGarry said: "Woodworking machines run at very high speeds and workers are at risk during machine rundown. Fitting effective braking devices reduces the rundown time, making them safer for workers and this could have prevented this incident occurring. New machines should come with braking where necessary but older machines may require it to be retrofitted."

**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. [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. More information on retrofitting woodworking machine brakes can be found here: <http://www.hse.gov.uk/pubns/wis38.pdf>
4. HSE news releases are available at <http://press.hse.gov.uk>

Journalists should approach HSE press office with any queries on regional press releases.

---

## [Company fined after worker falls through fragile floor](#)

A Colchester-based company has been fined after an employee fell through fragile ceiling tiles.

Basildon Magistrates' Court heard how, on 8 January 2016, a worker was asked to sort shoes which were stored on a floor, next to an unprotected area of fragile ceiling tiles. The worker fell through the fragile ceiling tiles, approximately 2.7m to the floor below suffering serious injuries to their

pelvis which resulted in a five day stay in hospital.

An investigation by the Health and Safety Executive (HSE) found the company had not implemented control measures for employees working near fragile ceiling tiles.

Indulgence Patisserie Limited of Clough Road, Colchester pleaded guilty to breaching Regulation 9(1) of the Work at Height Regulations 2005 and has been fined £50,000 and ordered to pay costs of £5,151.50

Speaking after the hearing, HSE inspector Jessica Churchyard 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.

"Working on or near fragile surfaces should be properly assessed and managed. This case highlights the importance for companies to assess and control risks created by non-routine tasks."

**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. [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>

Journalists should approach HSE press office with any queries on regional press releases.

---

## [South Yorkshire skip hire company fined](#)

Skip hire and waste processing company, J Edwards Waste Management Ltd was sentenced today for safety breaches after a worker was injured trying to clear a blockage in a trommel drum.

Sheffield Magistrates court heard how, on 24 March 2015, the drum of the trommel machine used for sorting material had become jammed and the worker did not turn off the machine before going into the drum to clear the blockage.

An investigation by the Health and Safety Executive (HSE) found that after the individual entered the drum of the machine and cleared the blockage, the machine started to operate and rotate while the employee was still inside. The individual was tumbled around and repeatedly struck by the waste material inside the drum before the machine was stopped.

J Edwards Waste Management Ltd of Lidget Lane Industrial Estate, Thurnscoe, Rotherham pleaded guilty to breaching Section 2 (1) of the Health & Safety at Work etc Act 1974 and was fined £30,000 with £3621 costs.

After the hearing, HSE inspector Laura Hunter commented: "This case highlight's the importance of isolating machinery before intervening.

"This incident could so easily have been avoided by simply having a safe system of work for clearing blockages after completing a risk assessment"

**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. [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. More information on retrofitting woodworking machine brakes can be found here: <http://www.hse.gov.uk/pubns/wis38.pdf>

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

Journalists should approach HSE press office with any queries on regional press releases.

Journalists should approach HSE press office with any queries on regional press releases.