

REGULATION 28 REPORT TO PREVENT FUTURE DEATHS

THIS REPORT IS BEING SENT TO:

1. Highways Agency:
Mr J O'Sullivan CEO
Highways England
Bridge House
1 Walnut Tree Close
Guildford GU1 4LZ

1 CORONER

I am Margaret Joy Jones Senior Assistant Coroner for the coroner area of Staffordshire South

2 CORONER'S LEGAL POWERS

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.

3 INVESTIGATION and INQUEST

On 26.11.2016 I commenced an investigation into the death of **Frederick George DUDLEY** The investigation concluded at the end of the inquest on **15.8.2017** The conclusion of the inquest was:

The deceased was an elderly pedestrian crossing a dual carriageway at an uncontrolled pedestrian crossing point when he was struck by a vehicle which failed to stop at the scene.

4 CIRCUMSTANCES OF THE DEATH

The deceased was 90 years of age. He mobilised well but was slow when walking and needed to turn his upper body when looking left or right due to neuralgia. . On the 25th November 2016 he had been to visit family and was returning home on the bus. At about 17.15 hours he alighted from the bus at the bus stop near to the Miller and Carter Public House on the A449 Stourbridge Road, Penn. He had with him a shopping trolley which he used as a walking aid and a walking stick . He had started to cross over the two lane dual carriageway at an uncontrolled pedestrian crossing point. He was probably at a point in the centre of the two lane carriageway when he when he was struck by a Volkswagen Scirocco motor vehicle registered number PJ59 WFO which was travelling along the A449 in the offside lane approaching from his right and from the general direction of Wolverhampton. This vehicle was overtaking other vehicles which were travelling in the nearside lane which may have obstructed the drivers view of the deceased. The driver of the vehicle failed to stop at the scene. There is a pedestrian crossing warning

	<p>sign at the approach to the crossing. The speed limit at the scene of the collision is 60 mph the estimated speed of the vehicle involved was 75-85 mph. It was dark but the road was well illuminated. The deceased was wearing non reflective clothing. The weather was dry.</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>(1)The deceased had alighted from a bus and was crossing the very busy A449 dual carriageway at an uncontrolled pedestrian crossing point. The crossing is :</p> <ol style="list-style-type: none"> 1. On a bend 2. Obscured by a brick wall in the centre of the carriageway. 3. The speed limit changes from 40 mph to 60 mph 260m prior to the crossing. 4. Uncontrolled. 5. Adjacent or very near to a public house, an elderly care home, a housing estate, a bus layby and a road junction. <p>In this case the view of the pedestrian was obscured by vehicles travelling in the nearside lane. The deceased was elderly, another young female passenger had also alighted from the bus and crossed the road at the same point. She needed to hurry to avoid the approaching vehicles. The inquest was given to understand from police that there had been other incidents (not necessarily fatal) at this location.</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 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 11th October 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>COPIES and PUBLICATION</p>

I have sent a copy of my report to the Chief Coroner and to the following Interested Persons:

1. Chief Executive Wolverhampton Borough Council:

**Mr K Ireland –Chief Executive
Civic Centre
Ring Road
St Peters Square
Wolverhampton WV1 1SH**

2. Jesse Norman MP

**Penn House
9-10 Broad Street
Hereford HR4 9AP**


3. Staffordshire Police Officers [REDACTED] and [REDACTED]

4. Family of deceased

I am also under a duty to send the Chief Coroner a copy of your response.

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.

9 **Date: 16th August 2017**

Signed: 

Margaret J Jones
Senior Assistant Coroner
Staffordshire (South)

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