

# CONSTRUCTION HEALTH AND SAFETY NEWS



## LEGISLATION & GUIDANCE

### Changes to HSE information services

Later this month, the Health and Safety Executive's (HSE's) Infoline telephone service which currently provides a basic information service to callers will end. Instead, from 30 September, those seeking information and official guidance will be directed to HSE's website, [www.hse.gov.uk](http://www.hse.gov.uk), a huge knowledge bank where they can access and download resources and use interactive web tools free of charge.

Various improvements have been made to HSE's website to coincide with the closure of Infoline. There is clearer information on what HSE does and doesn't do, so people can check that HSE is the right organisation to assist them, and expanded 'question & answer' sections for the most frequent health and safety enquiries such as those on RIDDOR reporting and First Aid.

Trevor Carlile, HSE's Director of Strategy, said "HSE's website is already overwhelmingly the most popular option for accessing health and safety information."

"We're confident that our web services can be efficient and effective at a fraction of the cost per contact compared with telephone services. We'll continue to make improvements to make the website as intuitive and easy-to-use as possible."

HSE continues to provide information and guidance to employers and workers in a range of other ways; through direct work with organisations and trade associations, face-to-face at workshops and safety training days and via books and eBulletins.

A comprehensive suite of health and safety advice is also available via the Government's websites for businesses at: [www.businesslink.gov.uk](http://www.businesslink.gov.uk) and [www.direct.gov.uk](http://www.direct.gov.uk).

People will still be able to make complaints about health and safety in the workplace. For more information on how to do this visit [www.hse.gov.uk/contact/workplace-complaints.htm](http://www.hse.gov.uk/contact/workplace-complaints.htm) (to be updated from 30 September)

### CD237 - Proposals on Revised Control of Asbestos Regulations

This consultation sets out HSE's proposals to introduce revised Control of Asbestos Regulations to implement the changes required to comply with the European Commission's reasoned opinion on the UK Government's transposition of Directive 83/477/EEC as amended by 2003/18/EC on the protection of workers from the risks of exposure to asbestos at work. The reasoned opinion confirms the European Commission's view that the UK has not fully implemented Article 3(3) of the Directive which provides for the exemption of some types of lower risk work with asbestos from three requirements of the Directive: notification of work; medical examinations; and record keeping.

The required changes mean in future fewer types of lower risk work will be exempt from the three requirements. Views are sought on: the proposals; the guidance to be produced to explain how the changes will work in practice; and the impact on business.

To view the consultative document, to access the online questionnaire and to download re questionnaire in 'word' format, go to:

[www.hse.gov.uk/consult/condocs/cd237.htm](http://www.hse.gov.uk/consult/condocs/cd237.htm)

**Responses are required by 04 November 2011.**

### Supply of chain flail/non standard accessories on brush cutters

The HSE have issued a second Safety Bulletin, OPSTD 3-2011, regarding the supply of

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this type of equipment following the [safety alert](#) for the use of such equipment issued in March 2010 and reported in the March 2010 Newsletter.

Following a Safeguard Action brought by HSE under Art 11 of 2006/42/EC the European Commission, advised by the Machinery Committee, has now required Member States to prohibit the placing on the market of flail-type cutting attachments for portable hand-held brush cutters.



**Chain flail attachment with two chains**

Previously Sweden had warned Member States about the sale of some brush cutter attachments of various types and origins that were all made up of linked parts (e.g. an attached chain) instead of the single one-piece metal blade or nylon string dispenser supplied by the manufactures of the brush cutter.

The harmonised standard EN ISO 11806 does not cover this type of device as only nylon trimmers and single piece metal brush cutting blades are in scope for fitting to the basic brush cutter.



**Brush cutter with typical manufacturers' cutting attachments**

The Safeguard Action referred to above arose from a fatal incident involving a link from a chain flail attached to a brush cutter, striking a nearby worker in the head.

In contrast with dedicated chain flail machinery, brush cutters typically lack the robust guarding arrangements required to control the risk from articles (including fragments of chain) being ejected with high energy. The guarding supplied with brush-cutters is predominantly aimed at protecting the operator from inadvertent contact with the cutting accessory.

The fatal incident involved the use of a twin-chain attachment, similar designs have also been encountered having 4 chains, swinging metal blades and one which utilises shot lengths of chainsaw cutting chains as the cutting implement.

The Bulletin can be viewed/downloaded from:  
[www.hse.gov.uk/safetybulletins/flailcutting.htm](http://www.hse.gov.uk/safetybulletins/flailcutting.htm).

## NEWS

### Changes to HSE reporting come into effect

Businesses are being reminded about new incident reporting arrangements being introduced from 12 September 2011).

Only fatal and major injuries and incidents will be able to be reported by phone to the HSE, at the Incident Contact Centre on 0845 300 9923 (opening hours Monday to Friday 8.30 am to 5 pm).

All other work-related injuries and incidents reportable under Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) are to be reported via one of a suite of seven online forms available on the HSE's website.

The seven online RIDDOR reporting forms are:

- F2508 Report of an injury
- F2508 Report of a Dangerous Occurrence
- F2508A Report of a Case of Disease
- OIR9B Report of an Injury Offshore

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- ❑ OIR9B Report of a Dangerous Occurrence Offshore
- ❑ F2508G1 Report of a Flammable Gas Incident
- ❑ F2508G2 Report of a Dangerous Gas Fitting

The above online forms can be accessed at:  
[www.hse.gov.uk/riddor/report.htm#online](http://www.hse.gov.uk/riddor/report.htm#online).

Said Trevor Carlile, HSE's Director of Strategy: "This should not be a significant change for many, as more than half of reportable injuries are already notified to HSE through the website. The new forms are intuitive and quick and easy to complete. The most important thing is that there will still be somebody at the end of the phone to assist those who are reporting a traumatic event that has resulted in a death or major injury."

### Ladder exchange initiative 2011

The HSE's Ladder Exchange is up and running and helping to remove more dodgy ladders from Britain's workplaces. To date, over 8,000 dodgy ladders have been removed from the workplace. The HSE say that if you have a ladder which is broken damaged or bent, you can part-exchange it for a safe new one at any of the HSE's partner companies. This opportunity to exchange your dodgy ladders is available up to 30 November 2011.

Visit the HSE website to find out how you can get involved and for details of participating retail partners, at:  
[Ladder Exchange](#)

### Changes aim for swifter justice over workplace deaths

More health and safety prosecutions will take place before Inquest as changes to a key agreement between those who investigate and prosecute work-related deaths seek to speed up justice in England and Wales.

Only in exceptional circumstances are cases currently taken before an Inquest by regulators other than the Crown Prosecution Service (CPS). Health and safety offences are only usually brought at this stage if they are being tried in conjunction with manslaughter-related charges.

The revised protocol will allow prosecution before Inquest where manslaughter or homicide charges are not relevant, if it is considered appropriate and in the interest of justice.

The changes to the Work-Related Deaths Protocol (WRDP), which take effect on 1 October, should mean that bereaved families see a swifter resolution to some prosecutions. These changes have been announced by the Work Related Deaths National Liaison Committee (NLC), and are supported by the Coroners' Society.

## PROSECUTIONS

### Site manager fined after worker injured

A worker was left with permanent damage to his arm after being told by his site manager to use a heavy-duty core drill by hand on a construction site in Huddersfield.

The 32-year-old worker, from Rochdale, Lancashire, was instructed by site manager Matthew Saville to remove a 34 kilogram, one-metre high, diamond core drill from its stand and hand-hold it to tackle a job. The drill's instructions specifically prohibited hand-held use.

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As it was in use, the rotating core of the drill snagged on the blockwork and the body of the drill, which was being held, began to rotate and the man was spun round dangerously. He suffered a double compound fracture to his right arm and cuts to his head. He was in hospital for 12 days, had three operations on his arm and now has plates inserted permanently.

After an investigation, the HSE brought a prosecution against Matthew Saville of Oldham, for failing in his responsibilities to properly manage the construction site under his control.



**The core drill that the worker was asked to operate by hand**

Huddersfield Magistrates' Court heard on 8 September 2011 that the injured man was part of a construction team working at the former Somerfield store site in Milnsbridge, when the incident happened in August 2009.

Mr Saville, who pleaded guilty to breaching the Construction (Design and Management) Regulations 2007, was fined £3,000 and ordered to pay £2,388 in costs.

Further details of this case and other cases can be found at:  
<http://news.hse.gov.uk/category/prosecution/>

## Fall through rooflight

Two Sheffield firms have been fined after a worker fell through a fragile rooflight while removing asbestos at the city's now-demolished college.

Mr Nikitas Coulson, from Middlesbrough, broke his arm after falling three and a half metres from a flat roof to the ground below. He needed surgery to insert a plate into his arm following the incident at the former Sheffield College in April last year.

He was part of a team stripping asbestos from Sheffield College before its planned demolition and re-build, and was working on a former teaching block when the incident happened.

The HSE prosecuted both Mr Coulson's employer, Lilquest Asbestos Management, and the principal contractor for the project, JF Finnegan Ltd, who were responsible for access to the roof.

Sheffield Magistrates heard that immediately after the incident, the remaining ten rooflights on the flat roof were boarded over, making them safe. The court heard this should have been done prior to any work starting on the roof.

Magistrates fined JF Finnegan £15,000 with £5,179.90 costs for failing to provide suitable protection for any fragile surfaces on the roof under the Work at Height Regulations 2005. Lilquest were fined £3,000 with £2,000 costs for the same offence. Both companies pleaded guilty.

## Council and contractor fined due to asbestos exposure

A Grantham building contractor and a local authority have been fined after a spread of asbestos during bathroom renovation work at a flat in the town.

The HSE brought the prosecution after workers from Belton Developments disturbed asbestos at the property in Kinoulton Court, owned by South Kesteven District Council (SKDC), on 30 March 2010 while converting a bathroom into a wet room.

The workers removed asbestos insulation board from around the bath and then carried it through the flat and communal areas of

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the housing complex in an open wheelbarrow before loading it into an open-topped van.

The dangerous work was spotted by an asbestos surveyor working on behalf of the council in the flat above. He was aware that many of the flats in the complex contained asbestos and stopped the men working. A licensed asbestos contractor was brought in to decontaminate the area and carry out air clearance tests.

The incident was reported to HSE by the council which, together with the three partners in Belton Developments, was today prosecuted by Grantham magistrates.

HSE told Grantham Magistrates' Court the council had failed to provide adequate information on asbestos in the property to Belton Developments before work began, and failed to ensure that Belton Developments were competent to carry out work with asbestos. The three partners had failed to prevent the spread of asbestos or ensure that their employees were properly trained to deal with it.

The court was also told that the partners of Belton Developments had been served a Prohibition Notice preventing refurbishment work at a property in Manners Street on 18 March 2010, which was also an SKDC-owned building, as a suitable asbestos refurbishment and demolition survey had not been undertaken.

South Kesteven District Council pleaded guilty to breaching regulations 4(1)(a) and 10(1)(b) of the Construction Design and Management Regulations 2007. They were fined a total of £16,600 and ordered to pay costs of £3,486.

Trevor Hague, of Albourne, Lincolnshire, his son Neil Hague, of Holmfield Avenue, Arnold, Nottingham, and David Couth, of West Willoughby, Grantham, each pleaded guilty to breaching regulations 10(1)(a) and 16 of the Control of Asbestos Regulations 2006. They were fined a total of £3,003 and ordered to pay costs of £900.

### **Another Council in court over exposure to asbestos**

Birmingham City Council and a Solihull refurbishment company have been sentenced for exposing three men to asbestos during work on a school.

Solihull Supplies Ltd was contracted by the Council to refurbish the reception area at William Cowper Community Primary School, Newtown, Birmingham.

Solihull Supplies then sub-contracted another firm to remove ceiling tiles at the school without carrying out a proper risk assessment.

Birmingham Magistrates' Court heard that on 24 July 2009 two workers from the firm, which cannot be named as legal proceedings are still ongoing, were tasked with stripping out tiles from seven rooms being refurbished.

However, a HSE investigation found the tiles contained brown asbestos and the work lasted several hours, exposing both workers and the school caretaker to asbestos. Also, rather than use a cleaner with a specialised filter, an ordinary vacuum cleaner was used which would have spread fibres into the air.

The HSE told the court that the subcontracted firm did not have a licence to undertake work with asbestos, had no knowledge of how to deal with asbestos and had given its employees no training in dealing with this dangerous substance.

Birmingham City Council pleaded guilty to breaching Sections 2(1) and 3(1) of the Health and Safety at Work etc Act 1974 and was fined £5,000 and ordered to pay £1,091 costs.

Solihull Supplies Ltd pleaded guilty to breaching Regulation 6(1)(a) of the Control of Asbestos Regulations 2006 and was fined £1,750 and ordered to pay £1,091 costs.

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## Firm in court after roofers caught on camera

A Brigg firm has been prosecuted after two of its staff were caught working unsafely on a seven metre high roof by two passing HSE inspectors.

The two roofers were seen carrying out repairs at a building on Lancaster Approach, Immingham, as HSE inspectors were investigating an unrelated case. The inspectors were shocked by the obvious dangers and stopped to take photographs and to issue a prohibition notice to immediately stop the roof repair work.



**The two men working in unsafe conditions on the roof**

Grimsby Magistrates' Court was told the men's employers had not provided the necessary safeguards or equipment for the two workers. The risks, including the potentially fragile condition of the roof, had not been adequately considered.

The HSE said the company had failed to provide suitable equipment to prevent a fall from or through the roof, such as a mobile elevating platform or standard platform with handrails. There was also nothing in place, such as netting or a boarded platform underneath the roof, which would have caught anyone falling.

Brigg and Humberside Roofing Services Ltd., of Brigg, North Lincolnshire, pleaded guilty to breaching Regulation 6(3) of the Work at Height Regulations 2005. They were fined £5,000 with £1,887 in costs.

## Another firm fined for unsafe roof work

Two roofers were caught working on a Swadlincote roof without any safety equipment, a court heard.

Derby Magistrates' Court fined contractor, Aquacoat Ltd, after the men were seen risking their lives on the roof of the house in Oldfield Drive, Swadlincote on 15 June 2010.

Passing HSE inspectors noticed the men using no safety equipment to prevent falls whilst cleaning the roof of the property. This unsafe system of work risked injury to the roofers themselves and the homeowner.

Aquacoat Ltd of Pride Park, Derby, were found guilty of breaching sections 4(1) and 6(3) of the Work at Height Regulations 2005. It was fined £10,000 with £4,177.65 costs.

## Client fined for not providing pre-construction information

A company in Bath has been fined after a builder was exposed to high levels of a type of asbestos linked to malignant and incurable cancer.

Jonathan Arnold was fitting pipework for a new central heating system at Oxford House, in Combe Down, Bath when he was exposed to high levels of blue asbestos (crocidolite).

In a prosecution brought by the HSE against the building's owners, Formac Electronics Ltd, Bath Magistrates' Court heard the airborne substance was disturbed and spread within the building during refurbishment.

The court was told that, for a five-hour period on 4 August 2010, Mr Arnold was estimated to have been exposed to a high concentration of airborne asbestos fibres many times over the control limit.

HSE investigated the incident and found Formac Electronics Ltd had failed to carry out a refurbishment and demolition survey,

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to establish the presence and condition of asbestos in the building.

It also failed to provide suitable information to contractors prior to the start of the refurbishment works which resulted in uncontrolled disturbance of the loose fill blue asbestos located within the fabric of the building.



**Loose fill blue asbestos insulation in the area where Mr Arnold had been working**

When an HSE Specialist Inspector visited Oxford House under controlled conditions, loose fill blue asbestos insulation material could be clearly seen in the area where Mr Arnold had spent a long time on his hands and knees fitting pipework on the 3 and 4 August 2010.

Formac Electronics Ltd admitted breaching Regulation 10 of the Construction (Design and Management) Regulations 2007 and was fined £600 with £6,013.45 in costs.

## **Worker suffers severe burns from electrical explosion**

A worker sustained serious burns in an electrical explosion after a North London company failed to carry out basic health and safety checks.

On the 30 April 2010, the injured man was working on a construction site at Leonard Street, Islington, when the electrical blast occurred. City of London Magistrates' Court heard that the explosion was caused when a main electrical supply cable to the site was cut during its removal.

The employee was working as a subcontractor on a large construction project which involved the refurbishment of three

adjacent buildings. The man worked as subcontractor for Pineview Interiors Ltd, Havering, London.

At the time of the incident, a 415 volt 3 phase temporary electrical supply had been provided to the site. The Court heard that on the morning of the incident the worker approached his supervisor, to explain that the electrical cable would need to be removed so that plaster board could be installed.

The HSE investigation revealed that Pineview Interiors Ltd undertook very limited enquiries as to whether this cable was in fact still live. Pineview workers then proceeded with its removal on the false assumption that the cable being described must have been one of the old, redundant cables from the pre-existing installation.

The worker climbed a step ladder with a hammer and chisel to attempt to remove the cable. After a couple of hits, the court heard that the worker recalls waking up on the floor with another employee putting flames out from the top half of his body. The worker was taken to hospital, suffering burns to between 30 to 35 percent of his body. He has had to have a skin graft from his legs to his body and arms. It is expected to take up to two years for his skin to recover.

Pineview Interiors Limited pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974. It was fined a total of £10,000 and ordered to pay costs of £4,183.

## **Street light workman fined over toddler injury**

A toddler was injured when part of a streetlight was dropped by a workman in Hackney as she was passing underneath, a court has heard.

One-year-old Taahyra Kasham was being pushed along a London street in her pram by her mum, Rajna, when a reflector from a streetlight hit her on the head.

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The street light operative, Joseph Parker, was fined after the HSE found that he had not erected temporary barriers around the lamp while he was working.

City of London Magistrates' Court heard Mr Parker was instructed by his employer, Volker Highways Limited, to investigate a faulty street lamp on Gillett Square in Hackney on 20 January 2010.

However, when he detached the reflector at the top of the lamp post it fell toward the mother and daughter below. The one-year-old needed stitches to her wound, but her mum escaped unhurt.

The HSE investigation found the incident was entirely preventable. Temporary barriers should have been used to segregate pedestrians from the work area around the lamp before Mr Parker dismantled the reflector.

HSE Inspector, Zameer Bhunnoo said: "This was a serious incident that needlessly injured a small child and caused her mother understandable distress."

"No blame can be attached to Volker Highways as Mr Parker had been properly trained by his employer to carry out this kind of work safely."

"Individual employees must realise that they face criminal prosecution by the HSE if they show a reckless disregard for health and safety, putting others at serious risk."

Joseph Parker pleaded guilty to breaching Section 7(a) of the Health and Safety at Work etc. Act 1974. He was fined £2,250.00 and ordered to pay costs of £2,888.00

### **Scaffold firm and Competent Person fined**

A Hastings scaffolding firm and their scaffolding inspector have been fined after handing over unsecured scaffolding to a client, putting builders at risk.

A HSE inspector visited a site at Claremont, Hastings, on 20 April 2010 where building repairs and external work were being carried out. The inspector noted that scaffolding erected by Totalscaff (GB) Ltd, trading as Total Service Group (TSG), around the building had not been adequately tied, meaning it was unstable.

By law, all scaffolding must be inspected by a competent person before it can be used. Hastings Magistrates' Court was told the worker who undertook safety checks, Christian Ball, had been previously been advised of the need to adequately tie scaffolding but had overlooked this advice. He was also fined.

Totalscaff (GB) Ltd, of Bexhill-on-Sea, was found guilty and Christian Ball, 35, of St Leonards-on-Sea, pleaded guilty to a breach of Regulation 28(1) of the Construction (Design and Management) Regulations 2007.

Totalscaff (GB) Ltd was fined £20,000 and ordered to pay £10,000 in costs, and Mr Ball was fined £2,500 and ordered to pay £2,274 costs.

### **Aberdeen company fined after man falls from scaffolding**

On 22 September 2011 at Peterhead Sheriff Court Spark's Mechanical Services Limited, of Aberdeen, pleaded guilty to breaching Section 2 (1) of the Health and Safety at Work etc Act 1974.

Spark's Mechanical Services Ltd, an Aberdeen electrical and refrigeration services company, were fined £10,000 after a worker was seriously injured when he fell 2.6 metres from a scaffolding tower.

On 19 October 2010, Charles Howie was working on a scaffolding tower at Iceberg Ltd fish processing factory in Fraserburgh to remove two ceiling mounted refrigeration units from the coldstore.

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The units were attached to the ceiling by eight bolts; four had been removed and Mr Howie continued to work on the unit before a forklift truck was in place to support it.

The HSE Investigation found that at least one of the four remaining bolts fractured while Mr Howie was working on it, causing it to fall and strike the scaffold tower, throwing Mr Howie to the ground. Mr Howie suffered a collapsed lung and five fractured ribs and was unable to return to normal work duties for five months.

The HSE investigation found that Spark's Mechanical Services Ltd, Mr Howie's employer, had not ensured that suitable equipment was in place to support the refrigeration unit while it was being removed. The court was also told that the top guard rails were missing from the working side of the scaffolding platform.

## **Building company fined after construction worker seriously injured by falling stone**

A 56-year-old self-employed construction worker suffered a serious head injury and permanent personality changes after a 10kg stone fell nearly three metres hitting him on the head at a building site in Abbots Leigh, near Bristol.

North Somerset Magistrates' Court heard that Paul Hinton of Bristol had been hired by Elegance Building Contractors Ltd. to work at a domestic property on 6 September 2010. The work included raising the roof level of the building and cladding part of the property with feature stonework. The construction worker was not wearing a hard hat at the time of the incident.

Mr Hinton was airlifted to hospital by air ambulance and was off work until early May 2011.

The company used subcontractors for the work but failed to ensure brick guards were

installed on the scaffolding, which are designed to stop materials falling below.

Elegance Building Contractors Ltd pleaded guilty to a breach of Regulation 10 (1) of the Work at Height Regulations 2005 and was fined £6,000 and ordered to pay costs of £4,733 at the hearing on Friday, 23 September 2011.

## **Demolition firm fined for Maesteg site asbestos failings**

A demolition contractor has been fined after exposing workers to potentially deadly asbestos fibres at the former Revlon factory in Maesteg.

An investigation by the HSE found Walsh Plant Hire and Demolition Contractors Ltd ignored repeated warnings to manage the safe removal of asbestos during work on the demolition of the site.

Bridgend Magistrates Court heard the company was first served with a Prohibition Notice ceasing activity at the site in February 2010, because work to remove asbestos cement sheeting debris was likely to generate asbestos dust which could have posed a health risk to those working at the site.

Before resuming work, the company was required to produce a plan for the safe removal of the materials to make sure it was properly managed.

A management plan was developed to keep the asbestos cement in a safe condition by damping down the waste until it was removed from the site. However, a further visit by the HSE on 27 May 2010 found the company had ignored the guidelines in its own plan, as the site was dry, and no damping down had been undertaken for a week.

Excavators were also found to be moving rubble contaminated with asbestos-containing debris, and tracking over

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asbestos cement fragments, potentially contaminating workers with asbestos dust.

Walsh Plant Hire and Demolition Contractors Ltd of Pontypridd, pleaded guilty to breaching Regulation 7(5) of the Control of Asbestos Regulations 2006. On 26 September 2011 the company was fined £5,000 and ordered to pay full costs of £6,828.

### **M&S fined £1 Million for safety failings. 3 contractors also fined**

Marks and Spencer plc and three of its contractors have been fined for putting members of the public, staff and construction workers at risk of exposure to asbestos-containing materials during the refurbishment of two stores in Reading and Bournemouth.

The sentencing hearing, at Bournemouth Crown Court, resulted in Marks and Spencer plc being fined £1 million and ordered to pay costs of £600,000, PA Realisations Ltd being fined £200, and Styles & Wood Limited being fined £100,000 and ordered to pay costs of £40,000, all for breaches that took place at the Marks and Spencer plc store in Broad Street, Reading.

Willmott Dixon Construction Ltd was fined £50,000 and ordered to pay costs of £75,000, for breaches that took place at the Marks and Spencer plc store in Commercial Road, Bournemouth. Willmott Dixon Construction Ltd is applying for permission to appeal against conviction.

Marks and Spencer plc, Willmott Dixon Construction Ltd and PA Realisations Ltd (formerly Pectel Ltd) were found guilty in July 2011. Styles & Wood Limited pleaded guilty at an earlier hearing in January 2010.

The work was carried out between 2006 and 2007 on shops in Reading and Bournemouth.

During the three month trial which ended in July 2011, Winchester Crown Court heard construction workers at the two stores

removed asbestos-containing materials that were present in the ceiling tiles and elsewhere.

The court heard that the client, Marks and Spencer plc, did not allocate sufficient time and space for the removal of asbestos-containing materials at the Reading store. The contractors had to work overnight in enclosures on the shop floor, with the aim of completing small areas of asbestos removal before the shop opened to the public each day.

The HSE alleged that Marks and Spencer plc failed to ensure that work at the Reading store complied with the appropriate minimum standards set out in legislation and approved codes of practice. The company had produced its own guidance on how asbestos should be removed inside its stores, and the court heard that this guidance was followed by contractors inappropriately during major refurbishment.

The contractor, PA Realisations Ltd, failed to reduce to a minimum the spread of asbestos to the Reading shop floor. Witnesses said that areas cleaned by the company were re-contaminated by air moving through the void between the ceiling tiles and the floor above, and by poor standards of work.

Styles & Wood Limited, the principal contractor at the Reading store, admitted that it should not have permitted a method of asbestos removal which did not allow for adequate sealing of the ceiling void, which resulted in risks to contractors on site.

The principal contractor at the Bournemouth store, Willmott Dixon Construction Ltd, failed to plan, manage and monitor removal of asbestos-containing materials. It did not prevent the possibility of asbestos being disturbed by its workers in areas that had not been surveyed extensively.

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## Contact details of organisations mentioned in this and other Newsletters

Ai Solutions Ltd  
PO Box 5025, Leighton Buzzard LU7 1ZN  
Tel: 01525-850080  
[www.aisolutions.co.uk](http://www.aisolutions.co.uk)

Association for Project Safety (APS)  
12 Stanhope Place, Edinburgh EH12 5HH  
Tel: 0845-6121-290  
[www.associationforprojectsafety.co.uk](http://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](mailto:info@bafefire.org.uk)  
[www.fiaf.org.uk](http://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](mailto:mail@britsafe.org)  
[www.britsafe.org/](http://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](mailto:enquiries@chem.uk.com)  
<http://chem.uk.com/>

CITB ConstructionSkills  
[www.cskills.org](http://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](mailto:sales@cip-books.com)  
[www.cip-books.com](http://www.cip-books.com)

Construction Plant Hire Association  
27/28 Newbury Street, Barbican, London EC1A 7HU  
Tel: 020-7796-3366  
[www.cpa.uk.net](http://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](mailto: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](http://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](http://www.hse.gov.uk)

Health and Safety Executive for Northern Ireland (HSENI)  
[www.hseni.gov.uk](http://www.hseni.gov.uk)

[info4fire.com](http://info4fire.com)  
[www.info4fire.com](http://www.info4fire.com)

International Institute of Risk and Safety Management (IIRSM)  
Suite 7a, 77 Fulham Palace Road, London, W6 8JA  
Tel: 020-8741-9100  
Email: [info@iirsm.org](mailto:info@iirsm.org)  
[www.iirsm.org](http://www.iirsm.org)

Keeleys Solicitors  
28 Dam Street, Lichfield, Staffordshire WS13 6AA  
Tel: 01543-420000

National Underground Assets Group (NUAG)  
[www.nuaq.co.uk/](http://www.nuaq.co.uk/)

Office of Public Sector Information  
[www.opsi.gov.uk](http://www.opsi.gov.uk)

Occupational Safety and Health Consultants Register (OSHCR)  
[www.oshcr.org](http://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](http://www.tsoshop.co.uk)

TUC Publications  
Tel: 020-7467-1294

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