




for Lancashire & Blackburn with Darwen

	<p><b>REGULATION 28 REPORT TO PREVENT FUTURE DEATHS</b></p> <p><b>THIS REPORT IS BEING SENT TO: The Chief Coroner; [REDACTED] – Head of Service for Public and Integrated Transport, Lancashire County Council [“LCC”] and Antonette Wilson</b></p>
1	<p><b>CORONER</b></p> <p>I am Simon Jones, an Assistant Coroner for Lancashire &amp; Blackburn with Darwen</p>
2	<p><b>CORONER’S LEGAL POWERS</b></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. <a href="http://www.legislation.gov.uk/ukpga/2009/25/schedule/5/paragraph/7">http://www.legislation.gov.uk/ukpga/2009/25/schedule/5/paragraph/7</a> <a href="http://www.legislation.gov.uk/uksi/2013/1629/part/7/made">http://www.legislation.gov.uk/uksi/2013/1629/part/7/made</a></p>
3	<p><b>INVESTIGATION and INQUEST</b></p> <p>On I commenced an investigation into the death of Freda Odette Mason aged 67. The investigation concluded at the end of the inquest on the 9<sup>th</sup> April 2019. The conclusion of the inquest was that Freda Mason died an Accidental Death.</p>
4	<p><b>CIRCUMSTANCES OF THE DEATH</b></p> <p>Freda Odette Mason suffered from a number of underlying conditions including chronic obstructive pulmonary disease and osteoporosis, and had sustained a number of fragility fractures including fractures to her left humerus and to her vertebrae in 2017. On the 26<sup>th</sup> July 2018 at approximately 1145hrs, while sitting at a bus stop at the junction of Burnley Road and Victoria Street Padiham, she fell through the back of the bus shelter where a panel of glass was missing [and, on the evidence, had been missing for approximately three months]. She was admitted to Royal Blackburn Hospital at approximately 2325hrs that same day where she was found to have sustained multiple rib fractures. Surgical intervention and invasive ventilation could not be provided, due to her underlying conditions, and her respiratory function was severely compromised. She died in hospital on the 29<sup>th</sup> July 2018 at approximately 1945hrs.</p>
5	<p><b>CORONER’S CONCERNS</b></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 <b>MATTERS OF CONCERN</b> are as follows. –</p> <p>LCC has a duty to maintain bus shelters within its area, and does so using a process whereby complaints are made to LCC by third parties – members of the public, councillors, employees of LCC and of bus companies – and LCC assesses the complaint and responds , effecting repairs where necessary. This is best described as a reactive process; and LCC does not operate an inspection system where it views the bus shelters. This means that unless a third party notifies LCC of a problem, it has no knowledge of it and cannot respond/repair.</p> <p>In my opinion a more pro-active system of anticipating necessary repairs could prevent future deaths; and LCC has the power to take further additional steps to ensure that problems requiring repair are brought to its attention immediately – whether by implementing a regime of inspection or by ensuring that those who use/visit the shelters [including bus drivers and inspectors] are required [or encouraged, where LCC does not have the authority to require it] to notify LCC of any problem which needs attention.</p>

6	<p><b>ACTION SHOULD BE TAKEN</b></p> <p>In my opinion action should be taken to prevent future deaths and I believe you have 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 the date of this report, namely by <b>12<sup>th</sup> June 2018</b>. 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><b>COPIES and PUBLICATION</b></p> <p>I have sent a copy of my report to the Chief Coroner and to the following Interested Persons –  <span style="background-color: black; color: black;">[REDACTED]</span>.</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>Dated 09/04/2019</p> <div style="text-align: center;">  </div> <p>Signature for <b>Lancashire &amp; Blackburn with Darwen</b></p>