



# BEDFORD BOROUGH COUNCIL

Borough Charter granted in 1166



INVESTOR IN PEOPLE

Chief Executive: P. J. Simpkins

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CEX/E4 [054 je]

3 October 2018

Dear Mr Pears

Re: Inquest touching the death of Stephen James Lawson

I write further to your letter dated 13 August 2018 in connection to the unfortunate death of the above named individual, which references the Regulation 28 Report you issued in your role as Acting Senior Coroner for Bedfordshire & Luton. I understand from the Regulation 28 Report that you have commenced an Investigation and have not yet concluded the Inquest.

## Background

The Council owns a variety of car parks for use by residents and visitors to Bedford Borough, they are provided at convenient locations for work-place parking or somewhere to park whilst shopping in Bedford town centre. The car parks comprise of a mixture of multi-storey car parks (MSCPs) and open surface car parks.

The Council is fully aware of its responsibility as the owner of four MSCPs within Bedford town, and the Council takes its role seriously as a provider of car parking services to users of its premises. Staff from the Parking Services Team regularly carry out building/workplace inspection of all MSCPs that are controlled by the Council. This involves the regular assessment of the physical structure and fabric of the buildings, along with the assessment of hazards and risks that would be relevant to the health and safety of those parking and accessing vehicles in MSCPs. As such, the Council has a comprehensive approach concerning safety, security and risk management in relation to managing the MSCPs that are under its control.

Please note that all levels of all MSCPs are proactively patrolled on an hourly basis by Civil Enforcement Officers (CEOs), part of their remit is to visually assess the areas and take action regarding unauthorised access or activities that may be taking place; part of this visual assessment includes taking action and raising the alarm where a member of the public may be behaving in a manner which gives cause for concern.

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On the rare occasion that the alarm is raised regarding the behaviour of a member of the public, there is a comprehensive MSCP Emergency Procedure that CEOs, Control Room staff and Manager/Team Leaders follow regarding the Council's response to dealing with the situation. The procedure covers the main actions that must be carried out where a situation exists that requires an 'emergency response', this includes calling the blue light services (Police, Fire, Ambulance), the closure of the building, the management of the area and communication with other users of the building.

Part of the management arrangements of the MSCPs within the Borough ensures that all levels/decks of the MSCPs are covered by a comprehensive CCTV surveillance system. CCTV is proactively used to monitor the locations for a range of issues that might be relevant, one of which being early sighting and raising the alarm regarding members of the public who behave in a concerning manner near to the perimeter walls of the car park.

Historically the Council has invested in the safety and security of its MSCPs adopting a reasonable and risk based approach, utilising competent professionals and contractors to improve the facilities on offer. Examples of the risk based approach adopted and the measures implemented as a result can be seen at **Appendix B, Images 3 to 8.**

The Council also undertakes regular annual investment regarding the provision of car parking facilities within the town centre. Periodically the Council also invests in various capital investment schemes to improve and upgrade the facilities on offer; these improvements often relate to safety and security of the car parks in order to provide a well-managed environment for visitors to use.

Recent examples include a full refurbishment of Allhallows MSCP. The work included new lifts, improved CCTV across all areas of the car park, updated communication systems, upgraded lighting and fire control systems. This work took place in 2015 and won an award from the British Parking Association as the Best Car Park Refurbishment in 2015.

In addition to this last year all the MSCPs received additional CCTV cameras on the parking levels and in the stairwells, new reactive lighting was installed throughout all MSCPs and new lifts were installed at Lurke Street Car Park. As stated earlier CEOs routinely inspect the car parks and at least once an hour. All New recruits receive a Level 2 City & Guilds training in Parking Enforcement.

As a consequence Bedford Borough Council's MSCPs have held in excess of five years the British Parking Associations 'Park Mark' which recognises quality and safety within its car parks, in addition to this for the last two years the MSCPs have also held the 'Disability Park' award.

### Regulation 28 Report

In reference to section 5 of your report, Coroner's Concerns, the situation(s) you refer to have been reviewed by officers of the Council and I am now in a position to address each point in turn and provide further narrative on the issue. In addition to

my substantive responses below I have also included an **Action Plan** regarding the key points identified from your report so that the Council is able to consider all issues arising from this unfortunate incident (**see Appendix A**).

I have also provided relevant information in **Appendix B** regarding your Report which I trust you will consider useful.

**1) This is not the first person to have jumped from this car park**

According to emergency calls for the previous five years, a summary of incidents relating to potential suicides in what can be complex circumstances has been provided below.

<b>MSCP</b>	<b>Date</b>	<b>Brief Description</b>
Lurke Street	Feb 2015	Male threatened to jump, police negotiators attended
	Jan 2017	Female threatened to jump, talked down by friend and presented at hospital, Crisis Team involved
	May 2017	Male and friend presented at hospital voluntarily after friend talked down male
	May 2017	Male threatened to jump, police attended and male diagnosed/sectioned with mental health needs
	Jan 2018	Male threatened to jump, talked down by police and attended hospital, Crisis Team involved
	Jan 2018	Male threatened to jump, police attended and male diagnosed/sectioned with mental health needs
River Street	-	No Reports
Queen Street	Jan 2018	Intoxicated male threatened to jump, talked down by CEOs, police took to male mental health team at hospital
Allhallows	May 2014	Intoxicated male threatened to jump, talked down by police negotiator, police took to male hospital for mental health assessment
	July 2016	Female threatened to jump, police officers talked her down
	Jan 2017	Male threatened to jump, police officers attended and intervened

**2) It is surprisingly easy to gain access to the external barrier wall**

The external barrier wall/perimeter wall on each deck of Lurke Street MSCP is flanked by a steel crash barrier and steel caging (**see Appendix B, Image 1 and 2**). This steel crash barrier and caging arrangement serves a dual purpose of protecting the structural integrity of the perimeter walls of the car park from damage that may be caused by vehicular collision and restricting the proximity that pedestrians are able to gain to the perimeter wall of each deck.

The original design of each deck of Lurke Street MSCP includes a 'reveal' along sections of the perimeter walls (**see Appendix B, Image 2**). This reveal is likely to have been designed as an architectural feature of the building which increased

visibility/light onto each deck of the building, whose walls are constructed from pre-cast concrete.

At the highest point the perimeter walls measure 1450mm in height. At their lowest point, within the reveal of the section of wall, the perimeter walls measure 950mm in height. The height of the steel caging is 1150mm at all points of the perimeter wall and thus exceeds the height of the wall along the length of the reveals.

Save in a construction context, there are no prescriptive dimensions provided for the height of guard rails, however they should be of sufficient dimension to ensure a person cannot fall through or over them. In the absence of any standards, HSE operational guidance suggests that guard rail heights in non-construction context should be a minimum of 950mm, and goes on to say that a wall could be considered as a guard rail. Any protection below this height should be justified on the basis of a risk assessment. For buildings, factories, warehouses, offices, public buildings, retail premises etc, sufficient dimensions for guard rails or similar barriers will be achieved by complying with the Building Regulations – which require guard rails of a minimum height of 1100mm, avoiding the use of horizontal rails.

As a result of the recent incident concerning Mr Lawson a visual audit of all MSCPs was carried out on 31 August 2018. At the time of the audit the condition of the steel barriers was considered to be in good condition overall, however it was noted in certain places that damage had occurred at a small number of locations where protective plates had become loose/missing on the corner junctions of the steel barriers, any repairs will be addressed as part of planned remedial works (see Action Point 1 below).

**3) *If a person accesses the space between the crash barrier and the external wall, the crash barrier can be used as a step to cross the external wall***

It would be ergonomically difficult for a person to access the space between the steel barrier and the perimeter wall on each deck of Lurke Street MSCP as the steel caging encloses the vehicular crash barrier. However, if a person were so minded to climb inbetween the perimeter wall and the steel caged barrier, then the structure might possibly provide a sufficient foothold for a person to raise their body above the height of the perimeter wall, thereby exposing themselves to the hazard of falling from height. It would require a determined and physical effort to climb over the caged barrier and then use it as a foothold.

**4) *There are very few 'Samaritans' signs, and these generally are only visible if a pedestrian is exiting the car park***

There is some signage located within the MSCPs that promote the services of the Samaritans for persons that may need to use their confidential counselling services. Nevertheless, I have requested that a full signage audit be carried out as is set out below.

## Generally

As a result of this incident, I have requested officers to carry out actions as detailed in the Action Plan set out in Appendix A. By way of an explanation of the various points in that plan:

### Action Point 1

In response to the findings of the audit carried out on 31<sup>st</sup> August 2018 I have instructed that all steel barriers and steel caging arrangements in all car parks are assessed by a competent professional, and where repairs may be identified these repairs will be carried out using a risk based approach to any matters that are identified, focussing on areas and locations that have a higher use, access/egress etc. Given the open nature of these buildings there is an element of wear and tear that is addressed as and when required. It is envisaged that any works identified will be completed within three months of the date of this letter.

### Action Point 2

I have also instructed that each of the four MSCPs is risk assessed as part of the annual premises/workplace inspection process employed by the Council as part of its ongoing legal duties. These premises/workplace risk assessments will be completed by 31 October 2018.

### Action Point 3


The MSCP Emergency Procedure will be reviewed and all relevant staff within Parking Services receive refresher training and instruction regarding the appropriate response required should an emergency incident occur. This training and instruction will be completed with all relevant staff by 31 October 2018.

### Action Point 4

I have instructed that a full signage audit is carried out in order review all signage types within the MSCPs, including Samaritans, in order that the Council can be confident that it complies with any duties to identify existing hazards, to the users of the MSCPs. It is anticipated that any works identified will be completed within two months of the date of this letter.

I trust that this response addresses your points and hope that the information supplied addresses the matters raised in your report. If you require any further information then please do not hesitate to get in touch.

Yours sincerely



Philip Simpkins  
Chief Executive