

# Illegal gas work left a Devon home in dangerous state

A self-employed property maintenance contractor has been sentenced after arranging and being in control of gas work that his contractors were not registered or competent to do, leaving it in a dangerous condition.

Exeter Crown Court heard how Nigel Borrough, the sole director of Collier Property Management Ltd, quoted for a kitchen re-fit which included the removal of an old gas boiler and the installation of a new gas boiler and hob. The work was undertaken during August 2017 with Mr Borrough using a number of different contractors to assist with the work. The person he got to undertake the gas work was not a member of Gas Safe Register.

When the homeowners requested the commissioning documents for the new gas boiler, Mr Borrough failed to provide these documents. Only after nine requests and 46 days after the boiler was left working but not commissioned, did Mr Borrough reply to the homeowners and arrange for a landlord's gas safety check to take place. However, a landlord's gas safety check is a visual check and is not the same as commissioning a gas boiler. A landlord's gas safety check does not include any of the necessary commissioning gas safety tests, such as combustion analysis and operating gas pressure.

The homeowners subsequently experienced issues with the boiler and again tried to contact Mr Borrough but without a satisfactory response. The homeowners then arranged for a properly registered gas engineer to inspect the work and found it to be of poor standard and classed it as 'immediately dangerous'. It was found that there was no access panel to allow a flue inspection. There were also a number of 'at risk' defects on the boiler and hob.

An investigation by the Health and Safety Executive (HSE) found that there was no record for the contractor who did the gas works ever having been registered with Gas Safe Register.

Nigel Borrough of Hockworthy, near Wellington pleaded guilty to breaching Regulation 4 of the Gas Safety (Installation and Use) Regulations 1998 and Regulation 3(1) of the Health and Safety at Work (etc) Act 1974. He has been sentenced to 200 hours of unpaid community work and ordered to pay costs of £4,500.

Speaking after the hearing, HSE inspector Simon Jones, said: "Mr Borrough was in control of unregistered gas work.

"As a property professional he knew full well that the gas work must be undertaken by a member of Gas Safe Register but despite this he put the homeowners at serious risk by using a completely unqualified person to undertake his gas work.

“All gas work must be done by a registered Gas Safe engineer to ensure the highest standards are met to prevent injury and loss of life. If a gas boiler is not properly commissioned it should never be left operating as no one can be sure that it is working safely.”

#### **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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