

Prosecution

Summary

Nexus were fined £1.5m on 23rd April 2021 for breaching health and safety legislation. The fine was in relation to the Company's failure to ensure the safety of staff at its South Gosforth Depot. The failure resulted in the death of one of its employees, Mr. John Bell on 6th July 2014. Mr Bell died whilst working at height and carrying out maintenance work on high voltage overhead cables. He was electrocuted after contacting a wire that should have been isolated and which he believed had been correctly isolated from the power supply, but, due to the incorrect installation of equipment, it was in fact live.

During ORR's investigation it found safety critical procedures were ignored and continued to be for a substantial period after the death. This included failures to allow work to be carried out without the appropriate instructions for staff to prevent injury; work being undertaken without the required safety critical permits; a lack of monitoring and supervision of safety critical work and serious inadequacies in policy documents covering 'live line working', which failed to include a requirement for staff to test all electrical wires before carrying out work.

Company

Tyne and Wear Passenger Transport Executive (trading as Nexus)

Breaches involved

1. Section 2(1) Health and Safety at Work etc. Act 1974

Date(s) of offence

Between the 1st of January 2013 and 16th January 2015

Plea

Guilty

Result

Nexus were convicted of an offence under Section 2(1) Health and Safety at Work etc. Act 1974

Court

Newcastle Crown Court

Sentencing date

23rd April 2021

Penalty

£1.5 million

(large company – sentenced in high/ Harm Category 1 range)

Costs

£172,390.98

Location of offence

Address:

South Gosforth Maintenance Depot, Cheswick Road, Newcastle on Tyne

ORR details

ORR Team

ORR Directorate: Railway Safety Directorate