



EMPLOYMENT TRIBUNALS

Claimant

Respondent

Mr Shabir Ahmed

v

Tania Bernice Shiffer

Miss Bethany Ahmed

**(One of His Majesty's Inspectors of
Health and Safety)**

Heard: In Leeds

On:

7 to 9 August 2023

Before:

Employment Judge JM Wade

Mr W Roberts

Mr M Taj

Representation:

Appellants: In person

Respondent: Mr L Hughes, counsel

The unanimous Judgment of the Tribunal is:

JUDGMENT

1 The notices N-TBS-300123-01 and N-TBS-300123-01A served by the respondent on the appellants on 30 January 2023 are affirmed subject to the following modifications:

In 300123-01A "Mrs" is replaced by "Miss"; and in both notices:

After "and the matters which give rise to the said risks are:" substitute:

"The chimney at the front of the property is supported by a piece of timber under the chimney's mid feathers;

The rear chimney has about 1.5m of chimney remaining on the second floor and again not supported on the underside; and

The rear chimney is not supported between first and second floors;

And there is a risk of local collapse of the chimney structures/masonry and injury from falling masonry, rendering the property structurally unstable or weakened and unsafe."

2 The appellants shall by **30 August 2023** provide to the respondents any documents on which they rely in connection with their opposition to the oral application for costs made on behalf of the respondent today.

- 3 The respondent shall **by no later than 13 September 2023** provide to the Tribunal and the appellants either a) an application for costs in writing together with any consequent schedule of costs and confirmation of which type of decision, papers or attended hearing, she seeks; or b) confirmation that a costs application is not pursued.
- 4 If the costs application is pursued, the appellants may then submit to the Tribunal and the respondent any further grounds of opposition by **27 September 2023 and confirmation of whether they wish the application to be decided by the Employment Judge without a hearing or by the full panel at a hearing at which they attend (or be represented).**
- 5 A decision/hearing date shall then be fixed as soon as practicable before the full Tribunal or the Judge alone as appropriate with a time estimate of three hours/two hours respectively.

Employment Judge JM Wade

9 August 2023

Note: the reasons for the Judgment above were provided at the time. A request for written reasons has been made by the appellants and will be provided in due course. Judgments and written reasons are published on the Tribunal's website shortly after they are made available to the parties.