

**Regulation 28:           REPORT TO PREVENT FUTURE DEATHS**

paragraph 7, Schedule 5 of the Coroners and Justice Act 2009 and regulations 28 and 29 of the Coroners (Investigations) Regulations 2013.

**Steven James Oscroft (died 7 July 2020)**

**Response:               Paul Wainwright Constructions Services Ltd**

Following an Investigation and Inquest into the death of Steven James OSCROFT (aged 60), Assistant Coroner for the area of Nottingham City and Nottinghamshire, Gordon CLOW concluded:

*Road Traffic Collision*

*The lorry from which the piece of concrete fell had a portion of its load which was uncovered and which was above the level of the sides of the vehicle. The piece of concrete which caused the collision came from the uncovered portion of the load.*

The circumstances in which Steven OSCROFT met his death were found as follows;

*Mr Steven Oscroft was driving his car along Netherfield Lane on 7 July 2020. He negotiated a right hand lane when a lorry was passing in the opposite direction. Both the lorry and Mr Oscroft's vehicles were being driven appropriately for the applicable speed restrictions and weather conditions.*

*The lorry travelling in the opposite direction shed a piece of concrete about 20cm in maximum width. This smashed through the windscreen and struck Mr Oscroft in the head, killing him instantly.*

On 12 May 2021, Assistant Coroner for the area of Nottingham City and Nottinghamshire, Gordon CLOW identified the following MATTERS OF CONCERN:

Paul Wainwright Construction Services Ltd

Evidence was heard regarding the training and practices of loading tipper lorries at Paul Wainwright Construction Services Ltd.

1. Loads are 'mounded' such that in the middle of the load area, the height of the load extends above the level of the sides, whilst being below the level of the sides at the point at which the load contacts the side. Part of the load is therefore above the level of the sides, increasing the risk of items on the load falling or blowing off the vehicle.
2. Industry standard sheeting systems are in use which, when the load is 'mounded' in this way, causes the sheet to be drawn up. This results in part of the load being uncovered and liable to fall or be blown from the vehicle.
3. Such standard sheeting systems are not designed to be used on loads mounded above the level of the sides and cannot prevent 'blow off' from the areas of the load uncovered by the mesh.
4. Evidence was adduced of a number of loads on Wainwrights lorries which, because of the above practice, appeared to not be fully secure.

**RESPONSE: Paul Wainwright Constructions Services Ltd**

Paul Wainwright Construction Services Ltd [the company] adopted Industry accepted methods of loading and restraining loads. The equipment used was installed to fleet vehicles during the construction of the vehicles. At no point had any concern been raised with the company that the design of the vehicles they were purchasing or the automated sheeting system was not appropriate for this type of vehicle.

Paul Wainwright Construction Services Ltd seeks to provide professional services in a manner that acknowledges and ensures, so far as is practicable, the safety of its drivers and members of the public.

**Loading Procedures**

Following the conclusion of the Inquest on 4 May 2021, on 5 May 2021 the Company instructed each of its drivers in a new interim Loading Procedure. This procedure reflected the concerns highlighted during the Inquest in respect of common and Industry accepted loading and sheeting practice. This procedure, imposed while the Company fleet maintained the original sheeting and irrespective of the nature of the material carried, directed drivers to substantially reduce the volume of loads to ensure any gap between the sheeting and tipper body would be minimised.

These interim loading procedures had an immediate impact on Company revenue but were maintained while the Company investigated alternative sheeting systems and sought further advice from the DVSA and other professional services.

The Company has engaged Health and Safety Consultant Services to review its procedures and risk assessments. In terms of what was identified as general Industry wide concerns over the manner of loading and equipment adopted to restrain loads, all drivers employed by the Company have been provided with formalised instructions on Loading Procedures and method statements in respect of Loading and Load Safety.

While each driver has received specific instructions on these procedures and guidance, the Company's Health and Safety Consultants are currently designing on-going training criteria and schedules for drivers.

### **Sheeting Systems**

In conjunction with specific instruction to drivers regarding loading procedures the Company has upgraded its sheeting and restraint systems.

On 5 May 2021 [REDACTED] (Director) initiated communications with [REDACTED] of Shurco UK to identify a sheeting system that would increase cover and load security for the type of loads carried by the Company.

The Company immediately purchased four samples of the sheeting system proposed by Shurco UK to ensure that in everyday use the sheeting would meet the needs of the Company. Following a successful trial period every vehicle within the Company fleet has now been fitted with the new sheeting system.

The new sheeting system works with the current automated arm. The sheeting system has additional sheeting sections which can be folded out once the arm and sheet has been operated. The addition material covers the gap at the rear of the vehicle from where the sheeting arm ends and extends fully over the sides of the trailer to allow a secure attachment of the sheeting to the base of the body of the trailer without the driver having to climb on the vehicle to do so. This new sheeting system has been identified by Shurco UK and the Company as properly meeting the needs of securing the types of loads carried by the Company and completely covers the gaps that were intrinsic to the original sheeting design.

From experience and with an intimate understanding of the haulage industry, the Company recognises the nature of loads carried by Tipper trucks and how the vehicles have to be loaded will never be able to fully negate mounding of loads. The review and upgrades the Company has made from recognised Industry procedures and equipment will unfortunately not alleviate in any general or meaningful way the specific risk which applies across the haulage industry. The formalised loading procedures and wrap over edge sheeting introduced by the Company will however ensure that each load carried on the Companies vehicles is completely and securely covered to prevent any risk of items on the load falling or blowing off the vehicle.

  
Director Paul Wainwright Construction Ltd 

Dated:

6-7-2021