


	<p><b>REGULATION 28 REPORT TO PREVENT FUTURE DEATHS</b></p> <p><b>THIS REPORT IS BEING SENT TO: Highways Department Cumbria County Council</b></p>
1	<p><b>CORONER</b></p> <p>I am Kally Cheema HM Area Coroner for <b>County of Cumbria</b></p>
2	<p><b>CORONER'S LEGAL POWERS</b></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> <p><a href="http://www.legislation.gov.uk/ukpga/2009/25/schedule/5/paragraph/7">http://www.legislation.gov.uk/ukpga/2009/25/schedule/5/paragraph/7</a>  <a href="http://www.legislation.gov.uk/uksi/2013/1629/part/7/made">http://www.legislation.gov.uk/uksi/2013/1629/part/7/made</a></p>
3	<p><b>INVESTIGATION and INQUEST</b></p> <p>On 20/04/2017 I commenced an investigation into the death of Jeffrey William Matthews born 19<sup>th</sup> April 1988. The investigation concluded at the end of the inquest 31st August 2017. The conclusion of the inquest was that the deceased Jeffrey William Matthews died as a result of a road traffic collision.</p>
4	<p><b>CIRCUMSTANCES OF THE DEATH</b></p> <p>On Sunday 26th March 2017 at about 13.35 hours, the deceased had been riding his motorcycle in a north westerly direction along the C1021 heading towards Great Orton village from the A595, when he collided with the offside of a Nissan Juke travelling in a north easterly direction towards Carlisle along the C2051. The deceased suffered fatal injuries as a result of the collision and was pronounced life extinct at the scene at 14.19 hours.</p> <p>The medical cause of death was recorded as:</p> <p>1a. Multiple Injuries inconsistent with life  1b. Trauma</p>
5	<p><b><u>CORONER'S CONCERNS</u></b></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 <b>MATTERS OF CONCERN</b> are as follows:</p> <p>The C1021 is a minor country road that runs from the A595 at Orton Grange Roundabout in a north westerly direction and terminates when it joins the C2051 at Great Orton village. The road is generally unmarked and just wide enough for two vehicles to pass in opposite directions. The statutory speed limit is 60 mph. Approximately 220 metres prior to the scene of the collision on the C1021, is a left hand bend as you approach from the A595. The bend travels through an angle of approximately 16 degrees before the road straightens on the approach to the crossroads.</p> <p>The C1021 is straight for approximately 196 metres from the bend to the crossroad and continues straight beyond the crossroads for approximately 159 metres before entering another left hand bend. The police collision investigation report dated 14<sup>th</sup> August 2017 identifies at paragraph 4.4 that at this point, the presence of the crossroad junction is not obvious to any approaching vehicle. The height of the roadside hedgerows and their close proximity cause a tunnel effect and as such obscure any sign of the crossroads. It is also noted that the presence of the 'Give Way' sign at the crossroad junction is lost in the background and therefore not obviously visible to approaching drivers from a distance.</p> <p>Cumbria County Council is responsible for implementing measures on the county highway network that aim to reduce casualties and the risk of collisions. The C2051 Great Orton Crossroad was previously identified as having a sufficiently serious collision record during the period 1<sup>st</sup> October 2012 up to 30<sup>th</sup> September 2015. Capita were commissioned to carry out an independent investigation and inspection.</p>

	<p>The finding in the police investigation report at paragraph 4.4 as set out above was not identified by Capita.</p> <p>Evidence was heard at the inquest that the recommendations made by Capita in their report dated May 2016 were not implemented due to a lack of resources. The recommendations were;</p> <ol style="list-style-type: none"> <li>1. The application of High Friction Surfacing on the north and southbound approaches</li> <li>2. Vegetation trimming – cutting back vegetation to the south-east, north-east and north-west quadrant verge areas</li> <li>3. Additional Road markings on C1021 junction approaches – provide ‘SLOW’ markings on red patch on the C1021 approaches, adjacent to warning signs.</li> </ol> <p>The <b>MATTER OF CONCERN</b> is as follows:</p> <ol style="list-style-type: none"> <li>(1) The current warning signage on approach to the junction from a north westerly direction is inadequate.</li> <li>(2) The height of the roadside hedgerows and their close proximity causes a tunnel effect obscuring any sign of the crossroads restricting visibility.</li> <li>(3) Modifications to the junction on approach as recommended by Capita should be re-considered to minimise the risk of incidents and death in the future.</li> </ol>
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6	<p><b>ACTION SHOULD BE TAKEN</b></p> <p>In my opinion action should be taken to prevent future deaths and I believe the <b>HIGHWAYS DEPARTMENT CUMBRIA COUNTY COUNCIL</b> have the power to take such action.</p>
7	<p><b>YOUR RESPONSE</b></p> <p>You are under a duty to respond to this report within 56 days of the date of this report, namely by 1<sup>st</sup> November 2017. 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><b>COPIES and PUBLICATION</b></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"> <li>1. [REDACTED] (Mother of the deceased)</li> <li>2. [REDACTED] (Partner of the deceased).</li> </ol> <p>I have also sent it to Cumbria Constabulary Collision Investigation Unit 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>06/09/2017</p> <p> Kally Cheema HM Area Coroner <b>County of Cumbria</b></p>