

# **News story: Collision between a freight train and a utility vehicle in Dollands Moor yard**

At about 03:39 hrs on Tuesday 4 September 2018, a freight train travelling towards the Channel Tunnel struck a utility vehicle on a level crossing at the west end of Dollands Moor yard near Folkestone. The train was due to stop in the yard for an inspection and to change locomotive before entering the tunnel.

The train was travelling at 22 mph (35 km/h) and braking, when it struck the stationary utility vehicle. This was driven by a shunter who had been sent to undertake a routine check of the incoming train. The shunter jumped or was thrown from the vehicle and was seriously injured. The train came to a halt after travelling about 100 metres, and petrol from the utility vehicle ignited causing a fire. The train driver had already left the train and was not injured, but the locomotive cab was extensively damaged.

Our investigation will seek to identify the sequence of events which led to the accident and will consider:

- the actions of those involved
- factors affecting the shunter's awareness of his location and his view of the approaching train
- the visibility of the utility vehicle to the approaching train driver
- the method of working within Dollands Moor yard
- any underlying management factors

Our investigation is independent of any investigation by the railway industry, the [Office of Rail and Road](#), or the British Transport Police.

We will publish our findings, including any safety recommendations, at the conclusion of our investigation; these will be available on our RAIB website.

You can [subscribe](#) to automated emails notifying you when we publish our reports.

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## **Press release: Extended disqualification for engineering boss**

## who breached existing ban

In January 2016 David Stuart, of Aberdeen, received a six-year ban following the liquidation of Nabscaff Limited (Nabscaff) of which he was the sole director. He was disqualified for failing to maintain company books and records.

Following Nabscaff's liquidation, however, David Stuart started a new company in September 2013. Tern Engineering Services Limited (TES) provided engineering services to the oil and gas industry and the court heard that between January 2016 and September 2016, David Stuart continued to act as director of the company despite knowing his ban prevented him from doing so.

Following TES's being wound-up in September 2016, an Insolvency Service investigation found, and in extending his disqualification, the court accepted, that:

- Following TES's liquidation, David Stuart allowed liabilities to accrue to HMRC while making unreasonable payments to himself and gambling accounts when he was already disqualified and the company was significantly insolvent and under creditor pressure
- The company received an income of at least £9,999 per month in the 6 months up to December 2015 but in January and February 2016 after David Stuart's initial disqualification order, only £1,250 was received
- During March and April 2016, receipts totalling £34,770 were received into the company bank account, of which £6,000 was withdrawn by David Stuart, £9,300 was paid to gambling accounts owned by him and payments to unknown payees totalling £17,010 were made but no payments were made to HMRC
- By January 2016, HMRC were owed £57,587 accruing since at least June 2015. HMRC were also the sole creditor in respect of the previous company (Nabscaff), in the sum of £115,472, to which the previous disqualification order related.

David Stuart was aware of his existing disqualification even though he did not attend court for the disqualification proceedings and at a court hearing in Aberdeen Sheriff Court on 2 August 2018, the sheriff granted a disqualification order against Stuart, for 11 years. Again, he did not attend.

Stuart's ban, effective from 23 August 2018, means he cannot be involved directly or indirectly in the promotion, formation or management of a company without the permission of the court.

Commenting, Robert Clarke, Head of Insolvent Investigations North at the Insolvency Service said:

Mr Stuart has paid scant regard to the previous finding that he was unfit to run a company and not only breached that ban but continued

to put his own personal financial interests above those of and the company's creditors.

This sort of behaviour damages confidence in doing business and is corrosive to the health of the local economy.

Mr David Stuart is of Aberdeen and his date of birth is September 1958.

Tern Engineering Services Limited (Company Reg no.SC456295).

The order was pronounced by Sheriff Napier in Aberdeen Sheriff Court.

Andrew Smith appeared for the Insolvency Service and no one appeared for or on behalf of the defendant.

A disqualification order has the effect that without specific permission of a court, a person with a disqualification cannot:

- act as a director of a company
- take part, directly or indirectly, in the promotion, formation or management of a company or limited liability partnership
- be a receiver of a company's property

Persons subject to a disqualification order are bound by a [range of other restrictions](#).

The Insolvency Service administers the insolvency regime, investigating all compulsory liquidations and individual insolvencies (bankruptcies) through the Official Receiver to establish why they became insolvent. It may also use powers under the Companies Act 1985 to conduct confidential fact-finding investigations into the activities of live limited companies in the UK. In addition, the agency deals with disqualification of directors in corporate failures, assesses and pays statutory entitlement to redundancy payments when an employer cannot or will not pay employees, provides banking and investment services for bankruptcy and liquidation estate funds and advises ministers and other government departments on insolvency law and practice.

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

Media enquiries for this press release – 020 7674 6910 or 020 7596 6187

You can also follow the Insolvency Service on:

“The length of this ban should serve as a warning to other directors; you cannot ignore a court imposed sanction and breach the fundamental duty to a company's creditors without facing investigation by the Insolvency Service and removal from the corporate business environment.”

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## News story: Improving local services with data: apply for contracts



Projects in this competition must look at intelligent data capture and advanced data analysis.

[Durham County Council](#) and [Blaenau Gwent County Borough Council](#) are seeking projects that investigate innovative ways of capturing data to improve their services.

The councils are looking for projects that investigate 2 techniques:

- ‘boots on the ground’, where residents collect and report data about issues such as potholes and street lighting
- ‘eyes on the street’, where council vehicles collect and report data as they travel around the streets

Funding for the competition is provided by the [GovTech Catalyst](#), a £20 million fund to help the public sector to make use of innovative technologies and improve public services.

It is being run under the SBRI (Small Business Research Initiative) programme.

### **Projects must use advanced data techniques**

Projects must look at intelligent data capture and advanced data analysis. They must:

- record and report local information accurately and regularly
- significantly reduce service inefficiencies
- integrate with other datasets in the councils
- provide a robust evidence base for policy, service or budget development
- work with the general public
- enable councils to share data appropriately with the public
- be practical and economically viable

The competition has £250,000 to fund a series of short feasibility studies in

a first phase. The best ideas could then share £1 million in a second phase to prototype their system.

## Competition information

- the competition opens on 24 September 2018, and the deadline for registration is at midday on 31 October 2018
- any organisation that can demonstrate a route to market for its idea can apply
- we expect phase 1 contracts to be worth up to £50,000 and to last up to 3 months, and phase 2 contracts to be worth up to £500,000 and last up to 12 months
- successful projects will attract 100% funded development contracts
- you can register for briefing events on [8 October 2018 in Durham](#) and on [15 October 2018 in Blaenau Gwent](#) to find out more about the competition and how to make a quality application

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## Notice: Notice 24/18 – Poultrymeat Import Quota

The products and quantities available for the next round of poultrymeat import quotas are detailed in Annex 1 of the notice.

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## Guidance: Energy Technology List Lighting Toolkit

For manufacturers and suppliers with lighting products that meet the Energy Technology List criteria, the Toolkit provides information about how to communicate the ETL/ECA scheme benefits and other guidance.

The Energy Technology List comprises the technologies that qualify for the UK government's energy-saving Enhanced Capital Allowance (ECA) scheme and their energy-saving eligibility criteria.