

Property company fined after employee falls from roof

Property partnership Alex Brewster and Sons has been fined £4,000 after an employee fell through a roof light.

Edinburgh Sheriff Court heard how on 19 April 2016, two employees were removing roofing panels from a derelict shed in Midlothian. One of the workers stepped on to a roof light, which gave way causing him to fall to the floor below. He sustained serious injuries as a result of the fall including fractures to his pelvis, ribs, and elbow, which required surgery.

An investigation by the Health and Safety Executive (HSE) found that Alex Brewster and Sons, who own and let domestic properties, failed to ensure that work at height was properly planned, appropriately supervised and carried out in a manner which was, as far as reasonably practicable, safe. There were insufficient measures in place to prevent the risk of a fall from height.

Alex Brewster and Sons, of Bonnington Store, Wilkieston, Kirknewton pleaded guilty to breaching the Work at Height Regulations 2005, Regulation 4 and Section 33(1)(c) of the Health and Safety at Work etc. Act 1974. They were fined £4,000.

Speaking after the hearing, HSE Inspector Gillian Anderson 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.

"If a suitable safe system of work had been in place prior to the incident, the severe injuries sustained by this employee could have been prevented."

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**
- 2. More about the legislation referred to in this case can be found at: www.legislation.gov.uk/**
- 3. HSE news releases are available at <http://press.hse.gov.uk>**

The post [Property company fined after employee falls from roof](#) appeared first on [HSE Media Centre](#).

HSE announces new Chief Inspector of Buildings

The Health and Safety Executive (HSE) has announced the appointment of a Chief Inspector of Buildings to establish and lead the new Building Safety Regulator (BSR).

Peter Baker, HSE's current Director of Building Safety and Construction, will take up the post with immediate effect.

The government asked HSE to establish a new building safety regulator in the wake of the Grenfell Tower disaster and following recommendations in the 'Building a Safer Future' report by Dame Judith Hackitt.

In his role as the Chief Inspector of Buildings, Peter Baker will head up the Building Safety Regulator to deliver the new regime for high risk buildings, oversee work to increase competence of all professionals working on buildings and ensure effective oversight of the entire building safety environment. Peter will also be the first head of the building control profession, and lead the work to provide independent, expert advice to industry, government, landlords and residents on building safety.

Peter said: "I am honoured to be appointed as the first Chief Inspector of Buildings and for the opportunity to play a lead role in bringing about the biggest change in building safety for a generation. I look forward to working with government, industry, partner regulators and residents to shape and deliver a world-class risk-based regulatory system for the safety and standards of buildings that residents can have confidence in and that we can all be proud of."

Peter has over 30 years' experience with HSE as an Inspector and in a number of senior operational posts dealing with a wide range of industry sectors, including the role of HSE's Chief Inspector of Construction. Since 2017 Peter has led HSE's involvement in the Government's Building Safety Programme.

Sarah Newton, HSE's Chair said: "I would like to congratulate Peter on his appointment as the new Chief Inspector of Buildings. Peter has a long track record of working in partnership with industry and other regulators to bring about behavioural and culture change that improves people's safety. His deep understanding of assessing and managing hazards and risk makes him ideally suited to shape and lead the implementation of the new building safety regime"

Dame Judith Hackitt, Independent adviser to Government on Building Safety and Chair of the Transition Board said: "I am delighted to hear of Peter Baker's appointment as the new Chief inspector of Buildings. With his impressive background experience in regulating both Major hazards Industries and Construction he brings a wealth of experience to this important new role. I very much look forward to working with Peter as the new Building Safety

Regulator is established as we move to establish a new regime where people can be confident that their homes are safe and fit for purpose”

Minister for Building Safety, Lord Greenhalgh said: *“I welcome the appointment of Peter Baker as the first national Chief Inspector of Buildings. Peter will use his and HSE’s wealth of experience to implement a tougher regulatory regime. I look forward to working with Peter and his team to ramp up engagement with residents and the sector as part of the biggest changes to building safety in a generation, backed by our £5 billion investment to fully fund the cost of replacing unsafe cladding for all leaseholders in residential buildings 18 metres (6 storeys) and over in England. We have a comprehensive plan to remove unsafe cladding, support leaseholders, restore confidence to this part of the housing market and ensure this situation never arises again.”*

(ends)

Notes to Editors

1. The creation of the Building Safety Regulator (BSR) is a key component of the Government’s reforms of the building safety system following the Grenfell Tower tragedy and the recommendations in Dame Judith Hackitt’s report of her independent review into building regulation and fire safety.
2. The BSR and its functions from part of the draft Building Safety Bill published in July 2020 to implement the biggest change to building safety for 40 years. HSE is leading the work to design, develop and deliver the BSR functions on behalf of Government and is recruiting across a wide range of roles and expertise to make sure the new building safety regime is fit-for-purpose. It is working with industry, the Ministry of Housing, Communities and Local Government, Home Office, local authorities, fire and rescue services, residents and other stakeholders to pave the way for the fully-fledged regulator.
3. 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. [hse.gov.uk](https://www.hse.gov.uk)
4. HSE already has a role in relation to specific aspects of building safety. HSE regulates workplace health and safety in the high-risk construction industry, the natural gas supply industry, the safety of domestic gas installations, and work with asbestos in buildings.
5. For the [draft Building Safety Bill](#)^[1] visit gov.uk.
6. HSE is an Executive Non-Departmental Public Body sponsored by the Department for Work and Pensions (DWP). Further information about HSE and its Board can be found at: <https://www.hse.gov.uk/aboutus/hseboard/board.htm>
7. The appointment of the Chief Inspector of Buildings was made following an open recruitment process. The Commissioner for Public Appointments regulates all appointments made by the Secretary of State to SSAC. All such appointments are made in accordance with the Code of Practice

published by the commissioner. The code is based on three core principles – merit, openness and fairness.

The post [HSE announces new Chief Inspector of Buildings](#) appeared first on [HSE Media Centre](#).

[Landlord fined following gas concerns at rental property](#)

A landlord has been sentenced for failing to maintain gas appliances at a rental property in accordance with the law.

Swansea Magistrates' Court heard that between 3 May 2017 and 28 June 2017 inspectors from the Health and Safety Executive (HSE) and Gas Safe Register inspected a property at Penlan, Swansea. They found a gas cooker which was not to current standards, a boiler which was found to be a risk which may constitute a danger to life, and installation pipework considered to be immediately dangerous, exposing the tenant and others to potentially fatal exposure to carbon monoxide.

A HSE investigation found that the landlord, Mr Tariq Shehadeh, failed in his duty to have the gas appliances regularly inspected or maintained, and failed to provide a Landlord Gas Safety Record, all of which are legal requirements. Mr Shehadeh later complied with Improvement Notices which required he take action to deal with these issues.

Mr Tariq Shehadeh of Abu Hamour, Doha, Qatar pleaded guilty to breaching Regulations 28, 36(2), 36(3) and 36(4) of the Gas Safety (Installation & Use) Regulations 1998. He has been given a 12-month custodial sentence, suspended for 2 years and ordered to pay the full costs of £14,883.30.

HSE inspector, Anne Marie Orrells, said after the hearing: "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."

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2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](https://www.legislation.gov.uk/)
3. HSE news releases are available at <http://press.hse.gov.uk>
4. For more information on gas health and safety, see <https://www.hse.gov.uk/gas/>

The post [Landlord fined following gas concerns at rental property](#) appeared first on [HSE Media Centre](#).

[Construction firms fined due to unsafe removal of asbestos](#)

A construction company and a property management company have both been fined after failing to manage asbestos safely during a refurbishment of a former office block in Stockport.

Manchester Magistrates' Court heard how Samer Constructions Limited had been contracted by Swift Property Management MCR Ltd to refurbish the property in Hazel Grove, Stockport. Materials containing asbestos along with general waste had been discarded from the property, on and before 2 August 2018, and were spread across the roof of a one storey part of the block. Some of the materials had also fallen onto a car park area below that was not segregated from passing members of the public.

An investigation by the Health and Safety Executive (HSE) found that an asbestos survey carried out on 31 May 2018 identified the presence of asbestos containing materials (ACM's) including licensed ACM's, but this had not been passed to Samer Constructions Ltd prior to work being carried out. Swift Property Management MCR Ltd failed in its duty to pass the survey onto the contractor prior to work commencing. Samer Constructions Limited failed

in its duty to identify whether a survey had been undertaken and went ahead with the work in a reckless manner resulting in two employees being exposed to asbestos fibres.

Swift Property Management Limited of Denison Road, Manchester pleaded guilty to breaching sections 2(1) and 3(1) of the health and Safety at Work etc. Act 1974. The company was fined £25,000 and ordered to pay costs of £3,428.

Samer Constructions Limited of Platt Lane, Manchester pleaded guilty to breaching sections 2(1) and 3(1) of the health and Safety at Work etc. Act 1974. The company was fined £12,000 and ordered to pay costs of £3,428.

Speaking after the hearing, HSE Inspector Phil Redman said: "These risks could so easily have been avoided by acting on the findings of the asbestos survey and carrying out correct control measures and safe working practices. 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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3. More information regarding asbestos health and safety can be found at <https://www.hse.gov.uk/asbestos/>
4. HSE news releases are available at <http://press.hse.gov.uk>

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NATIONAL GRID GAS SENTENCED OVER MISSING GAS NETWORK RECORDS

National gas utility company National Grid Gas plc has been fined for failing to ensure its records relating to gas risers in some high-rise multi occupancy building were up to date.

Liverpool Crown Court previous heard that in June 2017 the Health and Safety Executive (HSE) requested information from gas distribution network (GDN) companies about their management of gas networks in high rise multiple occupancy buildings (HRMOBs).

At the time of the offence National Grid Gas operated the nationwide gas transmission system and the gas distribution systems supplying gas to approximately half of the UK domestic and industrial gas customers, including the gas pipes in HRMOBs.

However, in 2016 National Grid Gas sold part of its operations to Cadent Gas Ltd, this included the activities which the failings relate to. HSE's investigation revealed the incomplete records were transferred to Cadent by National Grid Gas when they sold their gas networks to Cadent. The system had not been subject to any audits or reviews when the records issue came to light in December 2017. As such Cadent were continuing to inspect only the buildings on the existing database.

After HSE had requested the information, it found that Cadent's management records were incomplete and found that records on 769 buildings were missing, meaning gas risers in these HRMOBs had not been subject to a condition survey, inspection or routine maintenance for a number of years.

Additionally, the investigation found that National Grid Gas had failed to ensure that 112 HRMOBs had Pipeline Isolation Valves (PIVs) so that gas to these buildings could be isolated in the event of an incident.

As a result of this, HSE undertook a criminal investigation that considered the risk that residents and members of the public were exposed to as a result of breaches to Health and Safety legislation. Enforcement notices were issued in April 2018 requiring Cadent to take remedial action. Cadent took appropriate action and complied with the notices by September 2018.

National Grid Gas plc of 1-3 Strand, London, WC2N 5EH pleaded guilty to breaching Section 3(1) of the Health and Safety at Work etc Act 1974 on 06 November 2020. Today they were fined £4 million with £91,805 costs at Liverpool Crown Court.

After the hearing, HM principal inspector for HSE, Julie Voce said: "This case had wide ranging implications. Our investigations found that people

living and working in the high-rise buildings where the failings took place were not protected from the risk of gas leaks.

“National Grid Gas did not have a robust system for recording the details of the gas pipes within these buildings. Opportunities arose where National Grid Gas identified data errors, but these were never satisfactorily acted upon, and opportunities to correct the situation were missed.

“This sentence reflects how important it is when companies are charged with ensuring records that could keep people safe and well are up to date, that they make that task a priority.”

ENDS

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3. HSE news releases are available at <http://press.hse.gov.uk>
4. In 2018 Ofgem commenced its own investigation into breaches of licence conditions. The findings of the Ofgem investigation were published in May 2019 and Cadent paid a financial penalty to Ofgem of £24 million and agreed to set up a community fund of £20 million to support customers in vulnerable circumstances.

The post [NATIONAL GRID GAS SENTENCED OVER MISSING GAS NETWORK RECORDS](#) appeared first on [HSE Media Centre](#).