




## Mid Kent and Medway Coroners

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	<p><b>REGULATION 28 REPORT TO PREVENT FUTURE DEATHS</b></p> <p><b>THIS REPORT IS BEING SENT TO:</b></p> <ol style="list-style-type: none"><li><b>1. Highways Department Kent County Council</b></li><li><b>2. TARMAC A CRH Company</b></li></ol>
1	<p><b>CORONER</b></p> <p>I am Bina Patel, Area coroner, for the coroner area of Mid Kent and Medway</p>
2	<p><b>CORONER'S LEGAL POWERS</b></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><a href="http://www.legislation.gov.uk/ukpga/2009/25/schedule/5/paragraph/7">http://www.legislation.gov.uk/ukpga/2009/25/schedule/5/paragraph/7</a> <a href="http://www.legislation.gov.uk/uksi/2013/1629/part/7/made">http://www.legislation.gov.uk/uksi/2013/1629/part/7/made</a></p>
3	<p><b>INVESTIGATION and INQUEST</b></p> <p>On 11<sup>th</sup> July 2019 I commenced an investigation into the death of Daniel Waite, aged 43. The investigation concluded at the end of the inquest on the 6<sup>th</sup> October 2020. The conclusion of the inquest was that the deceased Daniel Waite died as a result of a road traffic collision.</p> <p>The medical cause of death was recorded as:</p> <ol style="list-style-type: none"><li>1a Multiple injuries</li><li>b</li><li>c</li></ol> <p>II</p>
4	<p><b>CIRCUMSTANCES OF THE DEATH</b></p> <p>The deceased Daniel Waite was riding a pedal cycle at approximately 19:55 hours on a dry clear sunny day on the A20 Ashford Road, Hollingbourne, Kent. He had approached a stationary convoy of eight tipper trucks parked and awaiting deployment and for reasons unknown he has collided with the rear of the last tipper truck and as a result sustained fatal injuries and died at the scene on the 3 July 2019.</p>
5	<p><b><u>CORONER'S CONCERNS</u></b></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 could occur unless action is taken. In the circumstances it is my statutory duty to report to you.</p> <p>The <b>MATTERS OF CONCERN</b> are as follows. –</p> <p>The A20 Ashford Road is a four lane dual carriageway which is aligned approximately east to west. The collision occurred on the east to west direction leading towards the M20 Motorway. At the collision site lane separation is by way of intermittent white painted lines. The edges of the carriageway are denoted by a solid edge of carriageway lines. The road at the collision site is</p>

	<p>subject to the national speed limit.</p> <p>(1) The A20 Ashford Road has no parking restrictions in force for this stretch of road. A total of 8 tipper lorries had been directed to stop on the A20 Ashford Road, Hollingbourne, close to the Mercure Hotel to await the deployment of motorway works on the M20 Motorway. The evidence at the inquest revealed that there was no requirement for coning or signage that may have alerted other road users to their presence.</p> <p>(2) There is not at present any restriction to parking or a requirement for signage on this section of the road such as a clearway and this is of particular concern.</p>
6	<p><b>ACTION SHOULD BE TAKEN</b></p> <p>In my opinion action should be taken to prevent future deaths and I believe the Highways Department, Kent County Council and Tarmac have the power to take such action.</p>
7	<p><b>YOUR RESPONSE</b></p> <p>You are under a duty to respond to this report within 56 days of the date of this report, namely by <b>11<sup>th</sup> January 2021</b>. 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><b>COPIES and PUBLICATION</b></p> <p>I have sent a copy of my report to the Chief Coroner and to the following Interested Persons Mrs [REDACTED] (wife of Mr Daniel Waite), Moore Blatch Solicitors (Family representatives), BLM Law Solicitors (Representatives for Driver of the Second Vehicle involved in the collision); Eversheds Solicitors (Representative for Tarmac). I have also sent it to Kent Police Serious Collision Investigation Unit who may find it useful or of interest.</p> <p>I am also under a duty to send a copy of your response to the Chief Coroner and all interested persons who in my opinion should receive it.</p> <p>I may also send a copy of your response to any other person who I believe may find it useful or of interest.</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.</p> <p>You may make representations to me, the coroner, at the time of your response, about the release or the publication of your response.</p>
9	<p>Signature: </p> <p>Bina Patel Area Coroner <b>Mid Kent and Medway</b> 16<sup>th</sup> November 2020</p>