



Nicholas Moss QC
HM Assistant Coroner for Cambridgeshire and Peterborough
HM Coroners Office

[REDACTED]

23 July 2021

Re: Regulation 28 Report – Chris Gould

Dear Sir,

I refer to your report dated 28th May 2021 made under paragraph 7, schedule 5, of the Coroners and Justice Act 2009 and regulations 28 and 29 of the Coroners (Investigations) Regulations 2013.

I would like to take this opportunity to express my sincere condolences to the family of Chris Gould. We hope from Network Rail's participation in the Inquest into Chris's death that you are aware that we take all incidents of this nature on the railway incredibly seriously. We have carefully considered the matters raised in your report and have addressed them below.

Appropriate mitigating measures

As was explained during the Inquest into Chris's death, Network Rail is currently carrying out a fencing renewal which will upgrade the fencing between Cherry Hinton and Teversham level crossings to 1.8m palisade fencing (a Class I boundary measure). These works are ongoing and, at the time of drafting this letter, have reached the following stage. We have separately updated the Coroner on these works but include also below for completeness:

1. The boundary from the Cherry Hinton Bypass level crossing (2m 53ch) through to the Teversham level crossing (3m 44ch), a distance of 1.48km, is currently being renewed and upgraded from Class II to Class I 1.8m Palisade fencing. The renewal covers the boundary adjacent to the public footpath that runs between the railway and the Tesco supermarket. The up side from the Cherry Hinton Bypass level crossing (2m 53ch) through to 2m 72ch (a distance of 0.38km) has now been fully constructed and installed. This covers the whole length of the footpath adjacent to the railway and Tesco as well as the hospital cemetery. The fencing on the up side beyond the Cherry Hinton Bypass level crossing (2m 50ch – 2m 53ch), a distance of 0.06km, has also been fully constructed and installed. This includes the fencing around the crossing pedestals, and the fencing around the top of the electrical cabinet.
2. Works to renew the final section of boundary on the upside from 2m 72ch through to the Teversham level crossing (3m 44ch), a distance of 1.04km, will commence during the week commencing 26 July 2021. Therefore the full boundary renewal on the up side from the Cherry Hinton Bypass level crossing through to the Teversham level crossing is estimated to be complete by 6 September 2021.

3. The down side is also being renewed between the Cherry Hinton Bypass level crossing and the Old Fulbourn level crossing. Works on this side of the railway commenced during the week commencing 28 June 2021, starting from the Cherry Hinton Bypass level crossing (2m 53ch) working back towards 2m 72ch (a distance of 0.38km). This is estimated to be completed by 23 July 2021.

Network Rail takes its responsibilities regarding suicide prevention very seriously and continues to work in partnership with the British Transport Police (BTP) and relevant stakeholders, including with the hospital given its proximity to the crossing. Additional mitigation measures remain under regular review as we seek to reduce the number of safety incidents. These measures have included:

1. Engagement of a 12 hour security team for the Cambridge and Fulborn area, which includes Cherry Hinton Bypass level crossing;
2. Bi-monthly meetings with the hospital and use of a Missing Service Users policy;
3. Installation of live CCTV at Cherry Hinton Bypass level crossing, including plans to replace this with Smart CCTV which alarms if it detects a person leaving the crossing and accessing the track;
4. Liaison with Cambridgeshire local authority via a Suicide Prevention Steering Group;
5. Working with Nottinghamshire University to consider technological mitigations.

Consideration of the route of access and post-incident fencing checks

Network Rail works closely with the BTP when fatalities sadly occur on the railway. In the immediate aftermath of an emergency incident, following report from a Train Driver to Network Rail Control, the duty Network Rail Mobile Operations Manager (MOM) attends site and liaises with the BTP. The BTP has jurisdiction in relation to such investigations. Initial investigations are undertaken during the emergency response to secure the area, which includes identifying any areas of the infrastructure that may require repair, including potential access points. Any immediate issues identified (such as damaged boundary fencing or potential access points as a result of branches or sagging etc) are escalated by the MOM within Network Rail fault control systems. Where an access point is not immediately clear, Network Rail attends site the following day and a Post Incident Site Report is carried out by the BTP. Following any immediate actions therefore Network Rail relies on the BTP and its investigation and conclusions following incidents of this nature.

Guidance has been shared within the Anglia Route (to the Operations Team and to the Route Crime Team) to reiterate that, following a fatality, a fence check of the area is to be carried out within 48 hours and a record of this made in the MOM report. This is an additional assurance to ensure Network Rail's incident response is appropriately recorded, and is in addition to the BTP's records and the Post Incident Site Report. Any faults identified during that fence check are reported to fault control for remediation.

Keeping an open mind in post-death investigations

The BTP Post Incident Site Report made the assumption that Chris entered the railway at Cherry Hinton Bypass level crossing and made her way down the lines. It is clear, with hindsight, on this occasion that nobody can be sure of the exact location at which Chris gained access to the tracks. However, assumptions about how Chris gained access to the railways were made on the basis of the investigation carried out by the BTP.

In light of this and the concerns raised in your report, Network Rail's Route Crime teams nationally have been made aware of Chris's case and the need to keep an open mind about access following a fatality where the point of access to the track is not definitively known. In addition, the reiteration

of Network Rail's post-incident fence check process seeks to ensure that any credible route of access is picked up promptly and, where necessary, remedied as a priority.

I hope that this response answers your concerns but if I can be of any further assistance, or if you would like further clarification, please do not hesitate to contact me.

Yours sincerely,



Route Director, Anglia Route

Appendix 1

The map below shows the section from Cherry Hinton Bypass level crossing to approximately 2 miles 72 chains, where fencing has now been renewed. It indicates the location of the four photographs below.

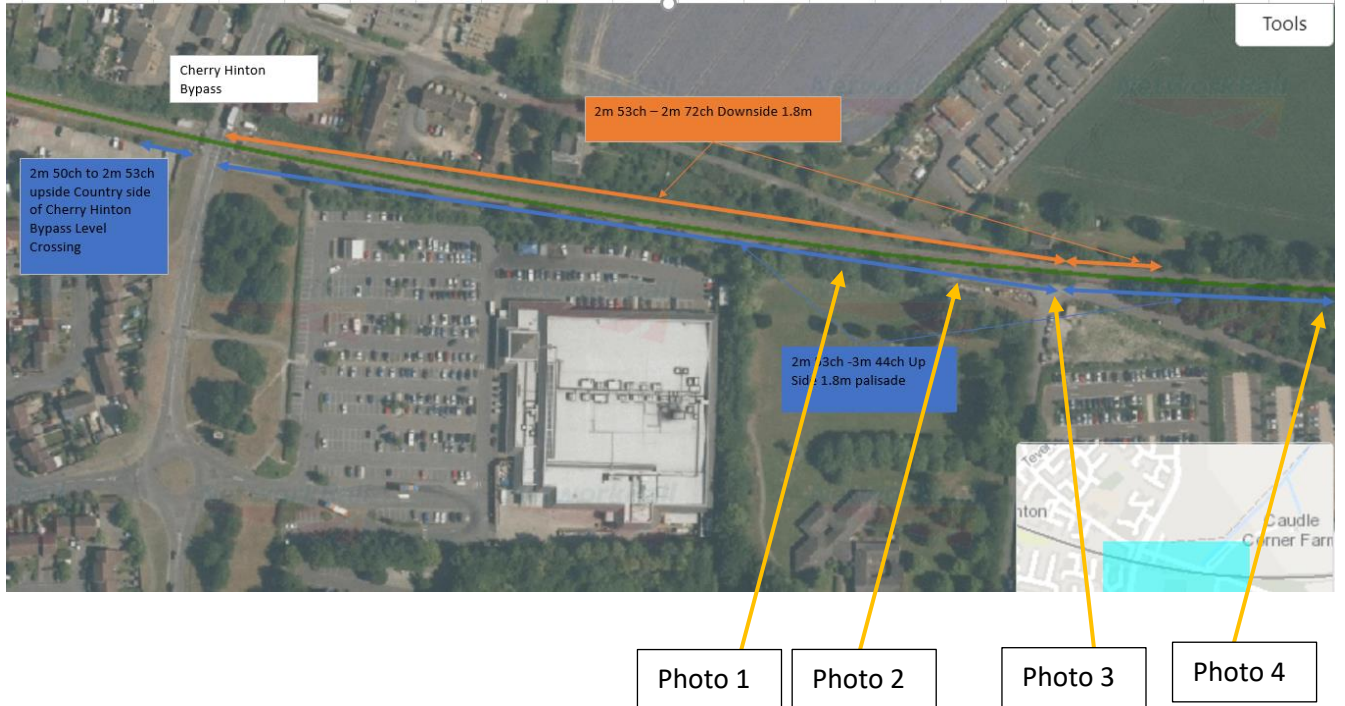


PHOTO 1 – New upside fencing looking towards Cherry Hinton



PHOTO 2 – New upside fencing



PHOTO 3 – New Upside Fencing linking up with existing fencing at the Fulburn Old Drift Rd



PHOTO 4 – New Upside Fencing looking back towards Fulburn Old Drift Rd.

