



REGULATION 28: REPORT TO PREVENT FUTURE DEATHS (1)

	<p>REGULATION 28 REPORT TO PREVENT FUTURE DEATHS</p> <p>THIS REPORT IS BEING SENT TO:</p> <ol style="list-style-type: none">1. Nathan Elvery, Chief Executive, West Sussex County Council, County Hall, West St, Chichester PO19 1RG2. [REDACTED] County Road Safety Group Manager, West Sussex County Council, County Hall, West St, Chichester PO19 1RG
1	<p>CORONER</p> <p>I am Karen Harrold, Assistant Coroner for the coroner area of West Sussex.</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 http://www.legislation.gov.uk/uksi/2013/1629/made</p>
3	<p>INVESTIGATION and INQUEST</p> <p>On 13 November 2018, the Senior Coroner, Penelope Schofield, commenced an investigation into the death of Keith Winston Battman aged 74 years old.</p> <p>The investigation concluded at the end of the inquest on 25 June 2019.</p> <p>I recorded a conclusion of Road Traffic Collision.</p> <p>The medical cause of death was recorded as:</p> <ol style="list-style-type: none">1a) Multiple traumatic injuries and clostridium difficile colitis (treated with colectomy October 2018)2) Cardiomegaly
4	<p>CIRCUMSTANCES OF THE DEATH</p> <p>At around 16:30 hours on Wednesday 10 October 2018, a Peugeot Boxer minibus was being driven north along the A285, returning from a university football match in Chichester to Uxbridge. In the front passenger seat of the minibus one of the team was assisting the driver with navigation.</p> <p>At the same time, Keith Battman was travelling south on the A285 riding a Triumph Tiger motorcycle. A witness travelling in the same direction as Mr Battman told police that she</p>

had been held temporarily by traffic lights which had been placed at roadworks on the approach to the village of Duncton at its northern end. Whilst at the traffic lights she became aware of Mr Battman's motorcycle which travelled to the front of the queue and stopped. When the lights turned green she described the motorcycle as having "shot off".

Meanwhile, on approach to the right hand bend in front of Seaford College, the driver of the minibus had slowed, ready for the bend. As he was coming out of the bend he was confronted by Mr Battman's motorcycle travelling towards him in a straight line and on his side of the road. This is corroborated by the front seat passenger of the minibus; bike tyre markings found on the road; and one tyre mark from the minibus. Tyre markings left by the motorcycle suggest that Mr Battman was travelling in a straight line and that he may have mistook the drive leading to the school as the A285. As the minibus and Mr Battman travelled towards the bend neither road user would have been able to see each other approaching due to a high hedge that blocked the view of any approaching traffic.

Whilst approaching the left hand bend Mr Battman passed:

- A 30 mph speed sign;
- A red triangle warning sign showing a left hand bend & instruction to slow
- Two painted SLOW signs on the road surface;
- A white map type direction sign showing the direction of the main road to the left and a No Through Road straight ahead.

The colour of the road surface also changes on The Drive. However, the main road dips immediately in front of the entrance to the college and that cannot be seen until very close to the bend.

The motorcycle was upright when it collided with the front offside wing of the minibus and the front wheel of the motorcycle pushed the front offside wheel of the minibus back into the wheel arch. As the motorcycle continued forward into the front of the minibus, Mr Battman, was thrown forward and his head impacted on the lower offside corner of the windscreen. His visor detached from his helmet and there were scratches to the helmet consistent with catching the wing of the minibus.

The driver of the minibus confirmed that he saw the rider hit the window before he fell to the side of the minibus. The motorcycle then rotated clockwise before falling onto its offside. The motorcycle then slid back north along the southbound lane.

The motorcycle was reported to have caught fire almost immediately after the collision. The damage to the motorcycle was such that there may have been a fuel leak from the tank or engine and almost certainly igniting having come into contact with hot components.

On the day of the collision it was a bright sunny day, the sun would have been directly ahead of Keith Battman as he approached the bend. It is possible that glare from the sun may have obscured the view he had of the bend. However, the witness behind Mr Battman made no mention of the sun although it is not clear if she was asked.

Mr Battman received serious injuries as a result of the collision and he was airlifted to St George's Hospital in Tooting where he remained until his death on 28 October 2018.

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CORONER'S CONCERNS

During the course of the inquest I heard evidence from [REDACTED] a forensic collision investigation and reconstruction officer with Surrey police. He attended the scene on 10 October approximately 1 hour 20 minutes after the collision. After speaking to West Sussex officers, he surveyed the scene and took photographs. He returned to the scene some 5 months later and took a further set of photographs showing the bend and road signage.

	<p>The evidence revealed that Mr Battman may have mistaken the entrance to Seaford College (The Drive) as the continuance of the A285 and as a result of travelling on a straight trajectory rather than taking the left hand bend he collided with a minibus on the other side of the road which was travelling in the opposite direction. In light of this finding, I studied the photographs taken at the time of the accident (10 October 2018) and more taken at the scene on the 19 March 2019 and discussed them in detail with [REDACTED]</p> <p>At the time of the accident, there were no black and white chevrons road signs to warn road users of their approach to a tight bend. I was dismayed to learn that the chevron warning sign facing southbound traffic on the approach to Seaford College bend was removed between October 2010 and July 2011. However, the Sussex County Council Road Safety Group records do not show whether this was as part of the road safety scheme or was not replaced following a maintenance incident. No clear reason has been provided by the Road Safety Group.</p> <p>The evidence supplemented by extensive analysis of the photographs concerns me greatly. There have been 7 collisions on this stretch of road in the last ten years: 3 slight, 3 serious and one fatality (Mr Battman). In my opinion, there is a risk that future deaths will occur unless action is taken.</p> <p>In the circumstances it is my statutory duty to report to you the MATTERS OF CONCERN which are as follows:-</p> <ol style="list-style-type: none"> 1. I am concerned that the number of black and white chevrons installed immediately outside of the entrance to Seaford College are insufficient. There are now two small raised chevrons to allow for the dip in the road but they do not appear to adequately draw the attention of drivers approaching the bend to the fact that there is a sharp hand bend ahead. Consideration must be given to how many are needed and their location taking into account the topography and sight lines. 2. There is a speed limit sign approximately 350 metres back from the bend as you travel south. I am concerned this does not in itself give sufficient warning and perhaps a vehicle activated flashing warning sign should be installed to detect the speed of approaching traffic and alert drivers to slow down. 3. There are two "Slow" markings on the road but I am concerned that these are faded and may not be sufficiently prominent. <p>Overall, consideration should be given to whether this stretch of road in both directions needs further improvement.</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.</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 30 August 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:</p>

1) The family of Keith Winston Battman;

I have also sent it to:

- 1) [REDACTED] Serious collision investigation unit, Surrey police and Sussex police – operations command, Haywards Heath police station, Bolnore Road, Haywards Heath, West Sussex, RH16 4BA
- 2) [REDACTED] Surrey Police, Roads Policing Forensic Collision Investigation Unit

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.

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Date: 5 July 2019

Karen Harrold

Karen Harrold
Assistant Coroner
West Sussex