

Regulation 28: REPORT TO PREVENT FUTURE DEATHS (1)

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

REGULATION 28 REPORT TO PREVENT DEATHS

THIS REPORT IS BEING SENT TO: Jim O'Sullivan, Chief Executive of Highways England

1 CORONER

I am Tom OSBORNE, Senior Coroner for the area of Milton Keynes

2 CORONER'S LEGAL POWERS

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.

3 INVESTIGATION and INQUEST

On 3rd September 2018 I commenced an investigation into the deaths of Susan Barbara HENDERSON aged 36 years and Margaret Louise SHAW aged 53 years. The investigation concluded at the end of the inquest on 5th April 2019. The conclusion of the inquest was that the drivers had died from multiple injuries and part of the narrative conclusion was that:

The standing water had accumulated due to blocked gullies on the side of the road that had not previously been identified on routine inspection.

4 CIRCUMSTANCES OF THE DEATH

Susan and Margaret died on the A5, Milton Keynes when one car aquaplaned across the road into the path of an oncoming vehicle. Both drivers died at the scene as a result of their injuries.

5 CORONER'S CONCERNS

The MATTERS OF CONCERNS are as follows:

During the course of the evidence I heard how the roads are examined and monitored on a regular basis but that such inspections are conducted at speed and that the process failed to identify the problem with this particular drain on the A5. I believe that the process for inspection should be reviewed.

6 ACTION SHOULD BE TAKEN

In my opinion action should be taken to prevent future deaths and I believe you (and/or your organisation) have the power to take such action.

7 YOUR RESPONSE

You are under a duty to respond to this report within 56 days of the date of this report, namely by 24th July 2019. I, the coroner, may extend the period.

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.

8 COPIES and PUBLICATION

I have sent a copy of my report to the Chief Coroner and to the following Interested Persons:

The families of both Ms Henderson and Ms Shaw

Kier Highways

Thames Valley Police

I am also under a duty to send the Chief Coroner a copy of your response.

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.

9

A handwritten signature in black ink, appearing to read 'Tom Osborne', with a stylized flourish at the end.

Tom OSBORNE

Senior Coroner for

Milton Keynes

Dated: 30 May 2019