



DAVID RIDLEY
Senior Coroner for Wiltshire and Swindon

	<p style="text-align: center;">REGULATION 28 REPORT TO PREVENT FUTURE DEATHS</p> <p>THIS REPORT IS BEING SENT TO:</p> <p>██████████ Head of Highways & Transport Swindon Borough Council Euclid Street Swindon SN1 2JH</p>
1	<p>CORONER</p> <p>I am DAVID RIDLEY, Senior Coroner for Wiltshire and Swindon</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. http://www.legislation.gov.uk/ukpga/2009/25/schedule/5/paragraph/7 http://www.legislation.gov.uk/uksi/2013/1629/part/7/made</p>
3	<p>INVESTIGATION and INQUEST</p> <p>On the 1 March 2017 I commenced an investigation into the death of Nina MAGGS and an Inquest into her death was opened on the 8 March 2017. On the 19 July 2017 I concluded Nina's Inquest. I found that the medical cause of death was 1a) Multiple Traumatic Injuries and under 1b) Road Traffic Collision. In box 3 of the Record of Inquest I recorded how, when and where Nina came by her death the following:-</p> <p style="text-align: center;"><i>Nina died from multiple traumatic injuries at the scene when she was struck by an Iveco road sweeper (left hand drive) travelling slowly along Hyde Road at the junction with Ermin Street, Kingsdown Road and Beechcroft Road in Swindon. Nina was attempting to cross the road close to a dedicated pedestrian crossing heading northeast from Beechcroft Road at about 1623 on 23 February 2017. It is more likely than not that Nina had not appreciated that the driver was sat on the nearside of the vehicle and due to the presence of the A pillar and her height, Nina's actions went unnoticed by the driver even when Nina was in front of the vehicle due to the height of Nina relative to the windscreen.</i></p> <p>Consistent with what I recorded elsewhere on the record of Inquest as a conclusion I recorded – Road Traffic Collision</p>
4	<p>CIRCUMSTANCES OF THE DEATH</p> <p>See box 3 above</p>

5	<p><u>CORONER'S CONCERNS</u></p> <p>The MATTERS OF CONCERN are as follows. –</p> <p><u>The general safety of pedestrians crossing this junction with Ermin Street, Kingsdown Road and Beechcroft Road in Swindon.</u></p> <p>During the course of the Inquest I was satisfied that the reason Nina was not using the designated location pedestrian crossing across Hyde Road was due to the fact that in crossing the road she would not have had a clear view of approaching vehicles up Beechcroft Road which could be turning left into Hyde Road. It concerns me that whilst modifications had been carried out to the road to allow pedestrians to cross the road including those for example using disability scooters having regard to the lowering of the pavements they do so at significant risk of harm and even death. Whilst the junction is controlled by traffic lights there is no assistance given to pedestrians, such as a “green man”, an active sound indicating that it is safe to cross or vibrating module at the side of the road that can be sensed by somebody with a visual and hearing impairment. In fact I heard evidence during the course of the hearing that whilst there was a period of time when all the lights at the junction were red this lasted a matter of 4 seconds which is totally insufficient in my view in giving a pedestrian and in particular one that may have a physical impairment time to safely cross any of the roads at the junction.</p> <p>My concern is so high here that I would ask you to treat this as a priority in considering what action if any is to be taken as I believe this is a regularly used junction by pedestrians and their safety is my utmost concern in submitting this Regulation 28 Report.</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 to address the concern highlighted above.</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 14 September 2017. 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 Mr. [REDACTED] (husband) and [REDACTED] (driver of sweeper).</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 Assistant Coroner, at the time of your response, about the release or the publication of your response by the Chief Coroner.</p>
9	<p>Dated 20 July 2017</p> <p>Signature _____ HM Senior Coroner for Wiltshire and Swindon</p>