



Central and South East Kent Coroners

Cantium House
2nd Floor
Maidstone
Kent
ME14 1XD

Telephone:
New and Current Cases: 03000 410502
General Enquiries: 03000 410503
Email: KentandMedwayCoroners@kent.gov.uk

	<p>REGULATION 28 REPORT TO PREVENT FUTURE DEATHS</p> <p>THIS REPORT IS BEING SENT TO: Highways Department Kent County Council and Regent Coaches in Whitstable, Kent</p>
1	<p>CORONER</p> <p>I am Bina Patel HM Assistant Coroner for Central and South East Kent</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.</p> <p>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 3rd July 2018 I commenced an investigation into the death of Christopher Thomas INNES. The investigation concluded at the end of the inquest 15th October 2018. The conclusion of the inquest was that the deceased Christopher Innes died as a result of a Road Traffic Collision.</p>
4	<p>CIRCUMSTANCES OF THE DEATH</p> <p>On the 25th May 2018 the deceased, Christopher Innes, was a passenger on the 667 bus service operated by Regent Coaches travelling from Canterbury to Challock. He requested a stop at the junction with Nickle Cottages. The Mercedes Sprinter bus stopped in the west bound lane of the A28 Ashford Road, Chartham, Kent and Mr Innes alighted on the nearside (south side). He walked to the rear of the bus and began to cross the road in the direction of Nickle Cottages to the North of two-lane single carriageway which had a speed restriction of 50 mph. In crossing the road, he was struck by a van travelling in the opposite direction to the bus. The van was being driven lawfully and within the speed limit for the road. He suffered fatal injuries following the collision and died on the A28 Ashford Road, Chartham on the 25th May 2018.</p> <p>The medical cause of death was recorded as:</p> <p>1a Severe Head Injury b c II</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 A28 Ashford Road is a two-lane single carriageway generally aligned between Canterbury to the east and Ashford to the west. The collision occurred at the junction with the access road for Mansfield’s Farm which forms a T-junction to the north of the carriageway. It has a road width of approximately 6.2 metres. It has a wearing course of a bituminous material with inlaid road stone with no apparent defects. There are 90° kerbs and footways to the north side of the road and substantial trees and hedges alongside the carriageway to the south. The carriageway separation is by way of a hazard line system. The speed limit at the scene is 50 mph. It is recognised a busy rural road.</p> <p>The MATTERS OF CONCERN are as follows. –</p> <p>(1) The presence and position of the unmarked bus stop on the carriageway, where Mr Innes alighted from the bus may be considered a hazard. The bus stop is known locally but is absent any signage or warning to approaching vehicles. The evidence revealed at the Inquest was that this may have led to him being in a position of vulnerability at the side of the carriageway, where there is no footway available for use but only a small grass verge. In order to reach a footway to progress in either direction of the A28 at this point, Mr Innes was required to cross the carriageway to which a 50mph speed limit applies and which has no pedestrian crossing facility in the vicinity.</p> <p>(2) Although it is lawful for buses to stop at this location and the stop is recognised as a “hail and ride stop”, there is not at present signage indicating that this is a designated bus stop, and this is of concern given that the carriageway has a 50mph speed limit.</p> <p>(3) The vegetation close to the area where buses stop includes substantial trees and hedgerows alongside the carriageway and the close proximity of this to the carriageway causes restriction for any pedestrian alighting from the bus to negotiate an appropriate place to stand on a busy rural road prior to attempting to cross a 50mph road. Although the Highways Department at Kent County Council have completed work in respect of cutting back vegetation as part of a site review on the 31st October 2018, there is no clear responsibility for the management of the cutting of the vegetation and no clear indication of ownership of the land close to the bus stop as the Highway Authority did not concede any responsibility for the land adjoining the hard carriageway.</p>
--	---

6	<p>ACTION SHOULD BE TAKEN</p> <p>In my opinion action should be taken to prevent future deaths and I believe the Highways Department, Kent County Council and Regent Coaches 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 4th June 2019. 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> <p>I have sent a copy of my report to the Chief Coroner and to the following Interested Persons ██████████ ██████████ (Christopher’s mother and father). I have also sent it to Kent Serious 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>10th April 2019</p>

Signature:

A handwritten signature in black ink, appearing to read 'Bina Patel', written in a cursive style.

Bina Patel Assistant Coroner Central and South East Kent