

Press release: Report 03/2017: Trains passed over washed out track at Baildon

Summary

Between 16:29 and 17:58 hrs on 7 June 2016, three passenger trains passed over a section of the single line at Baildon, where part of the supporting embankment had been washed away by flood water. This left one of the rails unsupported over a length of between 3 and 4 metres. None of the trains derailed and no one was injured.

The washout occurred following a period of intense rainfall between around 15:30 and 16:00 hrs that afternoon. A member of the public had noticed the washed out track and had reported it to the local Fire and Rescue Service who had then informed Network Rail shortly before 16:30 hrs. Around the same time, the driver of a train on that line reported there was flooding in the area, with the water being above the level of the rails. Network Rail stopped train movements and sent staff to inspect the track at the location reported by the train driver. The inspection found that the flood water had receded significantly, but did not identify the washout because it was at a different location. At 17:30 hrs, the line was reopened for use at its normal maximum speed of 50 mph (80 km/h).

At 17:45 hrs, a second train passed over the damaged section of track. The driver did not report any fault, but a call from a member of the public was received by the local police stating they had witnessed this train passing over the unsupported section. The message was passed to Network Rail, but before the line was again blocked to traffic, a third train passed over it. This train also had not been stopped from running over the washout. The driver of this train saw the washout, but was unable to stop his train, passing over it at a speed of 38 mph (62 km/h). He subsequently stopped the train and made an emergency call to the signaller.

These near miss incidents occurred because the reports of the damaged track from members of the public, via the emergency services, were not dealt with appropriately by railway controllers. The track damage was similar to a previous washout at the same location that occurred in August 2012. Since that incident, no action had been taken on the recommendations considered by Network Rail to prevent a recurrence.

Recommendations

As a result of its investigation, the RAIB has made three recommendations to Network Rail, relating to:

- measures to minimise the risk of further washouts at Baildon
- improving the emergency response to incidents on the track by providing

Network Rail responders with accurate location information

- improving the effectiveness of communicating safety critical information between incident controllers, signallers and drivers.

The RAIB has also identified three learning points. Two are for control office staff about the importance of listening carefully to safety critical messages, and the need to continuously monitor and maintain standards in safety critical communication. The third is for duty holders, regarding the requirement to inform the RAIB of incidents which, in slightly different circumstances, could have resulted in a more serious outcome.

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.

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Press release: Seven guilty of illegally fishing in Lincolnshire

Fishing without a licence has landed seven Lincolnshire anglers with penalties totalling more than £4,000, the Environment Agency reports.

Lee Bakes of Munster Court in Grimsby, Wayne Muress of Weelsby Street in Grimsby, Gareth Browne of Wellington Street in Grimsby, Lyndsey Russell of Parker Street in Cleethorpes, Ashley Ardon of Steve Newton Avenue in Horncastle, Dean Pocklington of Small End in Boston, and David Freeman of Dennis Estate in Boston, were all guilty under Section 27(1)(a) of the Salmon

and Freshwater Fisheries Act 1975.

They were caught at Pigeon Pond in North Somercoates, Oasis Lakes in North Somercoates, River Bain in Horncastle, and Westwood Lakes in Wyberton.

They were spotted by Environment Agency bailiffs and PCSOs on regular patrols designed to catch unlicensed anglers in the act – and protect the sport for those who do follow the rules.

The seven offenders were tried on Monday 13 February at Boston Magistrates' Court. Fines totalled £2,900 but with costs and victim surcharges included, the five paid out penalties totalling £4,086.29. A rod licence currently costs from just £27.

Adam Basham, Environment Agency enforcement team leader, said:

Monday was a good day for the near-million anglers that fish legally every year, respecting each other and the sport. There really is no excuse – if you don't have a licence, pick one up from the Post Office or online before we pick you up.

It makes no sense to have the embarrassment of a court visit, a criminal conviction and a bill for potentially thousands of pounds when an annual licence is currently just £27. We think these cheats will think twice before picking up a rod illegally again and if they don't, our officers are ready and waiting.

The money from rod licence sales supports fish, fisheries and fishing, and protects the future of the sport. A small number of anglers refuse to buy a licence, cheating the sport and their fellow anglers.

For the minority who flout the rules, the most common offence is fishing without a valid licence, which could land them with a fine of up to £2,500 and a criminal record.

In 2015/16, Lincolnshire and Northamptonshire enforcement officers checked 3,710 licences and reported 73 for fishing illegally, bringing in fines and costs totalling £16,810.

Last year in England, the Environment Agency checked more than 62,000 rod licences and prosecuted more than 1,900 anglers for rod and line offences, resulting in fines and costs in excess of £500,000.

Any angler aged 12 or over, fishing on a river, canal or still water needs a licence. A full rod licence costs from just £27 (concessions available) and is available from the Post Office either online or in a local branch, or by phoning 0344 800 5386.

Money from rod licence sales is invested in England's fisheries and is used to fund a wide range of projects to improve facilities for anglers including protecting stocks from illegal fishing, pollution and disease; restoring fish

stocks through re-stocking; eradicating invasive species; and fish habitat improvements. Rod licence money is also used to fund the Angling Trust to provide information about fishing and to encourage participation in the sport.

To help crack down on unlicensed fishing, the Environment Agency urges people to report illegal activity by calling its incident hotline on 0800 80 70 60 or Crimestoppers on 0800 555 111.

ENDS

Notes to editors:

- Lee Bakes, who was proved guilty in absence, was fined £440 and ordered to pay costs of £127.47, as well as a victim surcharge of £44, making the total penalty £611.47. Mr Bakes was caught on 15 July 2016 at the Pigeon Pond, North Somercotes.
- Wayne Muress, who was proved guilty in absence, was fined £440 and ordered to pay costs of £127.47, as well as a victim surcharge of £44, making the total penalty £611.47. Mr Muress was caught on 15 July 2016 at the Pigeon Pond, North Somercotes.
- Gareth Browne, who was proved guilty in absence, was fined £440 and ordered to pay costs of £127.47, as well as a victim surcharge of £44, making the total penalty £611.47. Mr Browne was caught on 15 July 2016 at the Pigeon Pond, North Somercotes.
- Lyndsey Russell, who was proved guilty in absence, was fined £440 and ordered to pay costs of £127.47, as well as a victim surcharge of £44, making the total penalty £611.47. Ms Russell was caught on 4 July at Oasis Lakes, North Somercotes.
- Ashley Ardon, who was proved guilty in absence, was fined £440 and ordered to pay costs of £127.47, as well as a victim surcharge of £44, making the total penalty £611.47. Mr Ardon was caught on 6 July 2016 on the River Bain, Horncastle.
- Dean Pocklington, who pleaded guilty, was fined £440 and ordered to pay costs of £127.47, as well as a victim surcharge of £44, making the total penalty £611.47. Mr Pocklington was caught on 6 July 2016 on the River Bain, Horncastle.
- David Freeman, who pleaded guilty, was fined £260 and ordered to pay costs of £127.47, as well as a victim surcharge of £30, making the total penalty, £611.47. Mr Freeman was caught on 13 February 2017 at Westwood Lakes, Wyberton.

- All were found fishing for freshwater fish or eels with an unlicensed instrument in a place where fishing is regulated, contrary to Section 27(1)(a) of the Salmon and Freshwater Fisheries Act 1975.
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Press release: Jailed business owner loses environmental licence

A jailed Tyne & Wear business owner has had the environmental permit for his scrapyards revoked.

The Environment Agency took the action against Peter Wallace, owner of a scrapyard in Barmoor Quarry in Ryton, following a series of breaches of permit conditions on the site after he was jailed in 2013 for drug offences.

Wallace had his permit taken away on 20 June 2016 but then appealed against the decision.

The Planning Inspectorate has now dismissed the appeal on the grounds that he was no longer in control of the facility. The decision means that Barmoor Quarry is no longer authorised to accept and treat waste metals.

Environmental permits ensure the protection of the environment and local communities from the risk of pollution caused through the carrying out of waste activities.

Under the regulations, the permit must be in the name of the person who has overall control of the facility. The permit for Barmoor Quarry scrapyard was in the name of its owner, Peter Wallace, yet Director Mr Birkett of Ryton Breakers has managed the day to day running of the business since 2008.

In January 2014, a few months after the permit holder was imprisoned, a site visit by the Environment Agency identified eight permit breaches including oil spillages and storage of salvage vehicles containing brake fluid and oil were stored on unprotected land.

While many of the breaches were addressed by Mr Birkett, a further eight breaches were identified in September 2015. At the time, Mr Birkett was advised regarding the transfer of the environmental permit to his name, however, no application was made and it was clear that as the permit holder, Peter Wallace, no longer had control over the site.

Wallace has until 8 March 2017 to clear all waste from the site. If he does not comply, he may face the prospect of further legal action.

A spokesperson for the Environment Agency said:

The Environment Agency has revoked the environmental permit for Barmoor Quarry to protect the environment and ensure a level playing field for legitimate businesses. It is clear that the permit holder is no longer in a position to ensure compliance with permit conditions.

It is vital that waste companies comply with the law so that communities and the environment are not put at risk.

We work with operators to help them meet their obligations, but where significant or repeated breaches occur, we will take appropriate action to protect the environment.

On 11 January, the Planning Inspectorate dismissed Peter Wallace's appeal and found in favour of the Environment Agency, bringing into effect the permit revocation.

Anyone who experiences problems from this or any other waste site is urged to report the matter to the Environment Agency's incident hotline on 0800 807060 or CrimeStoppers anonymously on 0800 555 111.

Press release: Landowners warned after waste dumped illegally

Durham Police and the Environment Agency are warning landowners to be vigilant after a significant illegal waste site was discovered on private land in County Durham last week (10 February 2017).

More than 600 bales of general household waste were found dumped on the premises of a former foundry in Tow Law.

Officers from Durham Police and the Environment Agency attended the scene after they were alerted to the activities taking place at the site.

This is the latest in a recent spate of illegal waste dumping across the region. The Environment Agency currently has three ongoing investigations relating to eight sites where baled waste has been dumped over the last six months.

Environmental laws state that waste producers, brokers, road hauliers and landowners each have a responsibility to ensure waste is dealt with legally and correctly for the protection of the environment and communities. The Environment Agency will seek to take action against all parties responsible for this illegal activity.

Dave Edwardson, Enforcement Team Leader at the Environment Agency in the

North East, said:

Landowners can be vulnerable. Waste dumped in vacant buildings or land may leave landowners with the responsibility and costs of disposing of the waste, which can be considerable.

We're determined to tackle waste crime such as this; waste that isn't managed properly can impact on communities, the environment and legitimate businesses and won't be tolerated.

I'd urge all landowners, farmers and property agents to be vigilant and report any concerns or anything suspicious to us straight away.

Waste producers and road hauliers must ensure they adhere to their Duty of Care when they are managing waste. They can contact the Environment Agency if they need any advice or information.

Anyone with information about those responsible for this or similar incidents is asked to contact the Environment Agency's 24-hour Incident Hotline on 0800 807060, or Crimestoppers anonymously on 0800 555 111.

[News story: CMA investigates Heineken/Punch Taverns pubs acquisition](#)

From:

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The CMA has opened an investigation into Heineken's proposed acquisition of part of the Punch Taverns pubs portfolio.

The first phase of the investigation is currently scheduled to last until 24 April 2017. During this period, the Competition and Markets Authority (CMA) will assess whether the deal could reduce competition and choice for customers.

If it could reduce competition, the CMA would launch an in-depth merger investigation, which lasts up to 24 weeks, unless the merging parties offer undertakings which address any competition concerns identified.

More details will be available on the investigation case page shortly.
Interested parties and individuals are invited to submit their views to
lasse.burmester@cma.gsi.gov.uk by 2 March 2017.