



N. Y. CORONER

14 MAR 2014

WESTERN

Mr R Turnbull
Senior Coroner
21 Grammar School Lane
Northallerton
DL6 1DF

[REDACTED]
Assistant Chief Executive (Legal and Democratic Services)
County Hall, Northallerton, North Yorkshire, DL7 8AD

Contact: [REDACTED]
Tel: [REDACTED]
Fax: [REDACTED]
E-mail: [REDACTED]
Web: www.northyorks.gov.uk

Our ref: [REDACTED]

12 March 2014

Your ref:

Dear Mr Turnbull

Regulation 28 – Report to prevent future deaths
Inquest touching the death of Mr McCourt

I write further to receipt of the above Regulation 28 report, and set out the Authority's response, below which address the points raised in section 5 of the above report.

(1) It is acknowledged by North Yorkshire County Council that no records of the alleged customer contacts could be found. During the inquest, it was identified that the customers were unable to provide evidence of these contacts so any further investigation, by the County Council is not possible. North Yorkshire County Council systems have been reviewed in the past and found to be robust. In addition, training has been provided to minimise the potential for human error to occur, resulting in an enquiry not being logged and recorded correctly.

(2) It was acknowledged at the inquest that on this occasion more detailed notes should have been taken and clearer direction is now being given to staff to ensure better records exist in the future. The Maintenance Manager, in this instance, was given every indication by the representative of the Ministry of Defence that they were responsible for the land in question and hence no further enquiries were made. It appeared that the farm buildings were unoccupied at the time the flooding event occurred.

(3) and (4) – in relation to both of these point, it is acknowledged by North Yorkshire County Council that it would have been appropriate to put the position in writing and to confirm the expected remedial action and a timescale.

(5) As set out above, it is acknowledged that advising of the original approach in writing to the Ministry of Defence would have been of greater assistance in seeking an agreed resolution to the issue of flooding.



North

Yorkshire County Council

Central Services

(6) North Yorkshire County Council's highway officers record actionable defects (i.e those defects where work is intended) when carrying out inspections of the highway network. If temporary warning signs are in place to alleviate a hazard, the defect/warning signs should still be recorded until it has been resolved. Further advice has now been circulated to relevant highways officers through their managers to assert that this process is followed in future.

I trust that the above points assist the Coroner in response to the report dated 14 January 2014. If I can be of any further assistance, please do not hesitate to contact me on the details set out above.

Yours sincerely



for Assistant Chief Executive (Legal and Democratic Services)