

ANNEX A

REGULATION 28: REPORT TO PREVENT FUTURE DEATHS (1)

*NOTE: This form is to be used **after** an inquest.*

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| | <p>REGULATION 28 REPORT TO PREVENT FUTURE DEATHS</p> <p>THIS REPORT IS BEING SENT TO:</p> <p>Managing Director First Essex Buses Westbury CHELMSFORD CM13DL</p> |
| 1 | <p>CORONER</p> <p>I am Caroline Beasley-Murray, senior coroner, for the coroner area of Essex</p> |
| 2 | <p>CORONER'S LEGAL POWERS</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> |
| 3 | <p>INVESTIGATION and INQUEST</p> <p>On 12 August 2013 I commenced an investigation into the death of Percy William Gurton. The investigation concluded at the end of the inquest on 18 December 2014. The conclusion of the inquest was Accident The cause of death was 1a) bilateral pneumonia 1b) hypoxic brain injury and neck injuries</p> |
| 4 | <p>CIRCUMSTANCES OF THE DEATH</p> <p>Percy Gurton was a an elderly passenger on a bus which needed to make an emergency stop because a cyclist swerved in front of it. Mr Gurton was propelled forward off his seat and collided with the front of the inside of the bus. He sadly died from the injuries he sustained. There is no criticism whatsoever of the bus driver.</p> |
| 5 | <p><u>CORONER'S CONCERNS</u></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 will occur unless action is taken. In the circumstances, it is my statutory duty to report to you.</p> <p>The MATTERS OF CONCERN are as follows. –</p> <p>(1) The bus is so designed that there is no barrier at least in front of the front seat on the right hand side where Mr Gurton was sitting at the time.</p> |
| 6 | <p>ACTION SHOULD BE TAKEN</p> <p>In my opinion action should be taken to prevent future deaths and I believe you and your organisation have the power to take such action. Consideration should be given to incorporating a barrier of some sort in front of the relevant seat.</p> |

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| 7 | <p>YOUR RESPONSE</p> <p>You are under a duty to respond to this report within 56 days of the date of this report, namely by 15 February 2015. 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>COPIES and PUBLICATION</p> <p>I have sent a copy of my report to the Chief Coroner and to the following Interested Persons – [REDACTED] (son), Kennedys Solicitors (First Essex Buses)</p> <p>I am also under a duty to send the Chief Coroner a copy of your response.</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. You may make representations to me, the coroner, at the time of your response, about the release or the publication of your response by the Chief Coroner.</p> |
| 9 | <p>22 December 2014 Caroline Beasley-Murray</p> |