

# 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

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

Name and job title	E-mail	Contact number
<a href="#">Karen Terry</a> Health & Safety Officer	<a href="mailto:karen.terry@eastsussex.gov.uk">karen.terry@eastsussex.gov.uk</a>	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

1. **C]**

### [Circular 055/2006: Health and Safety Bulletin](#)

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

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

<b>HSE Group</b>	CDOP3FMU84	<b>HSE Directorate</b>	Field Operations Directorate
<b>HSE Area</b>		<b>HSE Division</b>	Wales & South West

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