


REGULATION 28: REPORT TO PREVENT FUTURE DEATHS (1)

	<p>REGULATION 28 REPORT TO PREVENT FUTURE DEATHS</p> <p>THIS REPORT IS BEING SENT TO:</p> <ol style="list-style-type: none">1. The County Surveyor2. Somerset County Council3. County Hall, Taunton
1	<p>CORONER</p> <p>I am Michael Richard ROSE, Senior Coroner for the West Somerset area</p>
2	<p>CORONER'S LEGAL POWERS</p> <p>I make this report under paragraph 7, Schedule 5, of the Coroners and Justice Act 2009 and regulations 28 and 29 of the Coroners (Investigations) Regulations 2013.</p>
3	<p>INVESTIGATION and INQUEST</p> <p>On 13 November 2023, I commenced an investigation into the death of Michael James THORNTON deceased at 30 years. The investigation concluded at the end of the Inquest on 11 July 2013. The Conclusion of the Inquest was accidental death and the cause of death was:</p> <ol style="list-style-type: none">1a Drowning1b Reduced Consciousness1c Traumatic Head Injury2. Ethanol Ingestion
4	<p>CIRCUMSTANCES OF THE DEATH</p> <p>The deceased was a front seat passenger of a Landrover Discovery being driven along Pill Road near Rooksbridge in the early hours of Tuesday 13 November 2012, at a speed of not more than 30 mph when the driver swerved to avoid a Roe Deer, subsequently causing the Landrover to leave the carriageway, cross a few feet of level verge and enter the adjoining rhyne, landing on its roof.</p> <p>The driver and the passenger in the rear seat were able to extricate themselves and shortly after pulled the deceased from the vehicle and placed him on the underside of the vehicle which was then lying between 2ft and 4ft above the water.</p> <p>In the present case, although the driver was above the drink driving limit for alcohol he was however a local and knew the road well and evidence was given that his driving had not been a matter of concern to two witnesses and further that Roe Deer were present in the area.</p>
5	<p><u>CORONER'S CONCERNS</u></p> <p>During the course of the inquest the evidence revealed matters giving rise to concern. In my opinion there is a risk that future deaths will occur unless action is taken. In the circumstances it is my statutory duty to report to you.</p> <p>The MATTERS OF CONCERN are as follows. –</p> <p>That I have between one and two deaths per year from vehicles leaving the carriageway</p>

	<p>and landing in a rhyne, often resulting in the death of the occupant by drowning and therefore some action should be taken to prevent future death. Although the erection of retaining barriers along the sides of any carriageway to adjoining rhyne might prevent future accidents, the cost would be prohibitive and well beyond resources of the County Council, given that there must be between 100 and 200 miles of roadway to be protected.</p>
6	<p>ACTION SHOULD BE TAKEN</p> <p>In my opinion action should be taken to prevent future deaths and I believe you have the power to take such action.</p> <p>I therefore would like you to consider whether or not the painting of intermittent white lines on either side of the carriageway might alert the driver to more readily appreciate that he is likely to be leaving the carriageway.</p> <p>In view of the costs involved such markings should only take place when a carriageway is resurfaced.</p>
7	<p>YOUR RESPONSE</p> <p>You are under a duty to respond to this report within 56 days of the date of this report.</p> <p>Your response must contain details of action taken or proposed to be taken, setting out the timetable for action. Otherwise you must explain why no action is proposed.</p>
8	<p>COPIES and PUBLICATION</p> <p>I have sent a copy of my report to the Chief Coroner .</p> <p>I am also under a duty to send the Chief Coroner a copy of your response.</p> <p>The Chief Coroner may publish either or both in a complete or redacted or summary form. He may send a copy of this report to any person who he believes may find it useful or of interest. You may make representations to me, the coroner, at the time of your response, about the release or the publication of your response by the Chief Coroner.</p>
9	<p>[DATE] 1st August 2013 [SIGNED BY CORONER] </p>

