



Hurst Setter & Associates Ltd

Health Safety & Environmental Newsletter

September 2021

Hurst Setter aims to provide commercially sound health and safety advice, practical on-site assistance, and training services to help clients to improve their overall health, safety and environmental performance and business efficiency. Health & safety is no longer a business where you just find fault and try to 'stop the job', it is now a role where a common sense approach needs to be applied to ensure a job can be completed safely ensuring that everyone returns home from work to their families at the end of the working day.

At the same time as being an external consultancy who are used for expert advice, we also work really hard to ensure they are part of the team for all clients. Hurst Setter pride themselves in being able to use expert knowledge of the industry and legislation to be a cog in the wheel to help our clients achieve their health & safety goals.

The company was established in 1992, we have an experienced team of professional staff throughout the UK with our Head Office in Burton upon Trent, subsidiary offices in Yorkshire and Wiltshire, along with field staff working throughout the UK. In this way we can offer a national coverage to large national based clients.

Our mission is to provide competent health, safety & environmental advice to our clients. We focus primarily on construction, project management and property management sectors.

We provide an extensive range of training including CITB accredited training courses as well as inhouse courses.

Health & Safety Services

At Hurst Setter we provide a range of services that covers the entire spectrum of health and safety provision. Our services include:

- Site Audits & Site Inspections.
- Retainer Service & Assistance with SSIP Accreditation, CHAS, SMAS etc.
- Support with H&S Documentation, Risk Assessments, Policy & Procedure.
- H&S Management Systems.
- Training Courses including CITB, First Aid, Mental Health, and In-House Training Courses, including remote courses during COVID 19.
- Environmental Services, Advice & Support.
- CDM 2015 Services, Advice & Support.
- Other Services Upon Request.

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The HSE & SHP website is gratefully acknowledged as a primary sources for information



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Site Manager & Safety Consultant Jailed After Labourer's Death

A company co-owner and a health and safety advisor have been jailed following the death of a labourer in Fulham in December 2010.

Thirty-seven-year-old Anghel Milosavlevici was crushed to death while working on a basement excavation in Ellerby Street, Fulham. The excavations were not properly supported and collapsed, crushing and trapping Mr Milosavlevici. The emergency services were called but he was pronounced dead at the scene.

Southwark Crown Court heard on 4 December how Mr Conrad Sidebottom of Siday Construction Ltd who was also the site manager, was aware of the dangerous state of the excavations, but took no steps to ensure it was safe. It was also heard that Mr Richard Golding, a qualified health, and safety advisor employed by AllDay Safety Services Ltd, was also aware of the risks as he was responsible for drafting the method of work statement.

This document was found to be inadequate and was not followed, despite him having the authority to stop dangerous works, which he failed to do.

The HSE said that:

- The method statement included information that was copied and pasted from a document relating to a previous basement job undertaken by SIDAY.
- The method statement was prepared without reference to any temporary works engineer drawings or schemes in relation to the propping and shoring temporary works that would be needed on site. This was to be added by SIDAY at a later date according to the method statement – but this did not happen. The method statement was therefore inadequate.
- The method of work was changed when on site, meaning that people were digging with buckets and spades, making the need for adequate propping, and shoring even more important.
- Mr Golding visited the site monthly. His last visit to the site was nine days before the incident on 23 November 2010. He maintained in interview and in court that he was unaware of any excavations apart from a shallow trial pit at the front of the building, despite the main contractor's (PRODG Ltd) photos showing a number of deep unshored and unpropped excavations.
- Mr Golding did not take action even though the method statement was not being followed and he did not question the temporary works.

On sentencing the Judge said that Mr Golding's defence (in relation to seeing no excavations on site) was "ludicrous" and that his failure to do anything when on site showed a level of disregard to the workforce that was "staggering".

Co-owner of Siday Construction Ltd, Conrad Sidebottom, 46, of Park Road, Hertford, was found guilty of manslaughter on 2 December and was sentenced to three years and three months in jail. Richard Golding, 43, of Hadleigh, Benfleet, Essex was found guilty of exposing another to a risk of health and safety and was jailed for nine months.

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Structural Stability During Excavations

What you need to do

The law says you must prevent danger to workers in or near excavations. To maintain the required precautions, a competent person must inspect excavation supports or battering at the start of the working shift and at other specified times. No work should take place until the excavation is safe.

Commercial clients must provide certain information to contractors before work begins. **This should include relevant information on:**

- Ground conditions.
- Underground structures or water courses.
- The location of existing services.
- This information should be used to during the planning and preparation for excavation work.

Key issues are:

- Collapse of excavations
- Falling or dislodging material
- Falling into excavations
- Inspection

What you need to know

Every year people are killed or seriously injured by collapses and falling materials while working in excavations. They are at risk from:

- Excavations collapsing and burying or injuring people working in them.
- Material falling from the sides into any excavation.
- People or plant falling into excavations.

Remember:

- No ground can be relied upon to stand unsupported in all circumstances.
- Depending on conditions, a cubic metre of soil can weigh in excess of 1.5 tonnes.
- Trenchless techniques should always be considered at the design stage as they replace the need for major excavations.

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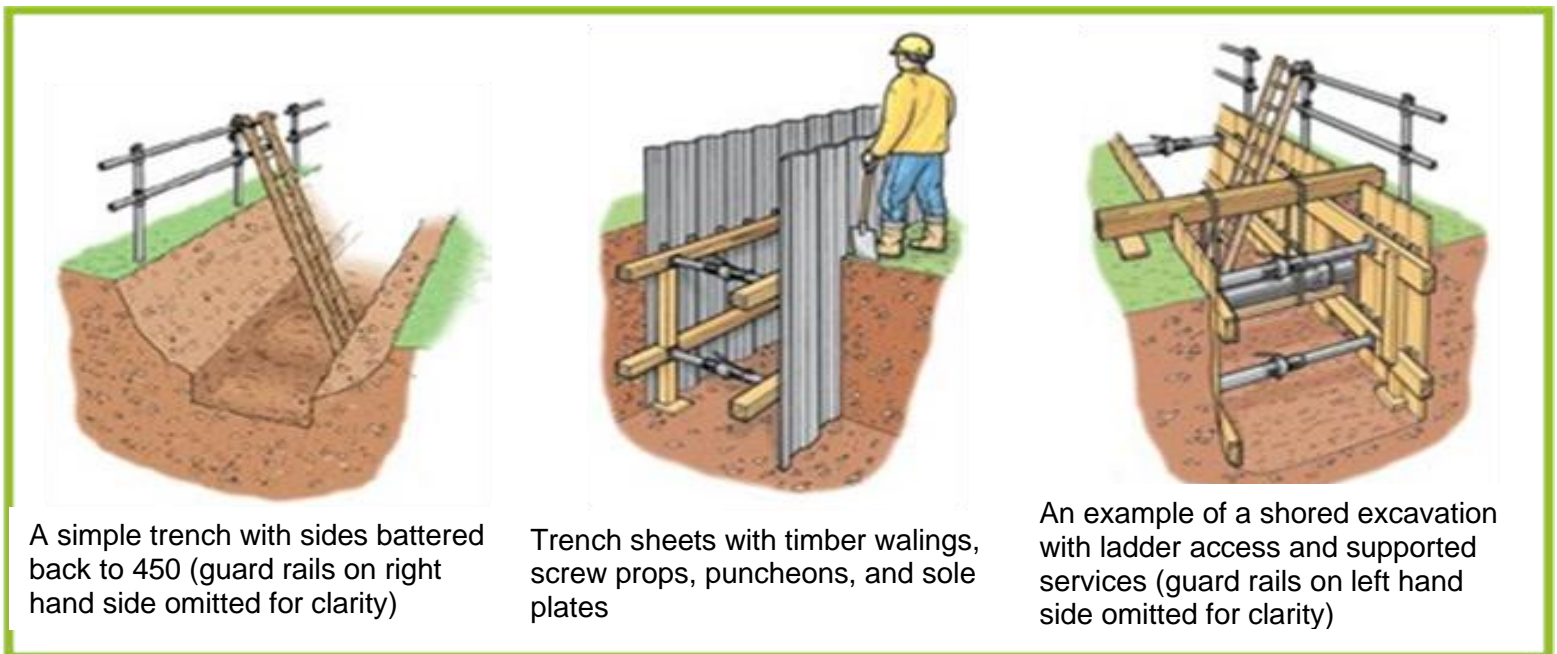
- Underground and overhead services may also present a fire, explosion, electrical or other hazard and will need to be assessed and managed.

Collapse of excavations

Temporary support – Before digging any trench pit, tunnel, or other excavations, decide what temporary support will be required and plan the precautions to be taken. Make sure the equipment and precautions needed (trench sheets, props, baulks etc) are available on site before work starts.

Battering the excavation sides – Battering the excavation sides to a safe angle of repose may also make the excavation safer.

In granular soils, the angle of slope should be less than the natural angle of repose of the material being excavated. In wet ground a considerably flatter slope will be required.



Falling or dislodging material

Loose materials – may fall from spoil heaps into the excavation. Edge protection should include toe boards or other means, such as projecting trench sheets or box sides to protect against falling materials. Head protection should be worn.

Undermining other structures – Check that excavations do not undermine scaffold footings, buried services or the foundations of nearby buildings or walls. Decide if extra support for the structure is needed before you start. Surveys

of the foundations and the advice of a structural engineer may be required.

Effect of plant and vehicles – Do not park plant and vehicles close to the sides of excavations. The extra loadings can make the sides of excavations more likely to collapse.

Bad practice

Inadequate shoring of this excavation and others like it led to the collapse of an adjoining 3-storey property (see picture, right). Luckily, no one was injured.

The construction company and its director were fined £90 000 each, ordered to pay costs of £14 444, and compensation of £3000 to each of the three displaced residents of the flats.



Falling into excavations

Prevent people from falling – Edges of excavations should be protected with substantial barriers where people are liable to fall into them. To achieve this, use:

- Guard rails and toe boards inserted into the ground immediately next to the supported excavation side.
- Fabricated guard rail assemblies that connect to the sides of the trench box.
- The support system itself, e.g. using trench box extensions or trench sheets longer than the trench depth.

Inspection

A competent person who fully understands the dangers and necessary precautions should inspect the excavation at the start of each shift. Excavations should also be inspected after any event that may have affected their strength or stability, or after a fall of rock or earth. A record of the inspections will be required and any faults that are found should be corrected immediately.

Working around Trees and Hedgerows

Did you know?

Trees and hedgerows are an important part of the environment and the countryside. They provide a vitally important habitat for wildlife and many trees and hedgerows are protected by legislation enforced by the local authority. They provide shelter and pathways for insects, amphibians, mammals, and birds.



What do you need to do?

Always check:

- Before felling any trees or removing any hedgerows to ensure permission has been obtained.
- Before excavating near to trees and hedgerows, check for nesting birds and if any are found stop work immediately.

Why does it matter?

You can cause environmental harm - During certain times of the year trees and hedgerows may contain nesting birds. Nesting birds are protected by law against disturbance.

You can be prosecuted - It is illegal to cut down or wilfully damage trees protected by law under a Tree Preservation Order, trees in a conservation area or to pull up certain countryside hedges except with the consent of the local planning authority.

There is a safety risk - Damaged trees may become unstable and potential hazards and can kill or injure people or animals. Trees can be damaged by compaction of roots and other damage to the root system, by pollution and through impact by machines.

Do

- Check what protection is required for trees and hedgerows before you start work.
- Ensure plant and machinery is kept out of any excluded areas.
- Store all fuels and oils and other potential pollutants away from root systems.
- Hand dig only around root systems.

Do not

- Undertake tree felling or hedgerow clearance without permissions in place.
- Never undertake tree felling or hedgerow clearance during the bird nesting season.

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