

Virgin Active fined for health and safety failure at Omni Centre

Virgin Active Limited has been fined £20,000 at Edinburgh Sheriff Court after it failed to adequately control hazardous substances at their premises in the Omni Centre on Leith Street, Edinburgh.

The City of Edinburgh Council's Food Health and Safety Team investigated an incident in February 2010 where Polyaluminium Chloride was wrongly mixed with a swimming pool disinfectant, Sodium Hypochlorite. This produced toxic Chlorine gas, risking serious harm to employees and members of the public using the facilities. Several people were treated in hospital after the incident, which prompted a large-scale co-ordinated response by the emergency services.

The investigation showed that there had been serious failures in the way the hazardous substances were managed and controlled. Virgin Active Limited entered a guilty plea to a charge on indictment and was found to have failed to:

- Identify the risks of Polyaluminium Chloride, Sodium Carbonate and Calcium Chloride.
- Identify the risk of the production of toxic chlorine gas from the inadvertent mixing of Polyaluminium Chloride with the disinfectant Sodium Hypochlorite, despite these risks being well documented.
- Recognise that Polyaluminium Chloride, Sodium Carbonate and Calcium Chloride are hazardous substances that were not required for work activity or process and should have been removed from the premises.
- To label both a loading point connection (for pumping Sodium Hypochlorite from a tanker to a bulk tank) and a

bin used for Sodium Bisulphate with the necessary safety information and product identity.

Sheriff McKinnon said that Virgin Active Limited was responsible for 'a very serious breach of the Controls of Substances Hazardous to Health Regulations', and that the fine should reflect this. He also confirmed that the fine was discounted from £30,000 on account of the guilty plea.

Environment Convener, Councillor Lesley Hinds, said:- "These failings are totally unacceptable and it is only fair that the fine imposed reflects the severity of circumstances.

"It is vital that all leisure companies fulfil their responsibilities to provide a safe environment for patrons and staff. We will not hesitate to act when our investigations show that this is not the case."