

ANNEX A

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> <p>1. [REDACTED] Project Engineer – Casualty Investigation Accident Investigation Unit Staffordshire County Council 1 Staffordshire Place STAFFORD ST16 2LP</p>
1	<p>CORONER</p> <p>I am Ian Stewart Smith, senior coroner, for the coroner area of Stoke-on-Trent & North Staffordshire.</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 9th April 2015, I commenced an investigation into the death of Derek Nixon aged 80 years. The investigation concluded at the end of the inquest on 18th February 2016. The conclusion of the inquest was that Mr Nixon died as a result of multiple injuries due to a road traffic collision.</p>
4	<p>CIRCUMSTANCES OF THE DEATH</p> <p>On the morning of 2nd April 2015 the deceased walked into Leek town and attended a routine appointment with his doctor on Fountain Street, Leek, leaving the surgery at approximately 9.45am. He proceeded down Fountain Street towards Ball Haye Street and Derby Street. At 9.58am he walked across the front of a rigid goods lorry which had stopped in Ball Haye Street for traffic lights. The driver of the lorry did not see the deceased due to his elevated position in the lorry cab. The lorry moved forwards as the lights changed just as the deceased was immediately in front of the lorry and he was knocked to the ground, passing under both front offside wheels and sustaining fatal injuries. Police and paramedics attended and he was pronounced dead at 10.16am.</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>I heard evidence at the inquest on 18th February 2016 of the various changes which had been made to the road and pavement infrastructure at Ball Haye Street, Fountain Street and Derby Street, Leek. I noted that certain iron railings at the end of Fountain Street had been removed. I heard police evidence that many pedestrians, by far the majority, when walking down Fountain Street then walked across Ball Haye Street at the 'Keep Clear' point because there was nothing to prevent them. The pedestrian crossing is a few yards down the road but human beings will take short cuts when on foot, even if this puts them in danger. I would ask that the council looks afresh at this area and consider what modifications might be made. Railings might be appropriate.</p>

	<p>I make no comments on the remainder of the town centre road alterations, these did not feature in the inquest and are therefore outside my remit.</p>
6	<p>ACTION SHOULD BE TAKEN</p> <p>In my opinion action should be taken to prevent future deaths and I believe you and/or your organisation 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 Friday 6th May 2016. I, the senior 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> <ol style="list-style-type: none"> 1. [REDACTED] (son of the deceased) 2. [REDACTED] Collision Investigation Unit, Staffordshire Police <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>10th March 2016</p> <p>Signed by Anthony F Curzon Assistant Coroner on behalf of Ian S Smith, Senior Coroner</p> 