

Hotelier ignored repeated warnings of potential asbestos contamination during refurb

A hotelier has been fined over the disturbance of asbestos during the renovation of a four-star hotel in Devon.

Percy R Brend and Sons (Hoteliers) failed to act on workers' concerns about the potential presence of asbestos-containing materials (ACMs) in bathrooms and bedrooms that were being refitted and refurbished at the Park Hotel in Barnstaple.

The company, which trades as Brend Hotels and owns 11 hotels in Devon and Cornwall, pleaded guilty at Newton Abbot Magistrates' Court to breaching ss 2(1) and 3(1) of the Health and Safety at Work Act. It has been fined £80,000 and ordered to pay costs of £15,000.

The court was told that soon after construction work began, in October 2016, an employee said he was worried there were materials containing asbestos in the rooms being refurbished.

Enquiries were made but the material was not tested until several months later, when an external contractor expressed similar concerns. The presence of ACMs was confirmed in February 2017.

The Health and Safety Executive (HSE) launched an investigation, during which there was another incident at the hotel; asbestos was disturbed when work was being carried out in one of the bathrooms in May 2017.

The asbestos risk assessment carried out for this part of the work was inadequate, the HSE said, because it did not identify the full scope of the work proposed and the materials that would be disturbed during pipe installation works. It also found that the company had not carried out an asbestos refurbishment survey to identify and manage the risks of ACMs.

Samples later taken by the hotel of materials that may have contained asbestos came back negative.

HSE inspector Jo-Anne Michael said: *"Identification of the hazard is key. Duty holders should not undertake any work which either exposes or is liable to expose their employees to asbestos unless they have carried out a suitable and sufficient assessment as to the presence, location and condition of asbestos in the premises. Those persons tasked with undertaking the assessment should have the necessary skills."*

Asbestos consultancy Inspectas Compliance, which first covered the story in February when Percy R Brend and Sons was charged, reported that the HSE said it *"would be seeking something in the region of £450,000 before credit for pleas"*.