



Mr John Tomalin
Deputy Coroner for the County of Devon
Exeter and Greater Devon Coroner's Office
Room 226, Devon County Hall
Topsham Road
Exeter
EX2 4QD

Network Rail Infrastructure Limited
Cottons Centre
Cottons Lane
London
SE1 2QG

15th August 2016

Your reference [REDACTED]

Dear Sir

Michael Dean YOUNGHUSBAND Deceased
D.O.D 10 December 2015
Inquest held on 2 June 2016 at County Hall, Topsham Road, Exeter
Regulation 28 Report

On behalf of Network Rail I write in response to your report dated 23 June 2016. Your report concerns the inquest into the death of Michael Dean Younghusband who sadly died when he was struck by a train on 10 December 2015.

Your report outlined your concern that:

The poor state of the crossing point was of concern to Mr Younghusband's family as they believed that it was a potential tripping hazard as they had observed a metal section, on the Lympstone side of that crossing, standing proud of the track bed.

You considered that action should be taken to prevent future deaths and wrote to Network Rail as the party with the power to take action.

I wish to assure you that safety is a core value for Network Rail. We are committed to continuously seeking to reduce risk and improve safety across the railway network.

I believe the footpath level crossing you are referring to is known as East Devon Way 1 which carries the well-used public right of way of same name over the single track Exmouth branch line.

As with all crossings of this type, it is routinely inspected six-monthly by a Level Crossing Manager ("LCM"), who is responsible for reporting all defects found to maintenance colleagues. When safe to do so, the LCM carries out certain minor repairs and reports them accordingly.

There is a timber ballast retainer on the western (estuary) approach to the level crossing which forms a step up to track level including the rubber deck panels installed on the track itself. This step is very prominent and obvious to users but from time to time the ballast can wear down and so it is built up when required to minimise the stepping required.

If Mr Younghusband entered the track at the level crossing it may be possible that he tripped on a metal fitting known as a deflector or chain guard which is attached to the edge of the decking panel facing the track. It is not clear if this is what his family referred to as 'standing proud of the track bed', but these fittings are not in the way of anyone crossing the track over the decking as intended.

The last routine inspection of the level crossing prior to Mr Younghusband's death took place on 16 September 2015. The LCM noted that the track ballast was low to the level crossing so he built it up again. A more recent inspection took place on 4th March 2016 followed by another site check 21 June 2016 revealed that the ballast had moved again, so in late June the LCM discussed with maintenance colleagues the fitting of more substantial 'ballast boxes' so as to contain movement more effectively and minimise the stepping involved. I am happy to confirm that ballast surface improvement works were completed at the crossing point on 20 July 2016. Further the edges of any trip hazards have been clearly marked in order to highlight them to the public.

I hope that this response provides you with adequate assurance that the issues you have identified have been properly considered and addressed.

If you would like any further information or assistance please do not hesitate to contact me.

Yours faithfully

A large black rectangular redaction box covers the signature area. To the left of the box, there are handwritten initials "PP".

RECEIVED 17 AUG 2016