

Mrs Heidi Connor  
Senior Coroner for the coroner area of Berkshire  
Reading Borough Council  
Reading Town Hall  
Blagrove Street  
Reading  
RG1 1QH

**Nicola Bell**  
Regional Director, South East  
Highways England  
Bridge House  
Walnut Tree Close  
Guildford  
GU1 4LZ

[www.highwaysengland.co.uk](http://www.highwaysengland.co.uk)

December 2019

Dear Mrs Heidi Connor,

**Regulation 28 Report following the M4 Minibus Inquest**

On behalf of Mr [REDACTED] and Mrs [REDACTED] of Highways England Company Limited, please find enclosed the Highways England response to the Regulation 28 Report to Prevent Future Deaths dated 24th October 2019 following the M4 Minibus Inquest. As per our duty, we have responded within 56 days, namely by 19th December 2019.

We have also posted a hard copy to the Reading Coroner's Court in Blagrove Street, Reading.

Yours sincerely,

[REDACTED]  
Regional Director, South East

	<p><b>REGULATION 28 REPORT TO PREVENT FUTURE DEATHS</b></p> <p><b>THIS RESPONSE IS BEING SENT TO:</b></p> <p>1. <b>The Senior Coroner for Berkshire, Mrs Heidi Connor of Reading Town Hall, Blagrove Street, Reading RG1 1QH</b> in response to a 'Regulation 28 Report to Prevent Future Deaths' following an inquest hearing into the deaths of Catherine Gardiner, Jason Aleixo and Lorraine McLellan that concluded on 10 October 2019.</p>
1	<p><b>HIGHWAYS ENGLAND</b></p> <p>I am [REDACTED] Regional Director South East of Highways England Company Limited of Bridge House, 1 Walnut Tree Close, Guildford, Surrey GU1 4LZ.</p>
2	<p><b>CORONER'S MATTERS OF CONCERN</b></p> <p>The <b>MATTERS OF CONCERN</b> are as follows:-</p> <p>a. Please confirm whether there is any organisation with oversight of the amount of time taken for the temporary closure of hard shoulders nationally, given that the relevant Order allows for closure to continue "until completion of the works", with no end date.</p> <p>b. Is there any incentive to reduce hard shoulder closures or any penalty for prolonging these, beyond purely commercial implications?</p>
3	<p><b>RESPONSE TO THE CORONER'S MATTERS OF CONCERN</b></p> <p>a. Organisation with oversight of temporary hard shoulder closures in England</p> <p>In Highways England, temporary closures of roads including hard shoulders are managed through the various work programmes at regional level. Temporary Traffic Regulation Orders made to restrict or prohibit traffic on our roads under the Road Traffic Regulation Act 1984 can remain in force for up to 18 months from the date on which the Order comes into force. In line with the legislation, Highways England drafts Orders in an open-ended way to allow for unexpected or unplanned changes that may arise following the commencement of the works in a delivery programme e.g. inclement weather, sub-contractor issues, supply problems. The Order will state that the closure may continue "until completion of the works" although every effort is made to keep this to the shortest time possible.</p> <p>In this case, the Order provided a start date of 24 September 2018 and the planned works were completed (and the temporary varioguard removed) on 09 November 2018. The planned replacement of the vehicle restraint system to the nearside of the M4 motorway junction 14 to 13 took a period of 6 weeks.</p> <p>b. Incentive to reduce hard shoulder closures / penalty for prolonging hard shoulder closures</p> <p>When carrying out road works, the safety of our customers and road workers is managed by the appointed contractor in accordance with a site-specific Risk Assessment Method Statement (RAMS), the Construction (Design and Management) Regulations (CDM) 2015, and the published guidance for traffic authorities issued by the Department for Transport; 'Traffic Signs Manual Chapter 8 roadworks and temporary situations'.</p>
4	<p><b>SAFETY OF ROAD USERS</b></p> <p>The safety of our road users is an imperative for our business and safety is a core value of our organisation. Our company vision is that everyone gets home safe and well.</p>

5	<p data-bbox="331 264 544 293">December 2019</p> <p data-bbox="635 264 735 293">Signed:</p> <div data-bbox="612 309 909 477" style="background-color: black; width: 186px; height: 75px; margin: 0 auto;"></div> <p data-bbox="635 477 1038 506">Regional Director, South East</p>
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