

Council fined along with unlicensed asbestos contractor

24 January 2006

news item

South Gloucestershire Council has been given a £25,000 fine after it allowed an unlicensed contractor to disturb brown asbestos in school buildings. The fine was small compared to the estimated £300,000 clean-up bill.

Both the council and contractor David Moore, trading as Ashcroft Services, were charged under the Health and Safety Act 1974 with failing to ensure the health and safety of both their own employees and people not employed by them (i.e. contractors).

David Moore was fined a total of £11,250.

Failure to manage

The incident, which resulted in low-level asbestos contamination, was caused when the council's appointed contractor, Ashcroft Services, removed a number of suspended ceiling tiles from a school building which were known to contain brown asbestos.

<http://www.istructe.org/BRANCH/NORTHERN/Pictures/Page2/CIV2001 - IStructE - Asbestos.pdf>

Circular 055/2006: Health and Safety Bulletin

Date	Monday, 6 March 2006
To	All headteachers and health and safety coordinators of all educational establishments
Summary	To advise educational establishments on relevant health and safety issues
Category	Priority circular
Purpose	Information / Action
Deadline	None
Replaces/Revises	
Keywords	first aid young persons cleaning hazardous waste minibus seat animals accidents moving and handling asbestos working at height
Author	Karen Terry
Contacts:	

Name and job title	E-mail	Contact number
Karen Terry Health & Safety Officer	karen.terry@eastsussex.gov.uk	01273 481772 (Work)

Please can you ensure the bulletin is brought to the attention of all staff. The following groups will have a specific interest

Health and Safety Co-ordinator
Caretaker/Premises Manager
First Aiders

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File Format: Microsoft Word - [View as HTML](#)

Failure to Manage **Asbestos**. **South Gloucestershire Council** was last month ... The **prosecution** followed an incident in which an unsecured ladder was used to ...
<https://czone.eastsussex.gov.uk/czone.webapplication.vsb/document.aspx?...>

Failure to Manage Asbestos

South Gloucestershire Council was last month handed a £25,000 fine after it allowed an unlicensed contractor to disturb brown asbestos in school buildings. The fine was small compared to the £300,000 clean-up bill. The council and contractor were charged under the Health and Safety Act 1974 with failing to ensure the health and safety of both their own employees people not employed by them (i.e. contractors).

The Contractor was fined a total of £11,250

Background

The incident, which resulted in low-level asbestos contamination, was caused when the council's appointed contractor, removed a number of suspended ceiling tiles from a school building which were known to contain brown asbestos.

The council, on becoming aware of the potential contamination, commissioned an immediate clean-up operation by a specialist contractor and the subsequent replacement of school furniture.

The Contractor undertook the removal works during a weekend when council officers were not present. They were not licensed to remove material containing brown asbestos and the method of removal resulted in the disturbance of a small quantity of asbestos.

In mitigation, Counsel for South Gloucestershire, said that the contractor appointed had extensive, legitimate experience with other asbestos materials, and was informed about the material in the ceiling tiles before work started.

Since the incident, management procedures within the council have been tightened to prevent any repetition.

Details for Case No. 2032595

Defendant [South Gloucestershire Council](#)

Description Failing as Client and PC to manage the asbestos removal operations during a construction project at hanham High School. Asb removal undertaken by non licenced contractor, failed to work in appropriate manner and contaminated the school and esposed SGC staff to asbestos

Offence Date 17/07/2004

Total Fine £25,000.00

Total Costs Awarded to HSE £1,044.00

[Breaches involved in this Case](#)

Location of Offence

Address	Construction/South Gloucesters The Council Offices Castle Street BRISTOL BS35 1HF England	Region	South West
		Local Authority	South Gloucs UA
		Industry	Total service industries
		Main Activity	75110 - GEN PUB SERVICES
		Type of Location	Other Land Location

HSE Details

HSE Group CDOP3FMU84

HSE Directorate

Field Operations

Directorate

HSE Area

HSE Division

Wales & South
West

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Case No. 2032595 Details for Breach 01

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Defendant

[South Gloucestershire Council](#)

Court Name

Court Level

Magistrates
Court

Act

Health and Safety At Work Act 1974, Section 2, Sub Section 0

Regulation

Date of Hearing

06/12/2005

Result

Fine

Fine

£12,500.00

[Case Details](#)

[Other Breaches in this case](#)

Location of Offence

Address

Construction/South

Region

South West

Gloucesters
The Council Offices
Castle Street
BRISTOL
BS35 1HF
England

Local Authority

South Gloucs
UA

Industry

Total service
industries

Main Activity

75110 - GEN
PUB SERVICES

Type of Location

Other Land
Location

HSE Details

HSE Group

CDOP3FMU84

HSE Directorate

Field
Operations
Directorate

HSE Area

HSE Division

Wales & South
West

Case No. 2032595 Details for Breach 02

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Defendant

[South Gloucestershire Council](#)

Court Name

Court Level

Magistrates
Court

Act

Health and Safety At Work Act 1974, Section 3, Sub Section 0

Regulation

Date of Hearing

06/12/2005

Result

Fine

Fine

£12,500.00

[Case Details](#)

[Other Breaches in this case](#)

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HSE Details

HSE Group	CDOP3FMU84	HSE Directorate	Field Operations Directorate
HSE Area		HSE Division	Wales & South West

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