

## PROSECUTION

|                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|---------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Summary</b>            | <p>On 2<sup>nd</sup> November 2016, an employee of the defendant was carrying out planned preventative maintenance work of bridges and structures along the northern line. Prior to the work being carried out, a site visit should have been conducted including the taking of photographs and surveying of issues such as access and working at height by the site person in charge. These issues were not considered and the subsequently produced work method statements were generic. Overall there was no proper planning, no adequate supervision and as a result, the employee fell approximately 14 feet and suffered multiple broken bones and a punctured lung. The defendant plead guilty and accepted that it did not take all reasonably practicable steps to ensure work at height was carried out safely</p> |
| <b>Company</b>            | Lanes Group PLC                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Breaches involved</b>  | Regulation 4(1) of the Work at Height Regulations 2005                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Date(s) of offence</b> | 2 November 2016                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Plea</b>               | Guilty                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Result</b>             | <p>Lanes Group PLC were convicted of an offence under Section 33(1)(c) of the Health &amp; Safety at Work etc. Act 1974 for failing to discharge its duty under Regulation 4(1) of The Work at Height Regulations 2005.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Court</b>              | Westminster Magistrates Court                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Sentencing date</b>    | 4 October 2019                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Penalty</b>            | <p>£400,000<br/>(very large organisation – sentenced in Medium Culpability/ Harm Category 2 range)</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Costs</b>              | £9896.19                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |

## **Location of offence**

**Address** Brent Cross Viaduct

## **ORR details**

**ORR Team**

**ORR Directorate** Railway Safety Directorate