



HM Senior Coroner for the County of Devon

Exeter and Greater Devon District

Dr Elizabeth A Earland MB.Ch.B.,D.A.,Dip.Law,L.P.C,Hon.LLD.

[REDACTED]
Sustainable and Safe Travel Team Manager
Devon County Council
ABG Lucombe House
County Hall
Topsham Road
Exeter
EX2 4QD

Date: 17TH September 2013

Our ref: EAE/NLP
File No: 247/2013

Your ref:

[REDACTED]
Re Luke James LYONS Deceased – DOD 25.01.2013
Inquest – 13.09.2013 at Devon County Hall, Topsham Road
Report pursuant to Regulation 28 Coroner's and Justice Act 2009

I write following the Inquest into the death of Luke James Lyons who died on 25th January 2013 at the scene of the accident just past Cove on the A396 when his vehicle hit a patch of black ice which had formed overnight.

I enclose a copy of the record of findings of Inquest, a recording and copies of the map of the location and scale plan of the incident for information; along with the data contained in C5, C6 and C7 regarding the gritting of the area.

I received evidence that the area in question was subject to water egress from the land at the side of the road which flowed from the higher ground across the road, thereby washing away any salt gritting put down by the Highway Department in anticipation of bad weather.

It was clear that procedures were followed, gritting undertaken which it was anticipated would have satisfied the need for gritting the area in question in the *absence of the localised water problem*.

I received evidence that a number of vehicles going through this area also lost control despite the gritting but had managed to counteract the loss of control.

I understand that the Highways Department have since placed a drain at the location in order to combat the problem but it appears that it is inadequate (from information received from [REDACTED] of Devon and Cornwall Constabulary). Clearly a repetition of Luke's death in the forthcoming winter would be a disaster if it could be avoided by further action.

Exeter and Greater Devon Coroner's Office, Room 226, Devon County Hall, Topsham Road, Exeter, EX2 4QD

Telephone: 01392 383636

Fax: 01392 383635

Email: coroner@exgd-coroner.co.uk

I therefore feel it necessary to bring this matter to your attention pursuant to Regulation 28 Coroner's and Justice Act 2009 and look forward to your substantive response within the statutory 56 days.

I am copying this letter to the Chief Coroner and all Properly Interested Persons.

I await hearing from you.

Yours sincerely

A handwritten signature in black ink, appearing to be 'E. Earland', written in a cursive style.

Dr Elizabeth A Earland MB.Ch.B.,D.A.,Dip.Law,L.P.C,Hon.LLD
HM Senior Coroner