

# Landlord given custodial sentence for gas safety offences

A landlord has been sentenced for failing to maintain gas appliances at a rental property and repeatedly failing to provide tenants with a Landlords Gas Safety Certificate.

Norwich Magistrates' Court heard how inspectors from the Health and Safety Executive (HSE) and Gas Safe Register inspected a property at Kings Lynn in Norfolk in 2017 where they found a gas oven to be 'at risk' and the gas central heating boiler to be unsafe to use.

The subsequent HSE investigation found the landlord, Mr Steven Ladell, had failed in his duty to have the gas appliances regularly inspected or maintained, and failed to provide a Landlords Gas Safety Certificate for a number of years, all of which are legal requirements. In addition, Mr Ladell failed to comply with an Improvement Notice issued on 13 July 2017 which required he take action to deal with these issues.

Mr Steven Ladell of Great Harwood, Blackburn, pleaded guilty to breaching Section 21 of the Health & Safety Work etc. Act 1974 and breaching Regulation 36(2) and Regulation 36(3) of the Gas Safety (Installation and Use) Regulations 1998. He received a 20-week custodial sentence, suspended for two years, was ordered to carry out 100 hours of unpaid community work and to pay full costs of £4,146.34.

Speaking after the hearing, HSE inspector Paul Unwin said: "Landlords must ensure gas appliances at their tenanted properties are checked by a Gas Safe Register engineer at least every 12 months, and are maintained in a safe condition.

"HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards"

## **Notes to Editors:**

1. The Health and Safety Executive (HSE) is Britain's national regulator for workplace health and safety. We prevent work-related death, injury and ill health through regulatory actions that range from influencing behaviours across whole industry sectors through to targeted interventions on individual businesses. These activities are supported by globally recognised scientific expertise. [www.hse.gov.uk](http://www.hse.gov.uk)
2. More about the legislation referred to in this case can be found at: [www.legislation.gov.uk/](http://www.legislation.gov.uk/)
3. HSE news releases are available at <http://press.hse.gov.uk>
4. Further information about gas safety can be found at <http://www.hse.gov.uk/gas>

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press releases.

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## [Company fined after worker loses three fingers](#)

A decorative panel manufacturing company was fined after a worker was injured when using an industrial saw.

Leeds Magistrates' Court heard how, on 29 March 2016, an employee of Laminated Products Limited was working alongside colleagues using a beam saw to cut sheets of MDF. When he reached into a hole in the fixed guarding, which he believed was a viewing hole, to clear waste offcuts, his fingers became trapped under a drive chain and sprocket. As he pulled his hand out, three fingers were severed.

An investigation by the Health and Safety Executive (HSE) found that, while suitable guarding was in place on other areas of the machine, the company had failed to identify the hazard posed by the open hole where access to the dangerous moving parts was possible.

Laminated Products Limited of Hunt Street, Whitwood Mere, Castleford was found guilty of breaching Regulation 11 (1) of The Provision and Use of Work Equipment Regulations 1998 and was fined £45,225 and ordered to pay costs of £1,612.

Speaking after the hearing, HSE inspector Louise Redgrove said: "A worker was left with permanent injuries as a result of this incident. Injuries which could have very easily been avoided, had the hole been covered with a fixed plate.

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4. For more information on this, please visit: <http://www.hse.gov.uk/toolbox/machinery/safety.htm> and <http://www.hse.gov.uk/pubns/wis3.pdf>

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## Orkney company fined after employee fell through fragile roof

A cheese company has been fined £8,000 after an employee was seriously injured when he fell through a fragile roof.

Kirkwall Sheriff Court heard how, on 30 October 2017, an employee of Orkney Cheese Company Limited was asked by the general manager to retrieve a dead mouse from an unfloored loft area. After doing this by crawling along ceiling joists, he then placed his foot on a fragile board which had been left behind when the factory was built. The board gave way and he fell approximately 2.5 metres to the reception below.

An investigation by the Health and Safety Executive (HSE) found that Orkney Cheese Company Limited ordinarily brought in external contractors to deal with vermin issues and that employees were not normally required to work at height within the business. The investigation found that, on this occasion, the employee fell through the suspended ceiling and suffered a significant injury because no control measures had been implemented to safely cross the unfloored loft.

Orkney Cheese Company Limited of Crowness Road, Kirkwall, Orkney pleaded guilty to breaching Regulation 4 of the Work at Height Regulations 2005 and was fined £8,000.

Speaking after the hearing, HSE inspector Norman Schouten said:

“Falls from height remain one of the most common causes of work related fatalities in this country and the risks associated with working at height are well known. Working on or near fragile surfaces should be properly assessed and managed. “This case highlights the importance for companies to assess and control risks created by non-routine tasks.”

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## [Company fined following asbestos exposure during maintenance work](#)

A wood processing company has been fined after unsafe asbestos work was carried out at its premises in Macclesfield.

Manchester and Salford Magistrates' Court heard how, on 20 October 2016, in the aftermath of a large explosion at the Bosley site, Wood Treatment Ltd was directed by the Health and Safety Executive (HSE) to fit new explosion relief panels to an asbestos cement-clad warehouse.

During an inspection by two HSE inspectors to assess progress, it was noticed that asbestos cement panels of the warehouse had been removed, cut to shape with power tools and replaced, breaching the Control of Asbestos Regulations 2012.

The HSE investigation into the incident found that while an external company had been contracted to fit the explosion relief panels, they did not work with asbestos containing materials, instead employees of Wood Treatment Limited removed the cladding. Following installation of the panels, some remedial work was necessary to repair holes left in the wall. The old asbestos sheets were cut to size and refitted.

Although the company was fully aware of the presence of asbestos and had an Asbestos Survey and Action Plan, this information was not shared with employees and measures were not put in place to contain the risks involved.

Wood Treatment Ltd of Tunstall Road, Bosley, Macclesfield pleaded guilty to a breach of Section 2 (1) of the Health and Safety at Work etc. Act 1974 and was fined £2,000 and ordered to pay costs of £3,000 and a victim surcharge of £170.

Speaking after the hearing HSE inspector Ian Betley said: "Asbestos is responsible for thousands of deaths in the UK every year but it only becomes dangerous when it is broken up and fibres are released into the air.

"Asbestos should only be removed by specialist contractors Wood Treatment Ltd put workers at risk by not following the correct safety procedures."

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## [Siemens and E-On fined after worker injured](#)

Siemens Industrial Turbomachinery Limited and E.On UK Plc. have been fined after a roof panel fell on a worker during turbine maintenance work.

Dumfries Sherriff Court heard how, between February and March 2013, Siemens Industrial Turbomachinery Limited undertook maintenance work on a turbine at Steven's Croft PowerStation, near Lockerbie for E.On UK Plc.

The court heard that before the turbine could be accessed, acoustic panels were removed from an enclosure surrounding the turbine, including some from the roof of the enclosure. On 11 March 2013, an overhead travelling crane was being used to lift parts of the turbine out of the chamber when a roof panel fell from the top of the enclosure onto the head of a Siemens Industrial Turbomachinery Limited employee, causing him to sustain neck and spine injuries.

An investigation by the Health and Safety Executive (HSE) found the lifting operation carried out at the time of the incident was not properly planned, appropriately supervised or carried out in a safe manner. Furthermore, safe access into the enclosure was not provided to workers, nor were they given information regarding the structure of the enclosure.

Siemens Industrial Turbomachinery Limited of Faraday House, Camberley, pleaded guilty to breaching Regulation 8 of the Lifting Operation and Lifting Equipment Regulations 1998 and was fined £12,000.

E.On UK PLC pleaded guilty to breaching Section 3 of the Health and Safety at Work Act 1974 and was fined £10,000.

Speaking after the hearing, HSE principal inspector Hazel Dobb said, "The contractor's injuries were severe and he could have easily been killed. This

serious incident could have been avoided if basic safe guards had been put in place.

“Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards.”

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