

## **ICL INQUIRY STATEMENT**

### **LORNA GRACE DOWNIE**

1. My husband Campbell Downie is Chairman and non-exec Director of ICL Plastics Limited.
2. I am the Company Secretary and a Director of ICL Plastics Limited (Group) and Company Secretary of ICL Tech Limited, Stockline Plastics Limited and ICL Tech Limited. Until 11 May 2004 when the disaster occurred at Grovepark Mills, all three companies had staff working within the premises of Grovepark Mills. Although Stockline Plastics' office staff worked within that building, their actual processes were carried out within the adjacent building on Grovepark Street.
3. ICL Plastics Limited accounts office is now situated at 46 Lochburn Road and has a staff of 3 people. ICL Tech Limited is located at 26 Lochburn Road with a staff of around 15 people, some former employees and some new employees.

#### **Company Role**

4. As Personnel Director, I supervised personnel matters for ICL Plastics Limited and its Glasgow based subsidiaries ICL Tech Limited and Stockline Plastics Limited.
5. The Personnel Department also dealt with any personnel issues arising in our subsidiaries in Newcastle, Edinburgh, and Dundee.
6. Linda Kinnon, the Personnel Officer, covered day to day business as I worked on a part time basis. Part of Linda's duties was to set up appointments for new staff and the manager/director concerned would deal with the interviews personally.

7. Occasionally Linda would carry out initial screening prior to a manager handling interviews.

8. I retired in July 1996 when our daughter was badly injured in a car crash. About a year later Campbell asked me to return to ICL Plastics Limited and shortly afterwards I was appointed Personnel Director. In May 2004 I was working two days a week or when required. I was always available if an employee wished to speak to me personally.

### **Role in Companies**

9. According to records held by Companies House, I was a Director of both ICL Technical Plastics and Stockline Plastics Limited for one week between 7 December 1973 and 13 December 1973.

10. To my knowledge I was never a Director of either of those companies although I was Company Secretary of both.

### **ICL Plastics Limited**

11. I do not recall when I became the Secretary of the company.

12. Margaret Brownlie and I became Directors in April 1998, Margaret as Financial Director and myself as Personnel Director.

13. The Personnel Department kept up to date on a regular basis with any changes in employment legislation and referred to our lawyers concerning a number of employee related matters.

14. ICL Plastics Limited (the Group) provided services for the subsidiary companies - personnel (including employee related grievances), IT, accountancy, wages and insurances. The Personnel Department would advise subsidiary managers of any new regulations regarding smoking, wearing of eye masks, fire drills, etc. This role did not cover the management or approval of risk assessments specific to individual subsidiary companies.

15. In accordance with the health and safety procedures that were implemented for workers in the shop floor areas, the office staff were advised that they should never enter the factory area without proper equipment and Linda Kinnon, as Personnel Officer for the Group, ensured all staff had written advice of this instruction.

16. We had training programmes in place for individual jobs.

17. Historically, in relation to purchases, such as finance for cars being required by subsidiaries, that kind of issue would be discussed with Campbell Downie as Chairman. Latterly, as he withdrew from the routine affairs of the company, such decisions were made by individual directors – Stewart McColl and Colin Foard.

### **Structure and Directorships of Companies**

#### **ICL Plastics Limited**

18. ICL Plastics was started up by Campbell Downie and Ronald Cunningham. I am not exactly sure of the date. When Ronald Cunningham left, Iain McDonald became a Director of the company so for a while he and Campbell were Directors. Iain left and Ronald Ferguson joined the company, although I am not sure of the date. He was a non-Exec Director as far as I remember. Stewart McColl became an Executive Director in 1972/73.

19. As I have already explained, Margaret Brownlie and I became Directors in 1998.

20. I do not remember the actual dates when Stockline and ICL Tech started trading.

### **Stockline Plastics Limited**

21. I am not certain whether Stewart McColl was made a Director of Stockline Plastics Limited from the start up of the company. At one stage Anthony Pedley was a Director but only for a few months. After he left Colin Foard became a Director. As at the date of the disaster Campbell, Stewart McColl and Colin Foard were the Directors of the company. Colin Foard was the Managing Director.

### **ICL Technical Plastics**

22. Campbell was a non-executive Director of the company originally. Roger Woodford joined the company as a Director in the 70's but left around 1977. Stewart McColl became a Director at that time and Frank Stott joined the company as Managing Director. When Frank Stott retired as Managing Director, Peter Marshall became Managing Director, replacing Frank Stott. This didn't work out very well and Peter Marshall only stayed with the company for a couple of years. When Peter Marshall left, Stewart McColl became the Managing Director and he and Frank Stott were both Directors until Frank Stott resigned as a Director sometime before the disaster.

23. Stewart McColl headed up ICL Tech and made decisions relating to that company. Matters were only referred to Group if some big policy change or some large financial expense needed discussion.

### **ICL Plastics Limited**

24. There was no Managing Director in Group/ICL Plastics Limited. There was the Chairman (Campbell Downie), the Financial Director (Margaret Brownlie), myself as Personnel Director and Stewart McColl, (Chief Executive), liaising with subsidiaries.

25. ICL Plastics Limited was managed in consultation with all directors in decision taking and policy decisions.

26. Margaret Brownlie was responsible for finances throughout Group.

27. Apart from formal Board meeting, other local management meetings were arranged as required between the companies. Local management meetings would be convened to discuss a variety of subjects needing decisions, policy etc.

### **Financial Arrangements within the Companies**

28. Payment of bills was split against the various companies.

29. Margaret Brownlie dealt with the splitting of those bills. For example, franking and stationery:- the cost for these would be set against the company requiring and using them. Margaret was a stickler for getting things right and each of the companies paid what was due.

30. In recent years Campbell worked mainly from home. He was semi-retired and, rather than having day to day involvement in the business, he dealt with financial issues, involvement in writing computer programmes with Margaret Brownlie, cash flow, studying the market and considering strategy for the successful future of the company.

31. He did not go into the business daily unless he was required to deal with a specific matter, to attend meetings etc.

32. If everything was running smoothly he would continue with his work at home.

33. As for his having a hands-on approach to the company, as I said before, he had delegated the running of the companies to individual directors but was still involved in matters of policy and general finances.

### **Health and Safety Responsibility**

34. Colin Foard was responsible for Stockline's health and safety.
35. Stewart McColl was responsible for health and safety in ICL Tech Limited, although one or two persons kept their eyes on various issues, for example, Bill Masterton covered certain items for the coating shop.
36. Stewart stood for no infringements in relation to health and safety. If an employee arrived at work without proper boots or any other article of safety equipment, he/she would be sent home to get them and would be given a warning.
37. On the day of the disaster, Stewart had occasion to reprimand an employee for incorrect use of the forklift truck. He was also strict in relation to such issues as the wearing of goggles and masks.
38. If any employee related changes in health and safety regulations were to be brought into force, for instance concerning PPE, the Personnel Dept. would advise Stewart McColl and all other directors and managers within the Group.
39. Some general day to day health and safety issues were implemented by the Personnel Department, such as the advice and organisation of fire drills, placement of compulsory notices, etc. At the start of employment, the Personnel Department role was, in terms of the employment contract, to make employees aware of their health and safety obligations. We issued lists concerning the wearing of safety equipment and good practise.

40. I am not aware of ICL Plastics Limited having a separate risk assessment for their office staff. ICL Plastics, Stockline and ICL Tech office staff occupied the same floor. Most of the office staff on the second floor of the building were from Stockline, maybe 8 or 9 in all. My understanding is that ICL Plastics Limited was covered under the risk assessment carried out for the entire office floor.

### **ICL Tech Limited**

41. Tech had a meeting every Friday afternoon for all managers, including Bill Masterton, Ian Mavers, Sheena McColl, Annette Doyle who lost her life, Nick Downie, Peter Ferguson (who also lost his life) and the sales representative. The meeting would cover the week and the events which had taken place.

42. Colin Foard took responsibility for health and safety in Stockline when Stewart McColl became MD of ICL Tech after Peter Marshall left.

### **Risk Assessments**

43. I know that when risk assessments were first brought in, although I'm not certain of the actual date, we compiled our risk assessment based on models available through the Health and Safety Executive and particularised it for our specific industry. This risk assessment was issued to the responsible parties who advised staff and implemented recommendations.

44. My understanding was that ICL Plastics Limited were covered by the Stockline/ICL Tech risk assessment for the offices. The office staff of ICL Plastics did not work anywhere other than the office.

45. I have seen the Stockline assessment and felt the same issues affected the ICL Plastics offices. [ ICL/ 13107-13128]

46. I was shown - Risk Assessment Exercise headed "ICL Technical Plastics Limited Health and Safety Programme Risk Assessment Exercise" [ICL/11893-11965]. I have seen the pro forma of this risk assessment before.

47. It was carried out by Andrew Stott, Frank's son. I remember him carrying out the risk assessment but would not remember any of the content. It was kept separately by ICL Technical Plastics.

48. I was shown - Letter dated to Health & Safety Executive & Risk Assessment appended thereto (HSE Client Folder File p A1 & A2-A40 ) [ICL/12253-12292]

49. This was Stewart McColl's assessment which was prepared with the assistance of others. Peter Ferguson may have assisted, also maybe Colin Brown who was General Manager until his death and Bill Masterton in the coating shop. I have been asked to comment on the writing down the right hand side of the table and can identify that as definitely being Stewart McColl's writing.

50. Chemicals etc were handled very carefully and properly. There was adequate ventilation where the chemicals were being handled.

51. The matter of a risk assessment required as a result of ICL Tech's processes and coating shop were not discussed in my presence.

52. I would have thought that the risk assessment would cover offices too.

53. I was generally not involved in management meetings unless personnel issues required my attendance. Personnel could be involved in two meetings close together and then none for a considerable time.

## LPG

54. I have no recollection of the LPG being put into the premises.
55. Obviously I knew it existed as there was a large LPG tank in the yard and the gas was used for fuelling of ovens in the Coating Shop.
56. I had nothing to do with the LPG contract/bills.
57. Initially, as far as I knew, Calor supplied the gas.
58. I have been asked if I can recall the level of the yard being raised. I remember that it was indeed raised because it filled with water right down to the front gate. When the level was raised it solved our problem but the area at Gayle's paints to the rear still flooded.
59. I don't know if the yard was raised in-house or contracted out.
60. As far as I am aware, the LPG pipework ran underground. I would have imagined Calor would have put in the pipework as we had LPG installed at our house, maybe 15 years ago, and Calor handled the installation. We were not allowed to do anything.
61. I was shown - File described as Marsh Limited, original files for fiscal ICL Plastics Limited/ Stockline Plastics "Effective September 2000 – pre-2002 renewal"
62. The insurance company would come into the premises every year and their requirements were stringent.
63. Margaret Brownlie always dealt with the insurance company.

64. I have been shown a copy letter dated 28<sup>th</sup> June 2002 on ICL Plastics Limited headed notepaper addressed to Marsh Limited and signed by Margaret [ICL/ 11319- 11357].

65. It is a covering letter for a risk assessment headed up "ICL Tech Limited Health and Safety Programme Risk Assessment". I do not recall ever seeing that risk assessment which was sent to Marsh, who were our insurance brokers.

I confirm that the contents of this statement are true.

Witness signature

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Date

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