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5 June 2018



Mr Andrew Hall  
Deputy Chief Inspector of Rail Accidents  
Cullen House  
Berkshire Copse Rd  
Aldershot  
Hampshire GU11 2HP

Dear Andrew,

**Partial collapse of a bridge onto open railway lines at Barrow upon Soar,  
Leicestershire, 1 August 2016**

I write to report<sup>1</sup> on the consideration given and action taken in respect of the three recommendations addressed to ORR in the above report, published on 6 June 2017.

The annex to this letter provides details in respect of each recommendation. The status of recommendations 1 and 2 is '**insufficient response**'. The status of recommendation 3 is '**implementation on-going**'.

ORR will advise RAIB when further information is available regarding actions being taken to address these recommendations.

We will publish this response on the ORR website on 6 June 2018.

Yours sincerely,

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

Oliver Stewart

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

## Initial consideration by ORR

1. All 3 recommendations were addressed to ORR when the report was published on 6 June 2017.
2. After considering the recommendations ORR passed recommendations 1 and 2 to Network Rail and Recommendation 3 to Construction Marine Ltd asking them to consider and where appropriate act upon them and advise ORR of its conclusions. The consideration given to each recommendation is included below.
3. ORR also brought recommendations 1 and 2 to the attention of other infrastructure managers as it was concluded that there are equally important lessons for them. ORR did not ask these organisations to provide a reply.

### Recommendation 1

*The intent of this recommendation is that Network Rail's asset management teams have sufficient competence and information to manage the potential risk to its structures from breaches of water and other relevant utilities (eg gas).*

Network Rail should:

- a. identify in its structures database those structures that carry water (and other) utilities so that this information is readily available to its asset engineers, structures examination contractors, and minor works contractors (paragraphs 124c 124d and 125);
- b. provide training and guidance to its asset engineers and structures examination contractors so that they are able to identify the presence of water (and other) utilities in structures, recognise defects caused by leaks, are aware of the consequences of a major utility failure, and decide on appropriate actions to be taken (paragraphs 124c and 125);
- c. introduce a requirement in its procedures to notify the relevant utility company about any emerging problems which might affect the integrity of a structure, to enable early remedial action and prevention of further deterioration (paragraphs 124c); and
- d. rebrief its asset engineers and structures examination contractors on the importance of recording evidence of underground utilities and any changes since the previous examination, as required by current Network Rail company standards

### ORR decision

4. ORR has not had time to review the Network Rail response before the 12-month deadline for responding to RAIB on the status of this recommendation. We will provide RAIB with an update, once we have had a chance to formally review the Network Rail response.

5. 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 provided a response setting out how the recommendation will be addressed, but not within the timescale for ORR to respond to RAIB

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

### Information in support of ORR decision

6. 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.

### 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

7. ORR has not had time to review the Network Rail response before the 12-month deadline for responding to RAIB on the status of this recommendation. We will provide RAIB with an update, once we have had a chance to formally review the Network Rail response.

8. 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 provided a response setting out how the recommendation will be addressed, but not within the timescale for ORR to respond to RAIB

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

### Information in support of ORR decision

9. 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.

### Recommendation 3

*The intent of this recommendation is that CML examines the way it approaches 'street works' on Network Rail structures to ensure that the risk of damaging water services are fully understood and its operatives are properly trained and equipped to control those risks.*

CML should undertake a review of its management processes for the planning and execution of works on structures that carry water (and other) services. This should include the training, competence and supervision of operatives that may be required to locate pipework. CML should then implement a programme to deliver the identified improvements and to monitor its effectiveness

### ORR decision

10. CML reviewed their processes for carrying out work on Network Rail infrastructure and identified a number of preventative actions. We have asked CML to provide us information regarding the findings from the review that informed the route cause analysis in the Corrective Action Request; information about where the review focused and why; and confirmation that the actions identified in the Corrective Action Request have been completed.

11. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, Construction Marine Ltd has:

- taken the recommendation into consideration; and
- is taking action to implement it, subject to the completion of actions

**Status: Implementation ongoing.** ORR will advise RAIB when actions to address this recommendation have been completed.

### Information in support of ORR decision

12. On 26 October 2017 Construction Marine Ltd provided an initial response containing the following summary:

*In summary they state 'Please find enclosed the Corrective Action Request / Action Plan to provide a framework for CML to learn and improve from the Recommendation raised by RAIB (See attachment).*

*In summary the Corrective Action Request is company procedure and used to record actions for improvement and / or correction, which provides:*

- *Corrective Action*
- *Preventive Action*
- *Responsibility*
- *Timescales*