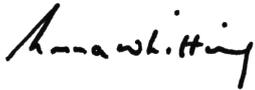




**Senior Coroner - Emma Whitting  
Bedfordshire & Luton  
REGULATION 28 REPORT TO PREVENT FUTURE DEATHS**

	<p><b>THIS REPORT IS BEING SENT TO:</b></p> <p>Mr [REDACTED], Chief Executive of Luton Borough Council Town Hall George Street Luton Bedfordshire LU1 2BQ</p>
1	<p><b>CORONER</b></p> <p>I am Emma WHITTING, Senior Coroner for the area of Bedfordshire and Luton Coroner Service</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 Seventeenth January 2020 I commenced an Investigation into the death of Ibrahima YAHAIA aged 69. The investigation concluded at the end of the inquest on Fourth November 2020. The conclusion of the inquest was Accident.</p> <p>Ia Multiple Severe Injuries Ib Ic II Road Traffic Collision</p>
4	<p><b>CIRCUMSTANCES OF THE DEATH</b></p> <p>At around 17.55 hours on 15 January 2020, the Deceased was struck by a single decker bus whilst he was walking along the designated busway, instead of using the adjacent pedestrian footpath, close to Jeans Way, Luton. The bus was travelling between 50 and 52 miles per hour and the Deceased suffered fatal injuries; his death being confirmed by attending paramedics at 18.15 hours. Approximately one hour prior to the incident, the Deceased, a French non-English speaking national, had arrived by plane from Lyon, France, and, although family members believed they had arranged for him to have assistance so that he would be met by them at arrivals, the Deceased who suffered with memory issues, had left the airport alone.</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>(1) There is a pedestrian footway which runs parallel to the Busway in places and pedestrians have access to the Busway at bus stops. Pedestrians may cross the Busway at the bus stops and there is no physical prevention for pedestrians to enter the Busway lanes. There is no signage on the Busway, itself stating pedestrians should not enter and only a small sign on a post by the footpath which states pedestrians should not trespass on the Busway. Although the footpaths which run parallel to the Busway are separated by fences, there are a number of places where pedestrians may freely enter the Busway. Hatters Way, Luton has many gaps in the fence, with no gate, giving pedestrians free access to roam in and out of the Busway lanes. There are no signs of bus stops near these gaps in the fences and, at the Bury Park end of Hatters Way, there is no fencing which again means pedestrians are free to enter the Busway lanes. Unlike train tracks, where the only way to get access is via a station, the Busway is easily accessed, yet it is just as dangerous;</p> <p>(2) There have been at least two other incidents on the Busway (involving serious injury/death) in the period from 9 February 2019 and 15 January 2020;</p> <p>(3) Evidence from the local Forensic Collision Investigation Unit suggests there are clear and evident design flaws with this Busway;</p> <p>(4) The local Forensic Collision Unit has seen no evidence of any steps being taken to prevent further vulnerable people from being injured/killed in incidents on this Busway.</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, Mr [REDACTED], 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 25 January 2021. 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: Mr [REDACTED] (Deceased's son) and the Forensic Collision Investigation Unit at Stevenage Police Station.</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</p>

	useful or of interest. You may make representations to me, the Senior Coroner, at the time of your response, about the release or the publication of your response by the Chief Coroner.
9	 Emma WHITTING Senior Coroner for Bedfordshire and Luton Coroner Service Dated: 01 December 2020