



	<p><b><u>REGULATION 28 REPORT TO PREVENT FUTURE DEATHS</u></b></p> <p><b>THIS REPORT IS BEING SENT TO:</b></p> <p><b>URBN UK Ltd (Company number 03124253)</b></p>
1	<p><b>CORONER</b></p> <p>I am Laurinda Bower, HM Assistant Coroner for <b>Nottingham City and Nottinghamshire</b></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.</p> <p><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 10 June 2019, I commenced an investigation into the death of Stanislawa Kmiecik, who died on 12 April 2019 as a result of</p> <p>1a. Multiple Injuries</p> <p>An inquest touching her death is yet to take place.</p>
4	<p><b>CIRCUMSTANCES OF DEATH</b></p> <p>Stanislawa Kmiecik entered the Urban Outfitters store in the Victoria Shopping Centre, Nottingham, on the afternoon of 12 April 2019. She made her way across the shop floor, and accessed a concrete mezzanine floor via a gate just off of the main shop floor. This area is not supposed to be accessed by members of the public, rather it is an area intended for staff to access in order to display merchandise and signage, but it is visible and was accessible from the shop floor where members of the public are free to roam.</p> <p>The concrete mezzanine floor has two open spaces leading to the basement shop floor approximately 18 feet below. Mrs Kmiecik entered the open space and fell to the floor below sustaining multiple injuries consistent with a fall from height. She died at the scene.</p>
5	<p><b><u>CORONER'S CONCERNS</u></b></p> <p>Having reviewed the evidence received to date and having visited the scene there are matters giving rise to a concern of a risk of death to staff or members of the public accessing the area. 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> <ol style="list-style-type: none"><li>(1) There is a drop of some 18 feet between the mezzanine floor and the basement shop floor below that is accessible via a gate from the shop floor where persons are free to roam</li><li>(2) There is no signage highlighting the risk of fall</li><li>(3) Whilst the area is cordoned off from the main shop floor by way of a locked mesh gate and some scaffolding type posts, it remains possible for staff and/or members of the public to access the area.</li></ol>

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|  | <ul style="list-style-type: none"><li>(4) Although members of staff have been told not to access this area of the shop, I remain concerned that in the absence of signage, a new or inexperienced member of staff may seek access to that area either by unlocking the gate or by climbing over the gate (as has happened in the past).</li><li>(5) If a member of staff or the public were to access the area, there remains a risk of falling from height as there is no safety netting or other safety structure below either of the two openings in the mezzanine floor.</li><li>(6) The surface area surrounding the openings is uneven and in a state of disrepair, posing a trip hazard to any member of staff or the public in the vicinity and increasing the risk of inadvertently falling from height.</li><li>(7) Further, any item that is dropped in that area, or is thrown over the gate, could fall through the opening and onto staff/members of the public below.</li></ul> |
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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 action in relation to the above matters:</p> <p>(1) URBN UK Ltd</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 19 September 2019. 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:</p> <p>Mrs Kmiecik's family</p> <p>and INTU (as the Management company for the Victoria Shopping Centre), Nottinghamshire Constabulary and the Environmental Health Office of Nottingham City Council who may find it useful or of interest.</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>25/07/2019</p> <p>Signature _____</p> <p>Laurinda Bower Assistant Coroner <b>Nottingham City and Nottinghamshire</b></p>