

# Plumbing and heating contractor fined for carrying out illegal gas work

An unregistered plumbing and heating contractor has been fined for carrying out illegal gas work that put a number of homes at risk.

Truro Crown Court heard that, from January 2017 to October 2018, Darren Masters, trading as D Masters Plumbing and Heating Limited, carried out gas work at four homes in Newquay, Cornwall, despite not being registered as a Gas Safe engineer.

Registration with Gas Safe Register ensures engineers are qualified for the work they intend to carry out, ensuring that gas work is carried out to an appropriate standard and the public are not put at risk of serious harm.

An investigation by the Health and Safety Executive (HSE) found that Mr Masters falsely asserted he was Gas Safe Registered in the course of dealing with customers, including signing off documentation with false Gas Safe registered engineer numbers. The investigation concluded Mr Masters also misrepresented himself as sufficiently competent to carry out the services.

Darren Masters of Hannaford Close, St Columb Major, pleaded guilty to breaching Regulations 3(1), 3(3), 3(7) and 26(1) of the Gas Safety (Installation and Use) Regulations 1998, and consequently Section 33 (1) (c) of the Health and Safety at Work etc Act 1974.

Masters was sentenced to 22 and a half months in prison, suspended for two years. He was ordered to carry out 200 hours of unpaid work. He was also ordered to pay £11,902.00 in compensation and full costs of £9,068.50.

Speaking after the hearing, HSE inspector Paul Mannell said: "Darren Masters was in control of gas work despite not being Gas Safe registered. Shockingly, he misled residents about his credentials.

"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."

## **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. [hse.gov.uk](http://hse.gov.uk)
2. More about the legislation referred to in this case can be found at: [legislation.gov.uk/](http://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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## [Client and construction company sentenced after failing to control the removal of asbestos](#)

Property owner Michael Cutmore and building contractors B and S BM Limited have both been sentenced after a refurbishment project of an old hotel was found to contain asbestos containing materials (ACMs) on site while work was still taking place.

Truro Crown Court heard that during September 2017 a property in Island Crescent, Newquay was to be partially demolished and refurbished under the control of one of its owners, Michael Cutmore. The hotel had been left derelict for several years, allowing it to be subject to vandalism and squatting and had been soft-stripped by its owner. Asbestos surveys identified the presence of ACMs, but these were not managed appropriately nor removed prior to the work. Local building contractors, B and S BM Limited were appointed by the hotel's second co-owner to carry out works in half of the property while Mr Cutmore himself also stripped asbestos from within the former hotel.



During a proactive inspection, the Health and Safety Executive (HSE) identified that the former hotel was being refurbished and partially demolished whilst ACMs remained in-situ. Some of these ACMs were licensable products (e.g. asbestos insulating board which contains amosite). Due to the extent of the spread of asbestos dust and debris throughout the building and the lack of adequate control measures, workers and visitors to the properties were at risk of exposure to asbestos fibres.

B and S BM Limited of Prow Park, Newquay pleaded guilty to breaching Sections

2(1) and 3(1) of the Health and Safety at Work Act 1974. The company was fined £22,000 and ordered to pay costs of £5,000.

Michael Cutmore of Mount Wise, Newquay pleaded guilty to breaching S3(2) of the Health and Safety at Work Act 1974 and has been ordered to carry out 120 hours unpaid work and ordered to pay costs of £7,500.

Speaking after the hearing HSE inspector Georgina Speake said, "Companies should be aware that HSE will not hesitate to take appropriate enforcement action against those that fall below the required standards.

"The dangers associated with asbestos are well known and a wealth of advice and guidance is freely available from HSE and other organisations."

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## **College fined for asbestos failings**

Newnham College has been fined for failings that exposed employees and subcontractors to asbestos during refurbishment of a flat owned by the college.

Cambridge Magistrates' Court heard that in March 2018, employees of Newnham College and subcontractors were carrying out a refurbishment of a flat on Grange Road, Cambridge when asbestos insulation debris was discovered in the floor voids after work had been carried out in them. No asbestos refurbishment survey was carried out prior to insulation debris being found. One employee, who contaminated his gloves and clothing with loose asbestos debris, did not have asbestos awareness training and spread asbestos from his clothing outside the flat.

An investigation by the Health & Safety Executive (HSE) found that there was inadequate planning and management of the refurbishment work of a flat on Grange Road, Cambridge when asbestos insulation debris was discovered in the floor voids after work had been carried out in them.

Newnham College of Sidgwick Avenue, Cambridge, pleaded guilty to breaching Regulations 5 and 16 of the Control of Asbestos Regulations 2012. It has been fined £12,000 and ordered to pay costs of £4,450.28.

Speaking after the hearing, HSE inspector Sandra Dias said: "Asbestos surveys need to be carried out prior to refurbishment works which disturbs the fabric of a building. Asbestos is still present in hidden locations in buildings and needs to be located before work starts that could potentially expose individuals.

"Asbestos related diseases are currently untreatable and claim the lives of an estimated 5,000 people per year in the UK."

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4. Further information on asbestos can be found at: <http://www.hse.gov.uk/asbestos/>

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## [Shipping company fined after worker fell from height and suffered life changing injuries](#)

A shipping company was fined for safety breaches after a worker was paralysed from the waist down when he fell 3.4 metres to the bottom of a ship's hold.

Beverley Magistrates' Court heard that on 15 May 2017, the 28-year-old

worker, a stevedore employed by Thor Shipping and Transport UK Ltd, was unloading Merchant Vessel Frej at No 3 Quay, Hull Docks. He lost his footing and fell through an access ladder gap in the walkway and fell to the bottom of the hold.



An investigation by the Health and Safety Executive (HSE) found that for the stevedores to inspect all the cargo from port to starboard it was custom and practice for them to step over an access ladder gap on the walkway to get to the other side. The stevedore made his way along the walkway and went to step over the gap. He was astride the gap, holding onto the guard rail, when his high-vis jacket got caught on an eyebolt on the rails. He took his hand off the rail and turned to free his jacket when he lost his footing and fell through the gap to the bottom of the hold.

Thor Shipping and transport UK Ltd of Stone House, North Street, Goole pleaded guilty to breaching Regulation 6(3) of the Work at Height Regulations 2005 and to Regulation 3(1)(a) of the Management of Health & Safety at Work Regulations 1999. The company has been fined £120,000.

After the hearing, HSE inspector Denise Fotheringham commented: "Falls from height often result in life-changing or fatal injuries.

"In most cases, these incidents are needless and could be prevented by properly planning the work to ensure that effective preventative and protective measures are in place."

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## [Sheffield company fined £700,000 after worker killed](#)

Chesterfield Special Cylinders Ltd was fined £700,000 today for safety breaches after a 64-year-old worker was fatally wounded by shrapnel ejected from testing equipment.

Sheffield Crown Court heard that on 10 June 2015, John Townsend was leak testing eight 1500 litre cylinders, by applying compressed air inside to create pressure, at the company's Sheffield site. Whilst in the process of venting the air through the test manifold, it catastrophically failed and fatally injured Mr Townsend.

An investigation by the Health and Safety Executive (HSE) found that prior to installing the fittings, 1.5 litres of a mineral oil-based corrosion inhibitor had been placed into each of the cylinders. The incident occurred because the inhibitor contaminated the leak test manifold during venting of cylinders and was subjected to enough pressure inside the manifold to ignite and cause the test equipment to fail.

Chesterfield Special Cylinders Ltd of Meadowhall Road, Sheffield was found guilty of breaching Section 2 (1) of the Health & Safety at Work etc Act 1974. The company was fined £700,000 with full costs of £169,498.82.

After the hearing, HSE inspector Eddy Tarn commented: "This was a tragic and wholly avoidable incident, caused by the failure of the company to identify any additional risks that arise when work processes are adapted.

"Companies should accurately identify and control all potential hazards in the workplace and thereafter monitor performance through effective supervision."

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