

Prosecution



Summary

Amey Rail Limited were fined £600k on 12th November 2021 for breaching health and safety legislation. The fine was in relation to the Company's failure to ensure lifting operations involving lifting equipment were properly planned, appropriately supervised, and carried out in a safe manner.

It followed an incident which occurred on 21st October 2018, in which a road rail excavator vehicle overturned during an unsafe lift outside Market Harborough Station on the Midland Main Line. The vehicle's operator had to be pulled from the cab, and fortunately, despite several rail workers in the area, no one was seriously injured. The Company had been carrying out modifications to the track layout during the reconstruction of Market Harborough Station.

ORR's investigation into the incident found there was a late change in the equipment being used on the night of the accident, which had inadequate lifting capacity for the planned works. This critical change was not managed or communicated correctly. The investigation also revealed that the on-board safety systems on the excavators showing that the weight being lifted was exceeding what excavators could safely handle were ignored and disabled to enable the work to continue.

ORR also found that radio-based communication system between the Operators and the Lifting supervisor developed a defect. Despite replacement equipment available on site, work continued with the communications equipment in its failed state.

These failures led to one of the two excavators becoming overloaded beyond its capacity and toppling onto its side, trapping a worker in the cab, when undertaking a tandem lift of a track panel later established to be 39ft long, nearly twice the length planned for.

Company

Amey Rail Limited

Breaches involved

Regulation 8(1) of the Lifting Operations and Lifting Equipment Regulations 1998 and section 33(1)(c) Health & Safety at Work etc. Act 1974.

Date(s) of offence

On and before 21st October 2018

Plea

Guilty

Result

Amey Rail Limited were convicted of an offence under Regulation 8(1) of the Lifting Operations and Lifting Equipment Regulations 1998 and section 33(1)(c) Health & Safety at Work etc. Act 1974.

Court

Leicester Magistrates' Court

Sentencing date

12 November 2021

Penalty

£600k

(large company – sentenced in Medium culpability / Harm Category 2 range)

Costs

£15,119.49

Location of offence

Address:

The London (St Pancras) to Chesterfield railway line south of Market Harborough Railway Station, St Mary's Rd, Market Harborough

ORR details

ORR Team

ORR Directorate: Railway Safety Directorate