

Oliver Stewart
RAIB Recommendation Handling Manager



3 February 2023

Mr Andy Lewis
Deputy Chief Inspector of Rail Accidents

Dear Andy,

RAIB Report: Partial collapse of a bridge onto open railway lines at Barrow upon Soar, Leicestershire on 1 August 2016

I write to provide an update¹ on the action taken in respect of recommendation 2 addressed to ORR in the above report, published on 6 June 2017.

The annex to this letter provides details of actions taken in response to the recommendation and the status decided by ORR. The status of recommendation 2 is **'Closed'**.

We do not propose to take any further action in respect of the recommendation, unless we become aware that any of the information provided has become inaccurate, in which case I will write to you again.

We will publish this response on the ORR website on 6 February 2023.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Oliver Stewart', written in a cursive style.

Oliver Stewart

¹ In accordance with Regulation 12(2)(b) of the Railways (Accident Investigation and Reporting) Regulations 2005

Recommendation 2

The intent of this recommendation is that future intrusive investigations and repairs of bridge structures take into account the potential risks of significant structural damage or collapse arising from a breach of a buried utility.

Network Rail should:

- a. review how it procures intrusive works to its structures carrying water (and other) utilities, and verify that the process provides for sufficient input by suitably qualified engineers to assess the risk to the structure from the proposed works;
 - b. review its process for determining the appropriate level of competence for site supervision of the works;
- and c. address any deficiencies found.

ORR decision

1. Network Rail have carried out a review of its procedures for procuring intrusive works to structures carrying water and other utilities and concluded that they provide for sufficient input by suitably qualified engineers to assess the risk to the structure from the proposed works. Network Rail concluded that the incident at Barrow upon Soar occurred because the procedures were not correctly followed rather than any shortcoming with the procedures themselves. When challenged to provide evidence to support this conclusion, Network Rail provided an update on 19 July 2022 identifying each non-compliance and the consequence of that failure in contributing to the incident. On that basis, we are content that Network Rail have carried out a suitable and sufficient review as required by this recommendation.
2. Network Rail identified further actions to improve compliance, which have been and are being progressed. Since these actions do not relate to any required changes to procedures, we are satisfied the recommendation has been implemented.
3. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Network Rail has:
 - taken the recommendation into consideration; and
 - has taken action to implement it

Status: Closed.

Previously reported to RAIB

4. On 15 April 2020 ORR reported that Network Rail were carrying out a review of how it procures intrusive works to structures carrying utilities.

Update

5. Network Rail sent ORR the following closure statement dated 15 May 2022 and supporting document:



[N201-05] Barrow upon Soar Rec 2.doc



[N201-05] Barrow upon Soar Rec 2 Cont

6. On 19 July 2022 Network Rail sent the following further response to support the closure statement:



Rec 2 Barrow Upon Soar ORR Response (I

Previously reported to RAIB

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- and c. address any deficiencies found.

ORR decision

1. Network Rail is carrying out a review of how it procures intrusive works to structures carrying utilities.
2. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Network Rail has:
 - taken the recommendation into consideration; and
 - is taking action to implement it, but ORR has yet to be provided with a timebound plan.

Status: *Progressing*. ORR will advise RAIB when further information is available regarding actions being taken to address this recommendation.

Previously reported to RAIB

3. On 5 June 2018, ORR reported that Network Rail provided an initial response on 1 June 2018, but this did not give ORR time to carry out our usual governance procedures before the 12-month deadline for responding to RAIB by 5 June 2018.

Update

4. On 15 October 2019, Network Rail notified ORR that the timescale for completing the work was 31 December 2021:

Network Rail is undertaking a review of how it procures intrusive works to its structures carrying water (and other) utilities, and will verify that the process provides for sufficient input by suitably qualified engineers to assess the risk to the structure from the proposed works. The relevant standards and assurance processes will be reviewed and if necessary updated.

Network Rail has a competency review in progress and as part of this will review the process for determining the appropriate level of competence for site supervision of works.

Depending on the outcome of the review of the relevant standards and assurance processes any required training address any deficiencies found will be completed by Dec 2021.