

09 JAN 2020

**Mr Peter Sigee**  
Assistant Coroner for Cheshire  
West Annexe  
Town Hall,  
Sankey Street  
Warrington  
Cheshire  
WA1 1UH

**Mike Wilson**  
**Chief Highways Engineer**  
National Traffic Operations Centre  
3 Ridgeway  
Quinton Business Park  
Birmingham  
B32 1AF

07 January 2020

Dear Mr Sigee,

**Regulation 28 Report following the Inquest into the death of Mr Costel Daniel Stancu**

On behalf of Mr Jim O'Sullivan of Highways England Company Limited, please find enclosed the Highways England response to the Regulation 28 Report to Prevent Future Deaths dated 12th November 2019 following the Inquest into the death of Mr Costel Daniel Stancu. As per our duty, we have responded within 56 days, namely by 8th January 2020.

We have also posted a hard copy to the Warrington Coroner's Court in Sankey Street, Warrington.

Yours sincerely,



**Mike Wilson**  
**Chief Highways Engineer**



	<p><b>REGULATION 28 REPORT TO PREVENT FUTURE DEATHS</b></p> <p><b>THIS RESPONSE IS BEING SENT TO:</b></p> <p>1. <b>The Assistant Coroner for Cheshire, Mr Peter Sigee, of West Annexe, Town Hall, Sankey Street, Warrington, Cheshire WA1 1UH</b> in response to a 'Regulation 28 Report to Prevent Future Deaths' following an inquest hearing into the death of Mr Costel Daniel STANCU that concluded on 8<sup>th</sup> October 2019.</p>
1	<p><b>HIGHWAYS ENGLAND</b></p> <p>I am Mr Mike Wilson, Safety, Engineering and Standards Executive Director and Chief Highways Engineer, responding on behalf of Mr Jim O'Sullivan, Chief Executive of Highways England Company Limited of Bridge House, 1 Walnut Tree Close, Guildford, SURREY GU1 4LZ.</p>
2	<p><b>CORONER'S MATTERS OF CONCERN</b></p> <p>The <b>MATTERS OF CONCERN</b> were identified as follows:</p> <p>(a) Lack of lighting on the section of the M6 motorway between junctions 18 and 19 on the southbound carriageway was a contributory factor to the Second Series of Collisions; the evidence heard at inquest was that this section of the motorway remains unlit at night and it is a concern that this creates an ongoing risk to life.</p> <p>(b) Whilst it was found that none of the collisions were caused by the conversion of this section of the M6 motorway to a 'smart motorway', it is a concern that the change in layout may have increased the risks posed to users of the motorway including the risk arising from the lack of lighting.</p> <p>(c) The risk arising from the lack of lighting had not been re-assessed either as part of the conversion to a 'smart motorway' or following the incident on 29<sup>th</sup> March 2019.</p>
3	<p><b>DETAILS OF ACTION TAKEN</b></p> <p>(a) We provide lighting on our network where there are positive safety benefits to road users that exceed; the risk to road workers from installing and maintaining the lights, the spend from the public purse and the environmental impact. We have a comprehensive understanding of where night-time collisions occur and the impact road lighting would have. This enables us to install lighting where it is needed, rather than installing lights across our entire network. Currently, one third of the strategic road network is lit and two thirds is unlit.</p> <p>Our analysis of lighting on a motorway shows that lighting reduces the probability of accidents at night-time by 10%. Specifically, for those incidents involving a collision with an obstruction, our analysis suggests lighting can reduce such incidents by up to 13%. However, this type of collision is not related to specific locations and therefore, it is not possible to target specific points on our network by installing lighting to</p>

prevent such incidents occurring.

- (b) Introduction of smart motorways has been Government policy since 2008. The smart motorway package of measures is considered appropriate for Highways England's network and gives flexibility to allow for increased demand from road users, whilst maintaining or improving the safety of our roads.

Safety is Highways England's top priority and something we will not compromise on, with smart motorways being no exception. Smart motorways are based on a comprehensive safety assessment and hazard analysis which demonstrated that they would be as safe, if not safer than the conventional motorway they replaced. The use of roadside technology and operational procedures has enabled them to be managed in an effective and appropriately safe manner.

- (c) The M6 motorway, junctions 16 to 19 'smart motorway' scheme was designed to the smart motorway design standard in place at the time published in 2013. The 2013 design standard stated that, where the motorway is not currently lit, lighting shall not be considered. Therefore, the scheme did not undertake a lighting assessment because this section of the M6 motorway was not lit prior to the smart motorway scheme being designed.

We revised our smart motorways design standard in 2015. The 2015 design standard has an updated lighting requirement instructing schemes to review the number of night-time personal injury collisions, and to determine whether there is any justification for introducing road lighting as part of the scheme. Subsequent changes to design standards are not applied retrospectively to operational schemes but would be considered as part of a corporate standard programme of investment for the renewal or improvement of the strategic road network at a future date.


Every scheme we install is required to undergo Road Safety Audits over time both before and after the installation of the scheme. The final Road Safety Audit (Stage 4) is conducted 12 months after the road is open to traffic. The audit focusses on collision monitoring where road traffic collisions (from STATS19 data) have been recorded in the vicinity of the highway scheme over the 12-month period after the scheme was operational. The audit for the M6 motorway junctions 16 to 19 scheme has not been completed to date because the scheme has not been open to traffic for 12 months. The final Road Safety Audit (Stage 4) is due to be carried out in the Summer of 2020.

**4 DETAILS OF FURTHER ACTION PROPOSED**

- (c) Lighting assessment

Given the concerns expressed following this particular incident, we will carry out a lighting assessment to determine whether lighting would now be required on this section of motorway.

The final Road Safety Audit (Stage 4) will be completed as planned following the end of the 12-month period of the scheme being open to traffic.

5	<p><b>TIMETABLE FOR ACTION</b></p> <table border="0"> <thead> <tr> <th data-bbox="300 309 494 342"><u>Date</u></th> <th data-bbox="523 309 608 342"><u>Action</u></th> </tr> </thead> <tbody> <tr> <td data-bbox="300 353 494 387">January 2020</td> <td data-bbox="523 353 1326 421">Carry out a lighting assessment for the M6 motorway junctions 16 to 19</td> </tr> <tr> <td data-bbox="300 421 494 454">Summer 2020</td> <td data-bbox="523 421 1326 488">Complete the final Road Safety Audit (Stage 4) of the M6 motorway junctions 16 to 19 scheme</td> </tr> </tbody> </table>	<u>Date</u>	<u>Action</u>	January 2020	Carry out a lighting assessment for the M6 motorway junctions 16 to 19	Summer 2020	Complete the final Road Safety Audit (Stage 4) of the M6 motorway junctions 16 to 19 scheme
<u>Date</u>	<u>Action</u>						
January 2020	Carry out a lighting assessment for the M6 motorway junctions 16 to 19						
Summer 2020	Complete the final Road Safety Audit (Stage 4) of the M6 motorway junctions 16 to 19 scheme						
6	<p><b>SAFETY OF ROAD USERS</b></p> <p>Roads, especially high-speed roads, can never be risk-free environments. Highways England prioritises the reduction of road deaths and serious injuries on the strategic road network through its Road Investment Strategy, investing large amounts of public money, to create as safe an environment as possible.</p> <p>We also rely on road users to be informed on what to do in an emergency and who to contact, and just as importantly how to avoid dangerous situations in the first place. Drivers must take responsibility for their own vehicle, behaviour and safety when using any road, to help all road users arrive at their destinations safe and well.</p> <p>The safety of road users is our first imperative and a core value of our organisation. Our company vision for safety is that “no one should be harmed when travelling or working on the strategic road network”. Any improvements or enhancements that we make must be done in a considered and controlled fashion so that the consequences of any improvements are fully understood, and any safety risks linked to proposed changes are eliminated or reduced as far as possible. We always strive to improve safety through enhancing infrastructure and communication.</p>						
7	<p><b>7 January 2020</b>      <b>Signed:</b> </p> <p><b>Mike Wilson, Safety, Engineering and Standards Executive Director and Chief Highways Engineer, on behalf of Jim O’Sullivan, CEO</b></p>						

