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

Dear Andrew,

RAIB Report: Trains struck platform at Moston, Manchester on 28 January 2015

I write to provide an update¹ on the action taken in respect of recommendation 1 addressed to ORR in the above report, published on 7 October 2015.

The annex to this letter provides details of actions taken in response to the recommendation and the status decided by ORR. The status of recommendation 1 is **'Implemented'**.

We do not propose to take any further action in respect of the recommendation, unless we become aware that any of the information provided has become inaccurate, in which case I will write to you again.

We will publish this response on the ORR website on 17 March 2021.

Yours sincerely,



Oliver Stewart

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

Recommendation 1

The intent of this recommendation is to minimise risk from hinged spigots being left in positions where they project beyond the vehicle gauge and thus present a risk of collision with structures. If a paint based solution is adopted, the benefits of painting wagon sides, rather than spigot assemblies, should be considered (paragraph 75).

Operators of container carrying vehicles, liaising where necessary with vehicle owners and entities in charge of maintenance, should:

- ensure hinged spigot assemblies are, where practicable, provided with a physical means preventing them being left in a position where they are out of gauge; or
- if physical prevention is not practicable, ensure out of gauge spigot assemblies are easily recognised by train preparers.

ORR decision

1. The FKA wagon is the only type operated by DB Cargo that are in scope of the recommendation as it is possible for its spigots to be in an out of gauge position. As a temporary solution to hinged spigots being left in a position outside of the wagon gauge, DB Cargo have fitted locking plates to the FKA wagon fleet. As a long-term solution, DB Cargo are working on a new spigot design to be fitted to FKA wagons.

2. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, DB Cargo has:

- taken the recommendation into consideration; and
- is has taken action to implement it

Status: Implemented.

Previously reported to RAIB

3. On 6 October 2016 ORR reported the following:

ORR acknowledges that this recommendation does not apply to GBRf, DCRail or Colas Rail as they do not currently operate wagons of the type addressed by the recommendation. Freightliner and DRS have provided appropriate assurance that appropriate measures are in place to either ensure spigot assemblies are easily visible or prevent the risk of a spigot being left in a position which is out of gauge. This leaves the action currently being taken by DB Cargo to implement an engineering solution to mitigate the identified risk.

Update

4. On 19 December 2020 DB Cargo provided the following update:

All DBC wagons which incorporate a hinged spigot (FIA & FKA wagons) have either a mechanism to prevent the spigot from going out of gauge from design/original build

(FIAs) therefore no modifications are required or have either been modified (spigot and wagon body has been modified) to ensure the hinged spigot does not go out of gauge (FKAs) or the hinged spigot has been semi-permanently locked in position (locking plates have been welded over the spigot pockets preventing the spigot from moving) at specific container positions on the wagons (FKAs).

With regards to the FKAs the modifications have resulted in a reduction of loading pattern/utilisation therefore DBC are now implementing a revised spigot design and modifying the wagon body to a) ensure all hinged spigots remain in gauge in all conditions and b) return the FKA to its full loading pattern.

Previously reported to RAIB

Recommendation 1

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- if physical prevention is not practicable, ensure out of gauge spigot assemblies are easily recognised by train preparers.

ORR decision

1. ORR acknowledges that this recommendation does not apply to GBRf, DC Rail or Colas Rail as they do not currently operate wagons of the type addressed by the recommendation. Freightliner and DRS have provided appropriate assurance that appropriate measures are in place to either ensure spigot assemblies are easily visible or prevent the risk of a spigot being left in a position which is out of gauge.

2. This leaves the action currently being taken by DB Cargo to implement an engineering solution to mitigate the identified risk.

3. After reviewing the information provided ORR has concluded that, in accordance with the Railways (Accident Investigation and Reporting) Regulations 2005, freight operators have:

- taken the recommendation into consideration; and
- DB Cargo is taking action to implement it by the end of 2016.

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

Information in support of ORR decision

4. On 20 November 2015 DB Cargo provided the following initial response:

DB Cargo has reviewed the risk associated with the operation of the FKA vehicles and taken the decision to engineer out the risk. Initial work was completed by Lloyds Register to design a solution, which was agreed at the DBSR (UK) Engineering Standards team as the ideal solution. The DB Cargo Head of Maintenance then created a business case for submission at the DB Cargo board. This was submitted in September by the DB Cargo Head of Production and approved at the DB Cargo board. A fitment specification has already been drafted and the vehicles will be modified at their VIBT exams starting in January 2016, therefore the planned

completion date is the end of 2016, when the entire fleet will have received a VIBT.

DB Cargo provided the following supporting documentation

- *Lloyds Register FKA Spigot Improvement Paper*



474286R01 FKA
Wagon Spigot Impr

- *DBSR (UK) Board Paper for the modification of the FKA fleet*



Board Paper Spigot
Mods on FKA fleet S

- *DBS-EA-0433 - Replacement of the Movable Spigots on the FKA wagon*



DBS-EA-0433 -
Replacement of Mo

The business at our Strategic Safety Group, acknowledged that this will remove the risk in the long term and therefore DB Cargo will have implemented additional short term measures which include:

- *One to one briefing with staff that exam FKA vehicles to explain the current risk, previous incidents and raise awareness. Each member of staff will sign for this brief*
- *A new certificate of readiness to be introduced though the RA and SSOW process for locations that depart the FKA vehicles.*
- *Analysis and introduction of gauging equipment possibilities at locations that depart FKA 's, to highlight to ground staff during the departure of trains if anything is out of gauge.*

5. On 5 October ORR received the following update from the Acting Head of Safety and Operations:

DB Cargo had supplier issues and lead times were extended by a number of weeks. The impact lead to the first of class fitment taking place in April, however the new spigots failed our quality checks two times before we were happy with the quality of the product. Fitment commenced in June, so we are around six month behind plan, to ensure an engineering solution removes the risk.

Status: Implementation ongoing. ORR will advise RAIB when actions to address this recommendation have been completed (expected mid 2017).