

**IN THE SURREY CORONER'S COURT**  
**IN THE MATTER OF:**

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**The Inquests Touching the Death of Alan George DIMBLEBY**  
**A Regulation 28 Report – Action to Prevent Future Deaths**

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	<p><b>THIS REPORT IS BEING SENT TO:</b></p> <ul style="list-style-type: none"><li>• Dr Richard Judge, Chief Executive HSE</li><li>• [REDACTED] Bateman Engineering Ltd</li></ul>
1	<p><b>CORONER</b> Richard Travers HM Senior Coroner for Surrey</p>
2	<p><b>CORONER'S LEGAL POWERS</b> I make this report under paragraph 7(1) of Schedule 5 to The Coroners and Justice Act 2009.</p>
3	<p><b>INVESTIGATION and INQUEST</b> The inquest into the death of <b>Mr Dimbleby</b> was opened on the 4<sup>th</sup> August 2015 and was resumed on the 22<sup>nd</sup> March 2016 with a jury and concluded the following day, 23<sup>rd</sup> March 2016.</p> <p>The jury found the cause of death to have been:</p> <p>1a. Hypoxic Brain Injury 1b. Cardiac Arrest 1c. Traumatic Fracture of Cervical Vertebrae</p> <p>They concluded with a short form conclusion of 'Accidental Death'.</p>
4	<p><b>CIRCUMSTANCES OF THE DEATH</b> On the 23<sup>rd</sup> July 2015, Mr Dimbleby, a very experienced crop sprayer, was spraying areas of cover at Warren Barn Farm, Woldingham, Surrey. He was driving his usual vehicle a Bateman RB35 self-propelled sprayer with which he was very familiar. The land was undulating and in parts very steep. As Mr Dimbleby was making his way from the second area of cover to the third area, the sprayer became unstable and rolled down the incline. Mr Dimbleby was thrown from the cabin and died as a result of</p>

	<p>injuries that were sustained when he was struck by the rolling vehicle. The cabin of the vehicle was still intact and generally undamaged, but there was no form of operator seat restraint. The jury found that the gradient of the slope on which he was working together with the absence of a seatbelt made a material contribution to his death.</p>
5	<p><b>CORONER'S CONCERNS</b></p> <p>During the course of the inquest the evidence revealed matters that gave rise to concerns that circumstances creating a risk of other deaths will continue to exist in the future unless action is taken.</p> <p>The <b>MATTERS OF CONCERN</b> are:</p> <p><u>Operator Seat Restraint</u></p> <ol style="list-style-type: none"> <li>1. Consideration should be given to fitting operator seat restraints to self-propelled sprayers. The cabin of the vehicle was such that it would have provided adequate protection to Mr Dimpleby had he not been thrown out of the vehicle. However, without appropriate operator seat restraints there is a serious risk that the operator will be thrown from the vehicle should it overturn and, as such, a safe cabin does not provide adequate protection.</li> <li>2. Consideration should be given to removing self-propelled sprayers from the class of vehicles in respect of which the HSE guidance suggests that operator seat restraints may not be needed or are inappropriate [Agriculture Information Sheet 37 (revision1)].</li> </ol>
6	<p><b>ACTION SHOULD BE TAKEN</b></p> <p>In my opinion action should be taken to prevent future deaths and I believe that the persons listed in paragraph one above are in a position to draw these concerns to the appropriate authority in Portugal who has the power to take such action.</p>
7	<p><b>YOUR RESPONSE</b></p> <p>You are under a duty to respond to this report within 56 days of its date; I may extend that period on request.</p> <p>Your response must contain details of action taken or proposed to be taken, setting out the timetable for such action. Otherwise you must explain why no action is proposed.</p>

8	<p><b>COPIES</b></p> <p>I have sent a copy of this report to the following:</p> <ol style="list-style-type: none"><li>1. Dr Richard Judge, Chief Executive HSE</li><li>2. [REDACTED] Bateman Engineering Ltd</li><li>3. [REDACTED] (Mr Dimbleby's widow)</li><li>4. DAC Beachcroft Claims Ltd ([REDACTED])</li><li>5. The Chief Coroner</li></ol>
	<p><b>Signed:</b></p> <p><i>Richard Travers</i></p> <p><b>DATED this 23<sup>rd</sup> March 2016</b></p>