





REGULATION 28: REPORT TO PREVENT FUTURE DEATHS

	<p>REGULATION 28 REPORT TO PREVENT FUTURE DEATHS</p> <p>THIS REPORT IS BEING SENT TO</p> <p>City Of Westminster Westminster City Hall Victoria Street London SW1E 6QP</p>
1	<p>CORONER</p> <p>I am Kevin McLoughlin, Assistant Coroner, for the coroner area of Inner West London</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</p> <p>On 7th March 2014 I commenced an investigation into the death of John Paul Clarke (aged 35). The investigation concluded at the end of the inquest on June 29th 2015. The conclusion of the inquest was a narrative, the cause of death being Multiple Trauma.</p>
4	<p>CIRCUMSTANCES OF THE DEATH</p> <p>John Paul Clarke was riding his motorcycle on his way to work at 6.00am on 5th March 2014. On Northumberland Avenue, London, his motorcycle came into contact with the raised kerb edge of a traffic island, causing him to fall and collide with a rigid metal hooped Keep Left sign. He sustained blunt force injuries in the impact and was certified dead at the scene at 6.46am that morning.</p>
5	<p><u>CORONER'S CONCERNS</u></p> <p>Evidence taken at the inquest 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. Westminster City Council in its capacity as the highways authority carried out monthly walked inspections of Northumberland Avenue (along with other inspections). These inspections did not register that a "Keep Left" sign located at the easterly end of the traffic island involved in the incident was missing and had been missing for at least three years.2. The various inspections carried out by Westminster City Council failed to register that the external lighting arrangement for the "Keep Left" sign that was located on the traffic island was defective and had probably not been working for three years.3. The missing "Keep Left" sign and the Keep Left sign which was in place at the western end of the traffic island, were not recorded on the database of assets used by Westminster City Council in the course of their inspections. This omission made it less likely that the defects referred to would be noticed and

	<p>hindered any attempts to initiate remedial works.</p> <p>4. The inspection system in force in the period 2011-2014 was not sufficiently effective to identify missing road signs and/or lighting defects which good practice required to be in place and to facilitate remedial works to rectify the situation.</p> <p>5. The database of street signs and other highway assets used by Westminster City Council as a basis for its periodic inspections was not sufficiently comprehensive.</p>
6	<p>ACTION SHOULD BE TAKEN</p> <p>In my opinion action should be taken to prevent future deaths and I believe you Westminster City Council 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 2nd September 2015. 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 :</p> <p></p> <p>I have also sent a copy to the following persons who may find it useful or of interest:</p> <p></p> <p>Local Government Technical Advisors Group (TAG) TAG General Secretary Bluewaters Andurn Down Thomas Plymouth PL6 0AT</p> <p></p> <p>Association of Directors of Environment, Planning & Transport (ADEPT) Honorary Secretary & Treasurer Strategic Director - Communities & Built Environment Buckinghamshire County Council County Hall Walton Street Aylesbury Bucks HP20 1UA</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>6th July 2015.</p>  <p>Mr Kevin McLoughlin HM Assistant Coroner Inner West London Westminster Coroner's Court 65, Horseferry Road London SW1P 2ED.</p>