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Date: 21 November 2016

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22 NOV 2016

Dear Mr Arrow

**Fatal Collision – Great Western Road, Paignton
Saleh Awadh Mohamed AL-AWLAKI**

CORONER'S OFFICE

I refer to your letter of 15th August 2016 in respect of the fatal collision involving the above named person on 6th December 2014 and your request for consideration to the placing of pedestrian guard railings at the location to prevent future collisions.

Firstly I apologise for the slight delay in responding from my original extension request, however it has taken longer than expected to receive all the necessary information relating to this incident, which ensured that we can give full consideration to the facts relating to this case.

To investigate this request I have carried out the following

- Attended a site visit with my Senior Traffic Engineer and Road Safety Officer
- Reviewed current guidance
- Reviewed previous collision data
- Reviewed still images from the CCTV footage of the Collision
- Commissioned an independent site Review from Peninsula Casualty Reduction Partnership Road Safety Consultants.

I confirm that my findings are as follows:

Site Visit

I attended the collision site along with Torbay Council's Senior Traffic Engineer and Road Safety Officer. We reviewed the site from the perspective of a pedestrian leaving Paignton Railway Station and heading in the direction of the nearby bus station, where an existing signalised crossing can be used and also from the perspective of pedestrians heading towards the Town Centre.

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If you require this in a different format or language, please contact me.

When using the steps to exit the Rail Station, towards the Bus Station, the crossing location is in full view to the pedestrian and the distance would be unlikely to encourage a pedestrian to take a direct route in front of the crossing point. The footway is sufficiently wide at this point to avoid pedestrians from stepping into the road without being aware of moving traffic.

For pedestrians heading towards the Town Centre there is a long section of dropped kerb, which serves vehicular access for visitors and Taxis to serve the Rail Station.

From the site visit there appeared to be no advantage in placing barriers to guide pedestrians and in general from viewing the area following the arrival of a train, there was no evidence that pedestrians were using a desire line that would be prevented if barriers were placed.

The signalised crossing was inspected and there were no issues noted other than a lack of advisory 'Look Right/Look Left' markings, which whilst not a contributory factor in this collision, would be recommended on a one way street. These have subsequently been instructed to be added.

Current Guidance

There is no current legislation with respect to the implementation of pedestrian guard railing, however the most recent guidance, Local Transport Note 2/09 as published by the Department for Transport, has been referred to as part of this process.

The guidance suggests that there is no specific evidence that guard railings in the vicinity of controlled crossings will reduce collisions; however each individual location would need to be assessed. From the site visit above there was no indication that pedestrians were encouraged to cross at dangerous locations away from the crossing.

Review of Collision Data

Collision data history was reviewed in this section of road and this showed that in the last three years this is the only KSI (Killed or Seriously Injured) collision to have taken place. The only other recorded pedestrian collision involved a vehicle reversing out of a parking space by the railway station and slightly injuring a pedestrian. There did not therefore appear to be any particular trend that suggests that additional guard rails in this location would actively prevent collisions.

Images from the Incident

Some still images of the collision were reviewed and this showed that the pedestrian concerned stepped into the path of a moving vehicle from a position on the footway which forms part of the vehicular dropped crossing that serves the Rail Station as identified in the site visit. The pedestrian did not appear to have been aware of the approaching vehicle even though he had taken several steps prior to stepping into the road.

As this particular location is a clear vehicular access it would not be appropriate or indeed possible to erect pedestrian guard rails.

Independent Review

An investigation was commissioned from the Peninsula Casualty Reduction Partnership as independent consultants. The investigation considered the issues identified above as well as related case reports.

The findings of the report were in agreement with our own officer views on the site and its layout, taking their own site visits and current guidance into consideration.

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The investigation also noted that there was evidence of particular issues relating to the individual and his awareness and understanding of his surroundings in this case, based on his background within his home country. It is considered likely that he had very little experience of being unaccompanied in circumstances where he would be in conflict with live traffic and it is unclear whether he possessed the necessary skills to remain safe in these circumstances. This may therefore have been a significant factor in this incident.

Conclusion

Torbay Council takes the issue of reducing collisions upon the public highway very seriously, hence the reason for taking the decision to carry out a comprehensive review of the site prior to responding to your request. We do however need to be mindful that collision prevention is not an exact science and any decision to implement safety features, or otherwise, needs to be considered on a balance of risk, taking an overview of site features as well as pedestrian and driver behaviours into account.

Having reviewed the site in this case and taken advice from colleagues and from independent consultants I have concluded that the actual location of the collision in this case could not be considered for pedestrian guard rails, due to the fact that the section of footway is required for use as a busy vehicular access. The access is an essential feature of the footway to ensure that rail passengers who are either being picked up or require taxis for ongoing journeys can do so in a safe manner. There is also no evidence to suggest that this location is subject to regular dangerous actions by pedestrians and in this respect there would not appear to be any advantage in terms of safety in changing this arrangement to include barriers.

Furthermore there is no evidence to suggest that barriers placed closer to the signalised crossing on Great Western Road would prevent future collisions at this site.

In conclusion therefore I am unable to support the view of the Senior Investigating Officer in this case and, as such, I regret that I do not consider pedestrian guard rails at this site should be implemented on the grounds of improved pedestrian safety.

This concludes my response.

Yours sincerely




Highways & Transport Service Manager