

Press release: Report 04/2019: Near miss between a train and a track worker at Peterborough

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Summary

At around 10:52 hrs on 20 July 2018, a track worker, who was acting as a site lookout for another track worker who was carrying out an inspection, narrowly avoided being struck by a train near Peterborough station. The train involved had just passed through the station and was travelling at 102 mph (164 km/h) when its driver saw the lookout standing on the same line ahead. The driver immediately sounded the train's warning horn and applied the brakes. The lookout responded to the train's horn and moved out of its path about 2.5 seconds before the train reached him.

The investigation found four causal factors. The site lookout was distracted and not adequately observing his distant lookout or looking for approaching trains. He had also chosen to stand on an open line when it was not necessary to do so. The track worker carrying out the inspection, who was also the Controller of Site Safety and responsible for the safety of all the staff involved in the work, was not monitoring the unsafe actions of the lookout at the time of the incident. Lastly, the distant lookout had left his position before the train arrived because he thought he had been stood down. A distant lookout who was visible to the site lookout was from a different team and was looking out for trains coming in the opposite direction.

The investigation also found that the way in which the work was planned defaulted to using the least preferred safe system of work in the hierarchy within Network Rail's company standard for managing the safety of people at work on or near the line. Further, the current rules for communication when lookouts are used are impractical, leading to a disregard for the rules and the use of unofficial and uncontrolled practices. These two factors were the underlying causes of the incident.

Recommendations

The RAIB has made five recommendations addressed to Network Rail relating to the following areas:

- a rule change so that site lookouts default to standing in a position of

safety unless this is not practicable to implement the safe system of work

- investigating the common but unofficial use of flag signals by lookouts to communicate, finding ways to improve and control this communication, implementing changes and monitoring the effectiveness of the changes that are made
- clarifying to track workers the actions they should take when more than one group wants to work with lookouts in the same place
- continuing the ongoing work of the Network Rail route involved to reduce the use of lookouts for cyclic maintenance tasks
- reducing the number of cyclic maintenance tasks that are undertaken using lookouts across all of Network Rail's infrastructure

The investigation also identified three learning points about the importance of early use of the train's horn by drivers to give an urgent warning, which probably averted an accident in this case; the briefing of lookouts on where to stand while carrying out their duties; and staff responsible for the safety of the work group not becoming distracted by the work activities to the extent that they are no longer observing the group.

Simon French, Chief Inspector of Rail Accidents said:

In my introduction to the RAIB's Annual Report for 2018, I said that the number of near misses involving trains and track workers which we have seen in recent years is hugely disappointing. The subject of this report is another of these events – in this case the worker concerned moved clear of the line less than three seconds before the train passed him.

This narrowly avoided collision between train and man took place during routine inspection work. The catalogue of problems with on-site organisation and communication that we found in this investigation was alarming. Some of the people involved made assumptions about what was happening, and the lookout allowed himself to be distracted from the vital duty of warning of approaching trains.

It is disappointing that the planning of the work had resulted in it being done while trains were running. The team involved did most of their work in this way, and of all the different maintenance teams at Peterborough, they were the least likely to plan work in periods when there were no trains.

The investigation highlights the difficulty of managing effective communications between controllers of site safety and the lookouts that they have placed at locations remote from the site of work. A number of unofficial flag signals were being used to transmit messages, and this was a factor in the Peterborough incident. For this reason, we are recommending that Network Rail investigates the methods of communication that are actually being used in these circumstances, and comes up with practical measures that will make

life safer for teams working on the track.

I believe that it is also important that the company continues to work hard to reduce the amount of work that is done under the protection of lookouts. Some of Network Rail's maintenance managers have shown that smart planning can enable more routine maintenance activities to take place when trains are stopped, so improving safety and making better use of working time.

Notes to editors

1. The sole purpose of RAIB investigations is to prevent future accidents and incidents and improve railway safety. RAIB does not establish blame, liability or carry out prosecutions.
2. RAIB operates, as far as possible, in an open and transparent manner. While our investigations are completely independent of the railway industry, we do maintain close liaison with railway companies and if we discover matters that may affect the safety of the railway, we make sure that information about them is circulated to the right people as soon as possible, and certainly long before publication of our final report.
3. For media enquiries, please call 01932 440015.

Newsdate: 5 June 2019

Press release: Court winds-up two tech and gadget suppliers

Advance Tech (UK) Limited of Rochdale and Chorley, and Clever Technology Limited, of Bridgtown, Cannock, have been wound-up in the High Court in Manchester on 26 October 2018 and 7 May 2019 respectively. The Official Receiver has been appointed as liquidator.

In considering the petitions, the Court heard that Advance Tech traded in computer parts and gadgets using the trading name 'Advance Technologies' before trading with Clever Technology in 2016.

In November 2016 a website called savvibuy.co.uk was created to sell in-demand tech such as games consoles and virtual reality headsets for Christmas.

The website received a large number of orders and, while most went unfulfilled, Advance Tech – previously known as Advance Games Esports Organisation – took payment via a merchant services facility for 30,000 of them.

Advance Tech then transferred more than £3.4 million to Clever Technology for the goods, who in turn paid the funds to a third company based in Dubai. No goods were ever received in exchange and later investigations determined that, in Dubai, the funds had been withdrawn in cash.

Customers, alarmed when their Christmas presents had not been delivered as promised, contacted Advance Tech and were told that goods would be with them in time for the festivities.

When they didn't turn up, customers were then told by Advance Tech in January 2017 to request a chargeback through their bank.

This resulted in the merchant services facility suffering a loss of £2.9 million. A further estimated £1 million is still owed to customers who paid via debit card.

Scott Crighton, Chief Investigator for the Insolvency Service, said:

These companies ruined the merriest time of year for so many families, whose children and loved ones were left empty-handed on Christmas morning.

Thankfully their actions have caught up with them and, through petitioning the Court to shut the companies down, we have prevented them from causing further misery to unsuspecting customers.

Clever Technology initially prepared to defend the winding-up petition, but withdrew its evidence the week before trial. The Winding-Up Order was handed down on the first day of the hearing, 7 May 2019.

Members of the public who have been affected by the actions of Advance Tech and Clever Technology can contact The Official Receiver at Public Interest Unit, 2 Floor, 3 Piccadilly Place, London Road, Manchester, M1 3BN or by telephone on 0161 234 8531 or email at piu.north@insolvency.gov.uk with details of their orders.

Advance Tech (UK) Ltd – Company registration number 07227703. Previously known as Advance Games Esports Organisation Ltd, it commenced trading in April 2014.

Clever Technology Ltd – Company registration number 07455009. It commenced trading in November 2010.

The petitions were presented under s124A of the Insolvency Act 1986 on 6 September 2018.

Advance Tech was wound up on 26 October 2018 by District Judge Bever and Clever Technology was wound up on 7 May 2019 by His Honour Judge Hodge QC after it decided not to defend the petition.

Company Investigations, part of the Insolvency Service, uses powers under the Companies Act 1985 to conduct confidential fact-finding investigations into the activities of live limited companies in the UK on behalf of the Secretary of State for Business, Energy & Industrial Strategy (BEIS). Further information about live company investigations is available [here](#).

The Insolvency Service, an executive agency sponsored by BEIS, administers the insolvency regime, and aims to deliver and promote a range of investigation and enforcement activities, both civil and criminal in nature, to support fair and open markets. We do this by effectively enforcing the statutory company and insolvency regimes, maintaining public confidence in those regimes and reducing the harm caused to victims of fraudulent activity and to the business community, including dealing with the disqualification of directors in corporate failures.

Further information about the work of the Insolvency Service, and how to complain about financial misconduct, is available [here](#).

You can also follow the Insolvency Service on:

[Press release: Court winds-up two tech and gadget suppliers](#)

Two companies that failed to supply over £3 million of popular toys and gadgets in time for Christmas have been wound-up in Court.

[Press release: Liam Fox announces 'gamechanger' financial support package for UK SME exporters](#)

A new financial support package for small to medium sized business (SMEs) will be announced as Dr Fox speaks at a celebration of 100 years of UK Export Finance's (UKEF) backing for international trade today (Wednesday 5 June).

This is the first time such an extensive financing package has been made available to small businesses exporting to fast-growing emerging markets from the UK.

The package will include:

- The Small Deal Initiative – to back the army of exporters undertaking the smaller contracts that underpin British trade
- Extending financial support to firms in exporters' supply chains as well as exporters themselves
- The General Export Facility – covers general costs for exporters, rather than just costs related to a specific export deal

The Secretary of State for International Trade Liam Fox will say:

These announcements are potential gamechangers for our export industry, and will help us to tap a fresh vein of potential from within our economy.

The Small Deals Initiative sees UKEF guaranteeing the loans of potential overseas buyers of British goods to make UK bids more competitive.

The General Export Facility also allows UKEF to support exporters' overall working capital requirements, rather than requiring support to be linked to the needs of a specific export.

Commenting on this, the Secretary of State will say:

Recognising that it takes more than one business to deliver an export contract, UKEF has extended eligibility for its support to companies in exporters' supply chains.

British businesses play an import role in global supply chains. The latest available data shows that nearly a quarter (23.7%) of UK exports in 2015 were embedded in the exports of other countries.

This more flexible approach will give smaller business greater access to bonds and working capital.

Dr Fox will also warn that the world must brace itself for a period of upheaval as the global economy looks set to slow down, but will argue that the work the Department for International Trade is doing through UKEF will help strengthen British exporters like never before.

Dr Fox will conclude:

Building a truly Global Britain takes real investment. It cannot be done on the cheap.

If we want to become an exporting superpower, with greater influence, selling more goods and services abroad and encouraging more British investment overseas, then we will have to invest in the capabilities required.

UKEF's work would be at the very forefront of this investment

strategy.

Background on UK SME exporters

- Over the past decade UKEF has provided over £30 billion-worth of support helping over 600 UK exporters to grow their business in overseas markets
- 77% of business supported by DIT in 2017/18 were SMEs
- Confidence in the ability of SME's willing to export also increased in 2018 as 5% of SMEs not currently exporting said they plan to export in the future, up from 3% in 2017.
- However, roughly 400,000 businesses in the UK can export but don't, and this initiative helps SMEs to export and become more productive.

UKEF

- UKEF is the UK's export credit agency, strategically and operationally aligned with the Department for International Trade.
- Established in 1919 to promote exports after the end of the First World War, 2019 is its centenary year.
- UKEF's mission is to ensure that no viable UK export fails for lack of finance or insurance from the private sector.
- UKEF helps UK companies, whatever their size and type of export, to: Win export contracts by providing attractive financing terms to their buyers. Fulfil export contracts by supporting bonds and working capital loans. Get paid by insuring against the risk of non-payment.
- It works in conjunction rather than in competition with commercial banks and insurers, providing support where the private sector cannot.

On exports

- Latest statistics from the ONS show UK firms sold more overseas in the 2018/19 financial year, £639.9 billion, than at any time since records began
- The UK has now achieved 36 consecutive months of export growth on an annual rolling basis
- It comes as separate OECD data reveals UK exports grew faster than Germany, France and Italy between 2016 and 2018

Press release: Liam Fox announces 'gamechanger' financial support package for UK SME exporters

Secretary of State for International Trade, Dr Liam Fox, will announce major steps that will unlock finance for SMEs exporting to emerging markets.