

ANNEX A

REGULATION 28: REPORT TO PREVENT FUTURE DEATHS (1)

*NOTE: This form is to be used **after** an inquest.*

	<p>REGULATION 28 REPORT TO PREVENT FUTURE DEATHS</p> <p>THIS REPORT IS BEING SENT TO:</p> <p>1. Highways Division, Rotherham Metropolitan Borough Council</p>
1	<p>CORONER</p> <p>I am NJ. Mundy, Senior Coroner, for the coroner area of Rotherham.</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 30th October 2013 I commenced an investigation into the death of Gavin Anthony ROBERTS, age 25 years. The investigation concluded at the end of the inquest on the 12th of March 2014. The conclusion of the inquest was Accidental death - on 24 of October 2013 Gavin Anthony Roberts was riding his motorcycle along Hollings Lane only days after having passed his test. Significantly underinflated tyres were a major factor in loss of control of his motorcycle which led to a fatal collision with an oncoming vehicle. The medical cause of death was 1a) traumatic cerebral and multi-organ injuries and fractures, 1b) road traffic collision.</p>
4	<p>CIRCUMSTANCES OF THE DEATH</p> <p>Gavin Anthony Roberts was travelling along Hollings Lane in the direction of Thrybergh on his motorcycle. The road narrows to a bridge on the Hollings Road prior to which the road first bends slightly to the right before straightening and bending to the left. Visibility of oncoming vehicles on the approach to the bridge is extremely restricted due to the high walls and fencing of the bridge, hedging and the bends in the road. Mr Roberts had completed an overtaking manoeuvre on the approach to the bridge, lost control on the left hand bend and came off his motorcycle directly into the path of an oncoming vehicle, the driver of which had no prior warning of the presence of Mr Roberts on the road due to the limited visibility described. Shortly prior to the bridge in both directions the speed limit increases from 40 to 60 miles per hour. There are street lights along this stretch albeit more than 187 metres apart. Although under inflated tyres on the motorcycle was a significant factor in these events, the collision investigator gave evidence that he had calculated that the maximum speed at which the bend can be safely negotiated is 48 miles per hour (despite there being a 60 mile per hour speed restriction in place). Despite warning signs with 'slow' painted on the road and warning signs on the approach to the bridge in each direction, there have been 25 collisions at this location in the last 5 years.</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> <ol style="list-style-type: none"> (1) The current speed restriction of 60 mph is higher than the maximum speed at which The bend can safely be negotiated. (2) The speed restriction actually increases from 40 mph to 60 mph on the approach to the bridge. (3) The of warning signs appear to be inadequate in the presence of (1) and (2) above given the number of recorded incidents at this location.
6	<p>ACTION SHOULD BE TAKEN</p> <p>In my opinion action should be taken to prevent future deaths and I believe Rotherham Metropolitan Borough Council's Highway Division have the power to take such action.</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, namely by the 8th of May 2014 .I, the coroner, may extend the period.</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 and to the following Interested Persons [REDACTED] parents. I have also sent it to PS A. Noble, South Yorkshire Police who may find it useful or of interest.</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>[14.03.2014] [Ms N J Mundy Senior Coroner]</p>

