

Our Ref: PB/CW251018
Your Ref: MDF-HK/2963-2017
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Date: 25 October 2018

Private & Confidential

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HM Senior Coroner
West Yorkshire – Western
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Princess Street
Halifax
HX1 1TS



Dear Mr Fleming

re: Peter Jonathan Gledhill, deceased

Thanks for your letter of 30 August 2018 and the 'Action to Prevent Future Deaths' report regarding the above named.

You raised as a matter of concern, "to review safety aspects of the pathway running along the steep embankment overlooking the river and consider the appropriateness of fencing". You further state that you believed that I, as Director of Public Health, have the power to take such action. Although I am an employee of Calderdale MBC I do not have any statutory powers to take action on such issues.

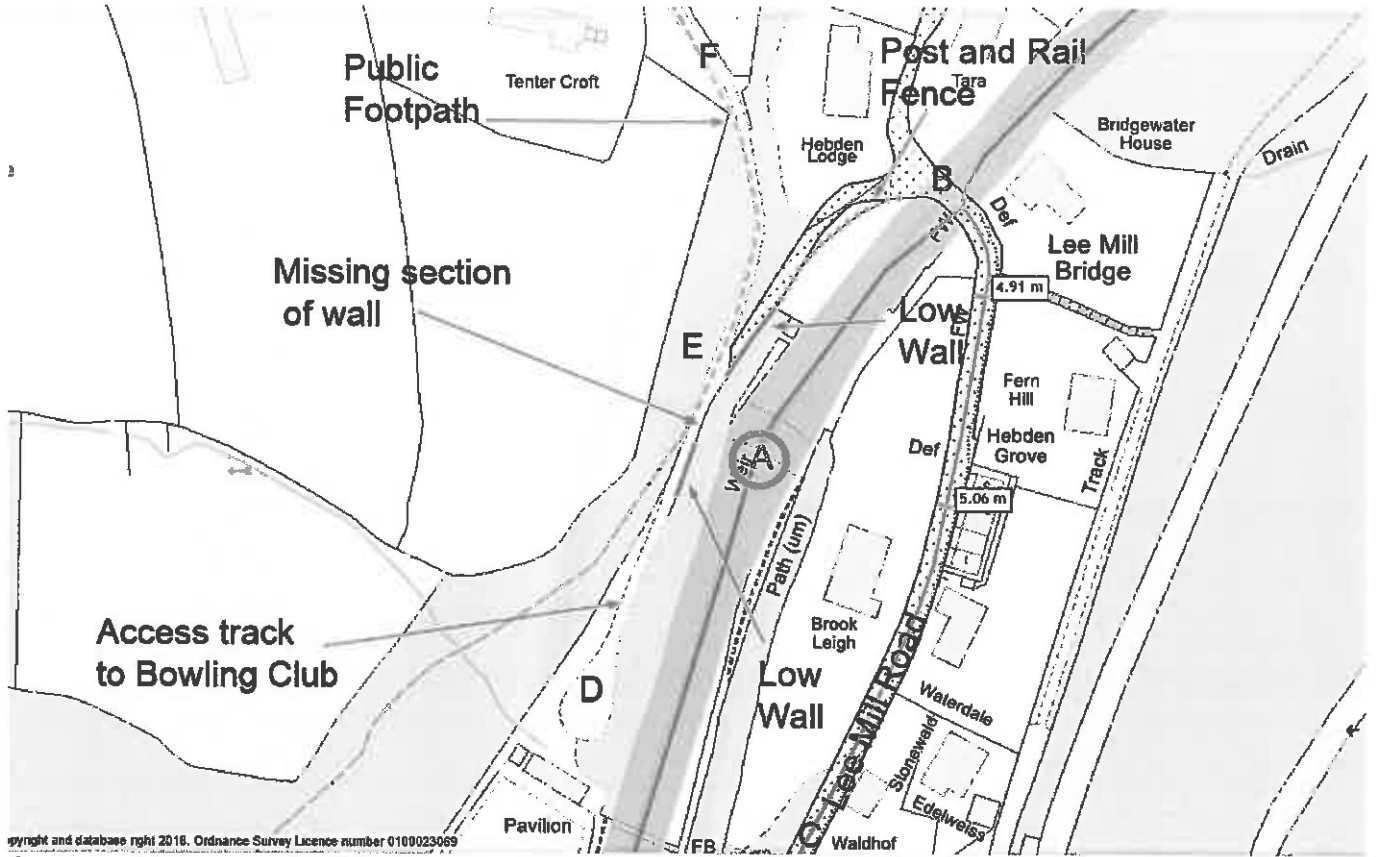
Calderdale MBC have a have statutory duty (s.130 Highways Act 1980) to ensure only that the public can enjoy the benefits of the highway. The Council does not own the land and have no legal powers to build a wall or fence, nor have any responsibility to maintain any part of the missing wall.

I did ask my Highways colleagues to make some investigations so I could provide you with some additional information. Your report did not identify exactly where the incident occurred but my colleagues have produced a map of the area in question (see appendix 1 attached).

The Mountain Rescue Team confirmed that they recovered Mr Gledhill's body from point A on the map. It is their understanding that his personal effects and shirt were found on top of a wall at point E on the map. My colleagues have also established that the initial section of the track (the section between points B–E on the map) is registered to private individuals and the section of track (E-D on the map) is registered to Midgehole Working Mens Club who own the bowling club. Lee Mill Road between points C -B on the map is not adopted nor is the access track to the Bowling Club between points B-E-D. The footpath running down the access track is shown in pink on the map and this runs for a short distance along the access track to the Bowling Club



APPENDIX 1: Map of Hebden Water and surroundings



Courtesy of Calderdale MBC Highways section