

CONSTRUCTION HEALTH AND SAFETY NEWS



LEGISLATION & GUIDANCE

The Control of Asbestos Regulations 2012

On 6 April 2012 the new regulations come into force. These regulations revoke the 2006 regulations, and the 2007, 2008 (2 off) and 2009 amendment regulations.

The changes are as follows:

- ❑ Regulation 2 includes new definitions of "asbestos cement", "asbestos coating", "asbestos insulation", "asbestos insulating board", "short duration work" and "textured decorative coatings". The definition of "relevant doctor" has been amended and there is also a new definition of "licensable work with asbestos".
- ❑ Regulation 3(2) has been amended to include the terms "in which only non-friable materials are handled" and "without deterioration of non-degraded materials" in regulation 3(2)(c)(i) and (ii) respectively. The licensing requirement has been de-coupled from the derogation and the reference to licensing has been removed from regulation 3.
- ❑ Regulation 8 refers to licensable work with asbestos which is defined in regulation 2(1).
- ❑ Regulation 9 makes different provision for notification for work with asbestos (which is not disapplied by regulation 3(2)), depending on whether the work is licensable work with asbestos or not.
- ❑ Regulation 15 provides for certain arrangements to be in place regarding accidents, incidents and emergencies and makes it clear that different requirements apply if the work is licensable work with asbestos.
- ❑ Regulation 22 provides for different requirements for medicals and health surveillance depending on whether the

work is licensable work with asbestos or not.

- ❑ Other amendments to reflect the REACH Enforcement Regulations 2008.
- ❑ Schedule 1, Particulars to be included in a notification, has been slightly amended.

The Control of Asbestos Regulations 2012 can be viewed, downloaded and printed from:

www.legislation.gov.uk/ukxi/2012/632/contents/made

Views sought on new anchor guidance

The Concrete Fixing Association (CFA) is requesting views on its new anchor guidelines document, which is out for public consultation.

The CFA wants engineers from consultants and contractors to comment on the new guidelines, **BS 8539:2012 Code of practice for the selection and installation of post-installed anchors in concrete and masonry**. The document seeks to clarify the roles and responsibilities of all parties involved in specifying and using construction anchors and fixings in concrete and masonry.

The guidelines have been developed in the wake of a series of accidents where anchors have been incorrectly specified or used.

CFA general manager, Mark Salmon, said; "Accidents involving anchors are often down to incorrect use as opposed to faulty materials. As a result we've drafted the guidelines to try and bring all best practices together."

Salmon is keen for consultants and contractors that specify anchors during design and construction to comment on the document to ensure that the guidelines are robust.

"Quite often the only people who know about these documents are the people on the committee," added Salmon.

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The document is open for comment up until the end of April, and can be viewed and commented on at:

<http://drafts.bsigroup.com/Home/Details/945>

NEWS

HSE Fee for Intervention

The Health and Safety Executive (HSE) has announced that its cost recovery scheme 'Fee for Intervention', is still going ahead but it will not start in April 2012 as originally planned.

Discussions are still taking place on the technical details of the scheme, i.e. the accountancy issues. It is now envisaged these will be agreed ready to implement the scheme from October 2012. The HSE is taking advantage of the extra time to work further with businesses to improve the understanding of the scheme and how it will affect them.

Under the 'Fee for Intervention' scheme the HSE will seek to recover its investigation and enforcement costs from employers for 'material' breaches of safety law that require inspectors to make a formal regulatory intervention, through an email, visit report or enforcement notice (up to the point at which any subsequent prosecution begins).

Cost recovery would be charged at £124.00 per hour. This does not apply to health and safety enforcement by local authorities. The Government has agreed that it is right that those who break the law should pay their fair share of the costs to put things right and not the public purse; law abiding business will be free from costs.

The HSE have stated they will provide detailed guidance for employers and organisations on the HSE's website ahead of implementation.

Ai Solutions: Health & Safety Conference April 12th 2012

Ai Solutions Limited, leaders in health & safety software are holding their 2012 Health & Safety Conference. The strapline this year is 'Collaborative Working Within Health & Safety'. This prestigious event will be held at the RAF Club, Piccadilly, London on 12th April 2012.

The keynote presentation is from Professor Ragnar Löfstedt (Director for Kings Centre for Risk Management, Kings College London). The 'Löfstedt Report' which was published in November 2011 'reclaiming health and safety for all', was an independent review of health and safety legislation, this report was well received within the industry. The government has responded to the report recommendations and have proposed timescales for implementation.

Callsafe Services Limited's Managing Director, David Carr, will also be speaking at this event in two sessions, entitled: "Latest Figures from the HSE and a CDM/Asbestos Regulations Update" and "Temporary Works Control".

For more on the speakers go to www.aisolutions.co.uk/speakers and for the agenda go to:

<http://www.aisolutions.co.uk/events/agenda>

The conference is the one event in the year that Ai Solutions organise especially for CDM and Asbestos professionals alike. It not only provides a credit for CPD training but is an excellent opportunity to meet with like-minded professionals working in these environments.

The cost for attendance is £95, plus VAT. The seminar fee includes refreshments and an excellent hot buffet lunch.

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Health and Safety Reform: Reducing the Burden of Red Tape

This conference and exhibition is to be presented on 26 April 2012 at The Barbican, London, commencing 08:30 with registration and coffee, completing at 17:00.

As indicated by the conference title, the theme of the conference is the Löfstedt Review's proposals for change, which will have a major impact in how health and safety is implemented and managed going forward. Will the recommendations result in improved compliance, ensure better, simplified guidance and help to tackle serious health and safety risks in the workplace? The conference will address these questions, with leading experts discussing the changing health and safety landscape and what impact this will have on working environments.

The conference is to be chaired by Professor David Ball, Professor of Risk Management, Co-Director for Decision Analysis and Risk Management, Middlesex University.

The speakers at the conference include:

- Andrew Miller, MP, Member of the Löfstedt Review Advisory Panel; Chair, Science and Technology Select Committee: "Rebalancing health and safety: instilling a common sense approach"
- Judith Hackitt CBE, Chair of the Health and Safety Executive: "Regulatory change: delivering a proportionate, risk-based approach to health and safety"
- Dr Luise Vassie, IOSH Executive Director of Policy: "Managing health and safety problems effectively"
- Lynda Armstrong OBE, Chair of the British Safety Council: "Managing the risks: developing a mindset for effective health and safety"

The conference includes a series of master classes, networking sessions and a Q&A session

Full conference and booking details can be found at:

<http://www.publicserviceevents.co.uk/212/health-and-safety-reform>

Callsafe Services Limited is one of the event sponsors and exhibitors. Come and talk to us at our stand.

One in five construction sites fail safety inspections

The HSE have reported that one in five construction sites failed safety checks during the first five days of an intensive inspection initiative the national initiative to improve construction site safety, a slight improvement on previous years.

HSE Inspectors visited a total 3237 sites and saw 4080 contractors, but 581 sites were found to have practices that put workers at risk with a total of 870 enforcement notices issued and in 603 instances work had to stop immediately.

Philip White, Chief Inspector of Construction, said: "It is encouraging that inspectors found a slight improvement in standards and small construction firms are taking safety seriously when carrying out refurbishment work."

"But this is just a snapshot, and the number of notices served for unsafe work at height is still unacceptable, particularly when the safety measures are well-known and straightforward to implement. Too many contractors continue to put their own or other people's lives at risk and we will not hesitate to take action where standards are not met."

Inspectors targeted sites where refurbishment or repair work was being carried out as part of an annual, month-long drive across Britain with the aim of reducing the risk of death, injury and ill health.

The focus was on high-risk activity including working at height and ensuring sites were in 'good order', being clean and tidy with clear access routes.

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PROSECUTIONS

Worker seriously burned after cutting through 11kV cable

Two companies have been fined after a demolition worker was engulfed in flames when he cut through a live 11,000 volt cable at an electricity substation in Worcester.

The HSE prosecuted Birmingham firm DSM Demolition Ltd and Halesowen-based Gould Singleton Architects Ltd (GSA) following the incident on 14 July 2006.

Worcester Crown Court heard today that DSM was demolishing a metal casting foundry in Wainwright Road, Worcester, when employee, Lee Harris, was told to cut through a cable, which was connected to a switching unit on a substation on the site, which was still live.

As the machine he was using to cut through the cable came into contact with the live conductors, he was engulfed by flames, suffering 20 per cent burns, which have left him with permanent disabilities and requiring skin grafts.

HSE's investigation into the incident found that neither the planning supervisor, GSA, nor the demolition contractor, DSM, had made adequate checks to ensure that the electricity on the site had been disconnected.

GSA had told DSM that all services to the site had been terminated when actually the power supply remained live. DSM should have ensured that the electrical services had been disconnected before starting demolition, but failed to do so.

DSM Demolition Ltd was found guilty on 26 September 2011 of breaching Section 2(1) of the Health and Safety at Work etc Act. The company was fined £40,000 and ordered to pay £100,000 costs on 2 March 2012.

Gould Singleton Architects Ltd pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc Act 1974 and Regulation 15(3)(e) of the Construction (Design and Management) Regulations 1994. The company was fined £20,000 and ordered to pay £20,872 costs.

The Construction (Design and Management) Regulations 2007 have replaced the planning supervisor with the CDM co-ordinator.

Further details of this case, and other cases, can be found at:

<http://news.hse.gov.uk/category/prosecution/>

Fines after workers exposed to asbestos

An Ammanford-based knitwear company and a cladding firm site foreman have been fined for putting workers and visitors at risk of exposure to asbestos.

Corgi Hosiery Ltd contracted Dragon Cladding Ltd to remove an asbestos cement sheet roof at their New Road branch in Ammanford, Carmarthenshire.

Having received a complaint about the work, the HSE visited the site on the 22 October 2008, and found roofers had removed the asbestos sheets from the roof, but they had also removed plaster-like material from the underside of the sheets and structural steelwork.

HSE inspectors stopped the work immediately and tests confirmed the plaster-like material contained asbestos.

On further investigation it was found that Dragon Cladding Ltd's site foreman, Stuart Phillips, had instructed two workers to use a hammer and chisel to remove the plaster-like material from the building steelwork.

Merthyr Tydfil Crown Court heard no effort was made to establish what this material was prior to work commencing, and the debris was swept into domestic black bin bags and placed in open skips.

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Throughout the duration of the work, Corgi Hosiery employees had continuous access to the main building, with one worker based in the area throughout the works. Visitors to the premises were not excluded from the works area and were also potentially exposed to asbestos.

Mr Phillips was found to have failed to adequately assess the risks, plan the work and implement a safe system of work. He pleaded guilty at an earlier hearing, and on 2 March 2012 was fined a total of £4,000 for breaching Regulations 11(1)(a) and 16 of the Control of Asbestos at Work Regulations 2006 (£2,000 per regulation), by virtue of Section 37 (1) of the Health and Safety at Work etc Act 1974. He was also ordered to pay £1,000 costs.

Corgi Hosiery Ltd was found guilty of failing to prevent exposure of its employees to asbestos at an earlier hearing and 2 March 2012 was fined £25,000 for breaching Regulation 11(1) of the Control of Asbestos at Work Regulations 2006, with £15,000 costs awarded.

Asbestos surveyor prosecuted

An asbestos survey company has been fined for putting the health of demolition workers at risk after a building survey failed to identify the presence of asbestos.

Between 15 & 25 January 2010 PHH Environmental (UK) Ltd was commissioned to produce an asbestos survey on the soon to be demolished Old Castle Cinema in Merthyr Tydfil.

Merthyr Tydfil Magistrates' Court heard that PHH's client relied on this survey to help its demolition company plan the work. But once demolition was underway, workers discovered asbestos and found they had disturbed it.

PHH Environmental (UK) Limited pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc Act 1974. The

company was fined £5,000 and ordered to pay costs of £3,000 on 5 March 2012.

Worker's legs crushed by excavator

A construction worker had both legs broken when a 22-tonne excavator reversed over him on a building site in Leeds, a court has heard. The 58-year-old man from Barnsley, suffered severe crush injuries when the excavator backed into him as he erected boundary fencing on a Tinshill building site on 30 June 2008.

The man's employer, Jack Lunn (Construction) Ltd and building contractor Fastsource Ltd were prosecuted by the HSE over the incident. Leeds Magistrates' Court heard the worker was sent to the Bedford Garth site to carry out preparatory work such as fencing and setting up site cabins.

On the day of the incident, a Fastsource employee was operating the excavator along the site access road. The driver was aware other workers were on site and a Fastsource colleague had been told to act as banksman, to safely direct the movement of the excavator and any workers nearby.

As the injured worker was fixing a fencing panel, the excavator drove past him toward the site entrance. He then heard the excavator reversing back down the driveway.

The excavator on site after the incident



As he was wearing a high-visibility vest and the excavator driver had passed him only moments before, the man believed he was in no danger. He also believed the site manager and banksman knew of his position

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as they were both at the site entrance and could see down the access road.

However, the court heard despite this the excavator hit the worker as it reversed, causing him to fall and the machine ran over his legs just below the knee. The court heard that since the incident the man has undergone two operations to set broken bones, a ten-hour operation to graft muscle and further skin graft procedures. He had to purchase an electric wheelchair for mobility, and he and his wife faced regular travel from Barnsley to Leeds for treatment though neither was able to drive.

Jack Lunn (Construction) Ltd pleaded guilty to breaching Section 2(1) of the Health & Safety at Work etc. Act 1974 and was fined £8,000 with £6,338.50 in costs.

Fastsource Ltd pleaded guilty to breaching Section 3(1) of the same Act and was also fined £8,000 with £6,338.50 in costs.

Contracting firm and director fined after worker receives electric shock

A Hertfordshire contracting company and its managing director have been prosecuted for safety failings after a worker received an electric shock from a live junction box during poorly planned maintenance work in London.

Polish national, Krzysztof Jabczanik, was hospitalised in an induced coma as a result of the incident at a storage company on St Leonards Road, North Acton, on 4 August 2010. He also received serious burns to his left hand and suffered memory loss.

Westminster Magistrates' Court heard on 7 March 2012 that his employer, Fras Contractors Limited, managed by Adam Fras, could and should have done more to protect the worker as he attempted to repair an external flood light.

The HSE presented evidence that the routine job was flawed in a number of ways:

- ❑ Firstly, a ladder was placed on top of storage boxes underneath the junction box unit. These should have been moved to make space.
- ❑ Secondly, the cover of the junction box was removed before the electrical circuit within was isolated. As a result Mr Jabczanik received an electric shock when he touched the live junction box with his left hand.

The work was supervised by Adam Fras, a registered electrical engineer, who knew how to make the circuit safe but neglected to take appropriate action. He ran to isolate the power, but Mr Jabczanik was found unconscious at the foot of the ladder on top of the storage boxes.

Adam Fras pleaded guilty to breaching regulation 14 of the Electricity at Work Regulations 1989 in relation to the incident following the HSE investigation. He was fined £1,000 and ordered to pay £1,000 in costs.

Fras Contractors Limited pleaded guilty to breaching regulation 4(1) of the Work at Height Regulations 2005. It was fined £1,500 with costs of £1,000.

Poor construction site management lands firm in court

An Edgware-based construction company and its director have been fined after carrying out unsafe demolition and construction work at a house in Surrey.

The HSE prosecuted Laxmi Developments Ltd and its director, Vijay Madhaparia, for failing to comply with a Prohibition Notice (PN), failing to provide adequate safety protection for employees and failing to carry out an asbestos survey on a property before demolition.

Redhill Magistrates' Court heard that during a visit to a building site at Mellow Close, Banstead, on 23 June 2011, an HSE inspector was confronted with such poor

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standards, he consequently served a PN and three Improvement Notices on the firm.

The PN was issued as the inspector found workers knocking down the house at first floor level with no edge protection to prevent falls. Though aware of the requirement for scaffolding and edge protection, Mr Madhaparia had instructed workers to go ahead with the demolition without these measures in place.

The three Improvement Notices were served to ensure sufficient demolition planning was carried out, to improve the welfare facilities on the site and to ensure the site supervisor was competent to carry out the works.

However, on the 6 September 2011, photographs were sent to HSE showing the PN being contravened and the same poor demolition practices continuing on site. HSE telephoned Mr Madhaparia to discuss the previous PN and to remind him of the dangers of working at height.

An HSE inspector visited the site again on 3 October 2011 and standards at the site were again found to be very poor. Two further PN's were issued for the risk of a fall from height and unsafe electrics on the site. After this visit, HSE was made aware that workers were continuing to work from height with no protection.

The court was told that in addition to the earlier offences, Mr Madhaparia had also failed to produce an asbestos survey prior to the demolition, despite HSE inspectors having requested one. This clear breach of asbestos regulations was aggravated because the site is in a residential area and next to a school. It was also discovered that much of the waste was burnt, potentially increasing the dispersal range of any asbestos fibres.

Laxmi Developments Ltd pleaded guilty to breaching section 2(1) and section 33(1)(g) of the Health and Safety etc at Work Act 1974 and Regulation 5 of the Control of Asbestos Regulations 2006. The firm was

fined £15,000 and ordered to pay the full costs of £11,930.

Vijay Madhaparia pleaded guilty to breaching section 37(1) of the Health and Safety etc. at Work Act by virtue of breaching section 33(1)(g) of the Health and Safety etc. at Work Act 1974 and Regulation 5 of the Control of Asbestos Regulations 2006 and Section 2(1) of the Health and Safety at Work etc Act. He was fined £1,500 and disqualified from acting as a company director for three years.

Roofing company fined over foreman's fall

A Southampton-based roofing company has been prosecuted after a worker suffered serious injuries, including brain damage, when he fell from a roof.

The 57 year old, who does not want to be named, was working for Focus (Southampton) Ltd as a foreman on a project to remove an asbestos cement roof at the Kiln Acre Industrial Park on 27 April 2011 when he fell through a fragile skylight.

He suffered neurological damage and swelling to his brain, as well as numerous broken bones including both wrists and both eye sockets.

Portsmouth Magistrates' Court heard that the company had been contracted by Kiln Acre Management to remove and replace an old asbestos cement roof above two units on the Industrial Park in Fareham.

The work had been planned and a risk assessment and method statement for the project had been produced. Work equipment including a scissor lift and materials including the new roofing panels had also been provided. The project was then sub-contracted to the foreman and others.

However, the site did not have sufficient protection to prevent the workers from falling.

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The investigation by the HSE established that Focus (Southampton) Ltd had not taken into account the risk of falling off the roof or from an internal mezzanine floor.

Focus (Southampton) Ltd pleaded guilty to breaching Regulation 7 of the Work at Height Regulations 2005. The company was fined £2,000 and ordered to pay £1,000 in costs.

Futon firm prosecuted after worker falls through fragile roof light

A Tottenham Hale futon manufacturer has been prosecuted after a worker fell through a fragile roof light during poorly-managed maintenance work.

The Futon Limited employee, who does not wish to be identified, fractured his spinal column and suffered a collapsed lung as a result of the fall at the company's Cannon Factory, on Ashley Road, on 9 October 2009.

Westminster Magistrates' Court heard on 14 March 2012 that the employee accessed the factory roof to clear leaves from a roof valley using a man-riding cage mounted on a forklift truck.

He had only moved a couple of feet from the edge of the roof when he stepped onto a plastic roof light that gave way. He fell approximately 6.5metres to the warehouse floor after hitting fluorescent roof lighting on the way down.

The investigation by the HSE revealed that Futon Limited had an approved contractor to carry out work at height of this nature, but the company neglected to use them on this occasion.

Using a non-integrated working platform attached to a forklift was a significant failing according to evidence presented by HSE, because it is a platform to work from rather than a platform for accessing other places at height.

Futon Limited pleaded guilty to breaching

Section 2(1) of the Health and Safety at Work etc. Act 1974 in relation to the incident. The company was fined £6,000 and ordered to pay £14,635 in costs.

Demolition firm sentenced over asbestos danger

A demolition firm has been sentenced after knocking down a building in the Lake District containing hundreds of asbestos ceiling tiles, putting the lives of workers and local residents at risk.

IBT Contracting Ltd was prosecuted by the HSE after carrying out the work at a former photography factory in Staveley near Kendal during August and September 2011, despite not having a licence to remove asbestos.

Kendal Magistrates' Court heard IBT had been given a survey by the owners of the site ahead of the work taking place, which stated that the building contained 166 square metres of asbestos ceiling tiles.

But the company failed to arrange for a licensed contractor to remove the tiles safely, and instead released deadly asbestos fibres into the air during the building's demolition.



The IBT Contracting Ltd demolition site

IBT Contracting pleaded guilty to three breaches of the Control of Asbestos Regulations 2006, for removing asbestos without a licence, exposing workers to asbestos fibres, and allowing the fibres to spread to neighbouring areas.

The company was fined £10,800 and ordered to pay £3,638.95 in prosecution costs on 20 March.

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Surveyor killed by reversing lorry

A leading engineering and construction company has been fined £250,000 for safety failings after a surveyor was killed by a reversing lorry during work to widen the M25 near Dartford.

Richard Caddock was talking on a mobile phone and could not hear the approaching truck above the noise of nearby motorway traffic, when he was hit from behind on 8 April 2008.

The HSE prosecuted his employer, Costain Limited, on 20 March 2012, for failing to ensure adequate precautions were in place to separate the movements of people and vehicles.

Maidstone Crown Court heard that Mr Caddock had left a parked van and was walking northbound along a section of the central reservation closed off as part of a £65 million scheme to ease congestion between junctions 1b to 3.

As he talked on the phone, a tipper lorry delivering crushed stone entered the same section and reversed northbound. Mr Craddock had walked approximately 30m when the truck hit him.

The surveyor sustained multiple injuries as a result of being run over by the eight wheel vehicle and was pronounced dead at the scene.

Costain Limited pleaded guilty to breaching 2(1) of the Health and Safety at Work etc Act 1974 in connection to the death. In addition to the £250,000 fine, the company was ordered to pay £45,000 in costs.

Firms fined over woman's roof fall

An animal feed producer and a maintenance contractor have been fined after a woman fell five metres through a fragile warehouse roof in Staffordshire.

The 27-year-old woman, who does not want to be named, was repairing a gutter at Provimi Ltd's site in Eastern Avenue, Lichfield, when she tripped and fell through a rooflight.

She fractured two vertebrae and suffered extensive bruising in the fall, keeping her off work for two months, Burton-on-Trent Magistrates' Court heard on 19 March 2012.

The HSE prosecuted Provimi Ltd and the woman's employer, Alan Riley, trading as Riley & Sons, following the incident on 4 April 2011.

The court heard Provimi had obtained two quotations to repair the warehouse roof, one from a roofing maintenance firm and one from Mr Riley, who had never worked on fragile roofs before.

The court was told Provimi commissioned Mr Riley because his price was £20,000 less than the roofing firm, but did not check whether he was competent to carry out the work.

HSE's investigation into the incident found the boards on the roof had no guardrails, workers had no harnesses, and there was no netting underneath to prevent them from landing on the concrete floor.

Magistrates heard Provimi made no attempt to stop the work and its staff even helped Mr Riley by lifting materials to the unprotected roof edge.

Provimi Ltd pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc Act 1974 and was fined £10,000 and ordered to pay £1,924 costs.

Alan Riley pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974 and was fined £2,000 and ordered to pay £1,924 costs

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Leisure park worker trapped in trench collapse

A worker at a holiday park suffered serious injuries when a trench he was working in collapsed on top of him.

Grzegorz Waluszkowski, was helping to lay a drainage pipe at the park on Lady's Mile Farm, Exeter Road, Dawlish on 23 July 2010, when the wall of the two metre deep trench caved in. He was dug out by others at the scene before the emergency services arrived but had suffered multiple fractures to his skull, jaw and cheekbones.

The HSE prosecuted the park operators, Main Gate Leisure, after an investigation into the incident found the company had failed to adequately plan the work or put the necessary safety measures in place.

Torquay Magistrates' Court heard Mr Waluszkowski, who lived on the site, was working on the trench with two directors of Main Gate Leisure Limited. The trench walls were propped-up with plywood and metal plate with a piece of softwood between the two sides holding them up. This gave way, and Mr Waluszkowski was trapped when one side of the trench collapsed.

Frantic effort were made by staff at the site to release Mr Waluszkowski, who was unconscious, using shovels and eventually one of the directors used an excavator to help to dig him out from the rubble.

HSE Inspector, Jonathan Harris, said:

"The trench was clearly inadequately supported and the plywood and metal plate were no more than a rudimentary attempt to support the trench walls. Normally trench boxes would be used as shields whenever workers need to briefly enter a trench. These boxes can be rented from hire-companies.

"This incident could easily have led to a fatality and shows the vital importance of proper planning and adequate safety measures when carrying out this sort of work."

On 23 March 2012 Main Gate Leisure Limited pleaded guilty to a breach of Regulation 31(1) of the Construction (Design and Management) Regulations 2007. They were fined £5,000 and ordered to pay £2,198 in costs.

Demolition firm fined after man's arm is severed

A West Midlands firm has been fined after a teenage worker's arm was amputated after being crushed during the demolition of old Grand Cinema in Ramsey town centre in Cambridgeshire.



Selector grab

Thomas Bird was working as a labourer for UK Demolition Services Ltd on the old cinema site in Great Whyte, Ramsey on 17 March 2010.

Mr Bird, then 19, was loading debris into the selector grab of a hydraulic excavator when it swung round and hit him, crushing his right arm against the building. He was airlifted to hospital but surgeons were unable to save his arm and it was amputated below the elbow.

Deadman handle (red) and slew control (black on grey arm rest)



The HSE investigation found the operator of the excavator failed to switch off the ignition when he left the driver's seat. He lifted the side arm located by the driver's seat but while getting out of the vehicle he caught his

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coat on the side arm. This pulled the side arm back down, which in turn engaged the hydraulic power and then allowed the excavator boom to swing into Mr Bird.

Huntingdon Magistrates' Court was told on 29 March 2012 that the firm had failed to put in place arrangements to ensure construction plant did not inadvertently move and put ground workers at risk of being struck.



**Daewoo
excavator**

UK Demolition Services Ltd admitted two breaches of health and safety legislation: Section 2(1) of the Health and Safety at Work etc Act 1974; and Regulation 37(1) of the Construction (Design and Management) Regulations 2007. It was fined £4,000 for each breach and ordered to pay £3,500 costs.

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Contact details of organisations mentioned in this and other Newsletters

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Association for Project Safety (APS)
12 Stanhope Place, Edinburgh EH12 5HH
Tel: 0845-6121-290
www.associationforprojectsafety.co.uk

British Approvals for Fire Equipment (BAFE)
Bridges 2, The Fire Service College, London Road
Moreton in Marsh, Gloucestershire GL56 0RH
Tel: 0844-335-0897
Email: info@bafefire.org.uk
www.fiaf.org.uk

British Occupational Hygiene Society (BOHS)
Tel: 01332-298101

British Safety Council (BSC)
70 Chancellors Road, London W6 9RS
Tel: 020-8741-1231
Email: mail@britsafe.org
www.britsafe.org/

BSI Customer Services
BSI Standards
389 Chiswick High Road, London W4 4AL
Tel: 020-8996-9001
<http://shop.bsigroup.com>

Container Handling Equipment Manufacturers Association (CHEM)
David Buxton, Honorary Technical Secretary
3 Berry Close, Farringdon, Oxfordshire. SN7 7FL
Tel: 01367 244992
Email: enquiries@chem.uk.com
<http://chem.uk.com/>

CITB ConstructionSkills
www.cskills.org

Construction Industry Publications
c/o BTB Mailflight Ltd
2B Viking Industrial Estate, Hudson Road, Bedford
MK41 0QB
Tel: 0870-078-4400
Email: sales@cip-books.com
www.cip-books.com

Construction Plant Hire Association
27/28 Newbury Street, Barbican, London EC1A 7HU
Tel: 020-7796-3366
www.cpa.uk.net

Department for Communities and Local Government
PO Box 236, Wetherby, West Yorkshire LS23 7NB
Tel: 0870-839-7099
Email: odpm@twoten.press.net

Engineering Employers' Federation (EEF)
Tel: 020-7222-7777

Electrical Contractors Association
Tel: 020-7313-4800

F-Gas Support
P O Box 481, Salford, M50 3UD
Tel: 0161 874 3663
www.defra.gov.uk/fgas

FPA Publications Department
Tel: 020-8207-2345

Health and Safety Executive (HSE)
Incident Contact Centre Tel: 0845-300-9923
www.hse.gov.uk

Health and Safety Executive for Northern Ireland (HSENI)
www.hseni.gov.uk

info4fire.com
www.info4fire.com

International Institute of Risk and Safety Management (IIRSM)
Suite 7a, 77 Fulham Palace Road, London, W6 8JA
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National Underground Assets Group (NUAG)
www.nuaq.co.uk/

Office of Public Sector Information
www.opsi.gov.uk

Occupational Safety and Health Consultants Register (OSHCR)
www.oshcr.org

The Fibre Cement Manufacturers Association
Ghyll House, Cock Road, Cotton, Stowmarket
IP14 4QH
Tel: 01449-781577

The Loss Prevention Council
Tel: 020-8207-2345

The Stationery Office Ltd (TSO)
Tel: 0870 600 5522
www.tsoshop.co.uk

TUC Publications
Tel: 020-7467-1294

National Access and Scaffolding Confederation (NASC)
Tel: 020-7397-8120
www.nasc.org.uk