



Mr M R Rose
HM Senior Coroner
Office of Her Majesty's Coroner
The Western District of Somersetshire
Blackbrook Gate
Blackbrook Park Avenue
Taunton
Somerset
TA1 2PG

Kings Place
90 York Way
London
N1 9AG

22 August 2014

Your Ref: MRR/sp

Dear Mr Rose

**Anthony Shane Ponting deceased
Regulation 28: Report to Prevent Future Deaths**

Thank you for your letter dated 8th July 2014 enclosing the Regulation 28 Report relating to the tragic death of Anthony Shane Ponting at Springfield Road Pedestrian Crossing, Somerset.

At paragraph 5 of the Report, you refer to the ORR report dated 13 August 2013 saying that it "*revealed several matters which although in no way responsible for this death could cause a potential risk to other users, namely:-*

(i) Reduced sighting line caused by track side vegetation growth for pedestrians crossing from the upside to up trains and on the downside for both up and down trains at the SHI [Stop, Look, Listen (SLL)] sign

(ii) The SHI [SLL] boards should have been positioned 3 metres from the line.

(iii) Tripping hazards on the crossing surface"

Your recommendations in paragraph 6 of the Report recognise that the vegetation was cut back shortly after the accident, but confirmed that items (ii) and (iii) should be attended to if not already dealt with and that items (i) and (iii) are looked at regularly in the future.

The vegetation growth was cut back during the first week of August 2013. In terms of managing the vegetation going forward, this has been and will continue to be routinely checked at six-monthly inspections. Most recently, those inspections were conducted on 16th



January 2014 and 26th June 2014 where the sighting line was deemed to be satisfactory. The next inspection of the crossing is scheduled to take place in the first week of December 2014.

Concern 5(ii) regarding the SLL signs has been addressed. On 8th August 2014, the SLL sign on the on the down line was moved from 4.9 meters to 3 meters as recommended in your report. The SLL sign on the up side remains at 3.4 meters from the track. There is some troughing at the 3 meter point which makes this sign more difficult to move, but the current location of the sign is appropriate and fit for purpose. As we understand it the ORR report focussed on the inadequacy of the SLL sign on the down line. The signage will continue to be assessed as part of the routine inspections, the next of which is scheduled for the first week of December 2014.

Concern 5(iii) has been addressed. In early March 2014 and as part of more extensive track works in the area, the surface system was completely renewed in modern rubber panels free of tripping hazards. Again the surface is checked for condition at each six-monthly inspection regime, the next one being in the first week of December 2014.

I would take this opportunity to highlight Network Rail's commitment to safety. It is a core Network Rail value and we are committed to making sure everyone gets home safely every day be it employees, contractors or members of the public. We have invested much time, money and effort into reducing the risks inherent in level crossings and our work over the past four years has reduced that risk by 31%. This includes closures, improved engineering risk controls and targeted action to influence user behaviour and we will continue our work to improve safety at level crossings having been entrusted with significant funds over the next five years to do so.

I hope that the response provides you with adequate information and assurance that the issues you identified are taken seriously and have been addressed. If you would like any further clarification, please do not hesitate to contact me.

Yours sincerely

Mark Carne
Chief Executive

