

ICL INQUIRY STATEMENT

PETER MARSHALL

1. I was the MD of ICL Tech Ltd. The company structure and operation involved daily meetings with Colin Brown General Manager and Peter Ferguson Operations Manager and Bill Masterton who was in charge of the coating process. All three managers were in my opinion professional and competent in their work.

2. After about 2 years I left the company. This was about October 2000 (10/2000). I left to take up the role as Group Managing Director with a company called the PARKBURN GROUP based in Blantyre.

3. During my time with the company, the business was going forward and making money, month after month.

Company Structure

4. The structure when I was there was as follows, I was answerable to the board, but this in reality was Campbell DOWNIE.

5. Below me was Colin BROWN who was general manager.

6. Then there was Peter FERGUSON, Operations Manager.

7. Then Paul Neil MACLAUGHLIN, Sales Manager and Bill MASTERTON, Coatings Manager.

8. The maintenance man was Jim SMITH, he would maintain the machines and test them and order parts for them. He would not fit all the parts as some required to be calibrated. I think that there were 2 LPG tanks. I remember there was a big tank to the right at the gates as you drove in. It

was Bill MASTERTON that took to do with it and signed for the deliveries whenever it was filled.

9. When I took over from Frank Stott there was no major discussion about health and safety. It was not an issue.

10. Any decisions involving money had to be discussed with Campbell Downie but he did not get routinely involved in day--to-day business.

11. I did not hand over to Stewart McColl. There was no formal discussion after I tendered my resignation.

12. Jim Smith was the maintenance man. His job was more of a reactive job although we tried to push more towards machine reliability. Jim Smith never raised any issues on health and safety.

Premises

13. The only other thing I recall, structure wise to do with the premises, was about halfway through my time a new gas main was installed or re-routed, it was mains gas.

14. I don't recall what it was for. It was about 30 metres long. It was done by a Corgi registered Contractor that carried out the work. I don't remember the contractor's name. I remember it was tested by the Contractor and I was there when "TRANSCO" came and carried out their own test before certifying it.

Health and Safety

15. I have never raised any issues over health and safety.

16. I had only one contact with Health and Safety Inspectors. It was after I had been there for a year. The Inspector saw that some of the machines were being operated without guards. When it was pointed out the guards

were put back on the machines and a letter was sent back to the HSE to confirm that their requirements had been met.

17. I cannot recall who sent the letter, if it was me or not. I do not remember who it was from the HSE that visited. There was no follow up visit from them.

18. There were no other Health and Safety issues, while I was there other than the one I have mentioned to do with the guards for the machines.

19. In my time Bill Masterton was not identified as health and safety advisor.

Correspondence with Mr McCourt

20. I have been shown by Bill Reilly a copy of a letter dated 2/2/2000 from Alistair McCourt [ICL/ 12203- 12208]. I can recall having received a quote from health and safety consultants. I do not remember the exact details. I did not ask Campbell Downie for money over this. As far as I remember I did not see them bringing any added value to the business.

21. I don't remember meeting a Mr McCourt, however I do vaguely recall receiving a letter offering to provide a health and safety manual.

22. I did not take any action regarding this letter because I felt it was just a sales letter offering to provide a health and safety manual. I think they were going to provide this manual for approximately £1,000 (£2,200 plus VAT). I felt that this was of no value given they were just going to regurgitate what we already had. We already had COSHH sheets in place, Frank Stott (deceased) had processed risk assessments, Bill Masterton (witness) ran the coating shop well, Colin Brown worked well in terms of health and safety and we had an experienced work force. Additionally, health and safety concerns would be regularly addressed at management meetings. In conclusion this offer changed nothing and would have been a waste of money.

I confirm that the contents of this statement are true.

Witness signature _____

Date _____