

NEWSLETTER

HIGHLIGHT

- Construction company and two workers sentenced after worker suffers electric shock
- Building firm fined after workers were put at risk during warehouse renovation, and for breaching Prohibition Notice
- Construction company fined after worker falls through fragile roof

FEATURED SERVICES

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Construction Company & Two Workers Sentenced after Worker Suffers Electric Shock

A construction company and two workers have been sentenced after a worker suffered an electric shock whilst working on a farm.

On 30 September 2019 an employee of Connop and Son Limited was working on Worton Grounds Farm, Deddington, Banbury, Oxon and pouring concrete when the floating arm of a mobile concrete pump came into contact with an overhead powerline.

As a result, the employee received an 11,000-volt shock which caused him to lose consciousness. His colleagues had to perform CPR to resuscitate him at the scene. The man was later taken to Oxford Hospital where he was in a coma for six days and hospitalised for 10 days.

A Health and Safety Executive (HSE) investigation found that Connop & Son Limited fell far below the expected standard and failed to implement its own control measures documented within its risk assessment. Therefore, the company did not meet the requirements of regulation 14 of the Electricity at Work Regulations 1989.

The HSE investigation also found that Alexander Maddan, a sole trader, failed to plan, manage and monitor the construction phase and failed to ensure reasonably practicable control measures were in place. Additionally, Shaun Walker, a concrete pump operator, failed to take reasonable care for the health and safety of himself and others who were affected by his acts or omissions.

Connop and Son Limited, of Folly Farm, Eardisland, Leominster pleaded guilty to breaching regulation 14 of the Electricity at Work Regulations 1989. The company was fined £50,000 and ordered to pay costs of £5425 plus a victim surcharge of £181 at Oxford Magistrates' Court on 28 October 2022.

Alexander Maddan, of Deddington, Banbury, Oxon pleaded guilty to breaching regulation 13 (1) of Construction Design and Management Regulations 2015. Mr Maddan was fined £3,000 and ordered to pay costs of £525 plus a victim surcharge of £181 at Oxford Magistrates' Court on 28 October 2022.

Shaun Walker, of Swinford Leys, Wombourne, Wolverhampton pleaded guilty to breaching section 7 of the Health and Safety at Work Act. Mr Walker was handed a 12-month community order with a requirement to carry out 60 hours of unpaid work and ordered to pay costs of £2,000 plus a victim surcharge of £90 at Oxford Magistrates' Court on 28 October 2022.



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Construction Company & Two Workers Sentenced after Worker Suffers Electric Shock

Following the hearing, HSE inspector Steve Hull commented: “**Connop and Son Limited, Alexander Maddan and Shaun Walker could have ensured that the mobile concrete pump lorry was positioned outside an exclusion zone to prevent contact with the overhead powerline.**

“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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Building Firm Fined after Workers were put at Risk During Warehouse Renovation, and for Breaching Prohibition Notice

A building firm has been fined after putting workers working at height at risk during the refurbishment of a former warehouse building in London and for breaching a Prohibition Notice.

Shiva Ltd, a property investment company, were using a site-made cradle during the renovation of the five-story building on Bermondsey Street in the south-east of the capital. Cradles are temporary suspended work access platforms widely used in the construction industry, which are commonly suspended from cables and raised and lowered into position by winches.

However, Westminster Magistrates' Court heard that on and before 26 February 2019, the company put operatives at risk of falling from height while unsafely refurbishing the front façade of the building.

Despite being served with a prohibition notice by the Health and Safety Executive (HSE) the company continued the work the following day.

An investigation by the HSE found that workers were at significant risk of falling from height by manually lifting the cradle from the open edge of the roof and working from height near unprotected openings; and that the work was not appropriately supervised. The company also obstructed justice by refusing to allow the HSE inspector access to the site.

As such, Shiva Ltd failed to ensure the health, safety, and welfare of those carrying out the work.

On 10 October Shiva Ltd of Lincoln Tower, Westminster Bridge Road, London, pleaded guilty to breaching Sections 2(1) and 3(1) of the Health and Safety at Work etc Act 1974, and breaching the Prohibition Notice. They were fined £46,000 and ordered to pay costs of £24,688.10.

Speaking after the hearing HSE Inspector Sharon Boyd said: **"Inspectors will not hesitate to take appropriate enforcement action against duty holders who fall below the required standards and put lives at risk."**

"Working at height remains one of the biggest causes of fatalities and major injuries. In 2021/22, falls from height accounted for 29 fatal injuries in the workplace."



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Construction Company Fined after Worker Falls Through Fragile Roof

A construction company from Leicestershire has been fined £80,000 after an employee suffered serious injuries falling through a fragile roof.

An employee of Cairns Heritage Homes Limited was carrying out a repair to the roof of Nottingham Recycling Limited on 1 August 2019 when he fell approximately 7m to the floor below. A scaffold tower had been constructed for access to the roof but there were inadequate measures in place to ensure that the work would be completed safely. The worker accessed the roof, attempting to devise his own ad-hoc working methods which included constructing a makeshift ladder/staging system from wooden planks.

An investigation by the Health and Safety Executive (HSE) found that Cairns Heritage Homes Limited had been contracted to repair the roof of the recycling plant while a 'bailing machine' was not being used.

Serious deficiencies in the planning and supervision of this work were identified together with the absence of a safe system of work. There were insufficient measures to prevent a fall or minimise the distance or consequences of a fall such as safety netting. The makeshift staging provided by the employee was insufficient and failed to prevent a fall through the fragile roof panels Resulting in them sustaining serious injuries.

Cairns Heritage Homes Limited, of Rectory Place, Old Parsonage Lane, Hoton, Loughborough, Leicestershire pleaded guilty to breaching Section 2(1) of the Health and Safety at Work etc Act 1974. They were fined £80,000 and ordered to pay costs of £9,981 at Nottingham Magistrates' Court on 28 September 2022.

Speaking after the hearing HSE Inspector Philip Gratton said: **"Work on fragile roofs accounts for around a fifth of all fatal incidents that occur in the construction industry. Those in control of work on fragile roofs and other work at height have a responsibility to devise safe methods of work and to provide the necessary information, instruction, training, and supervision of their workers."**

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



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