

Coroner's Office and Court  
71 Northgate  
Wakefield  
WF1 3BS

[REDACTED]

29<sup>th</sup> June 2021

Dear Sir,

**Inquest touching the death of Elliot Peter Burton  
Regulation 28 Report to Prevent Future Death**

I am responding on behalf of the Canal & River Trust ("the Trust") to your Regulation 28 Report dated 30<sup>th</sup> April 2021 (received by the Trust on 11<sup>th</sup> May 2021), in light of the tragic and untimely death of Elliot Peter Burton.

I confirm that I am duly authorised to respond to your report on behalf of the Trust.

You have set out that you believe the Trust has the power to take action to prevent future deaths. The Trust's connection with your investigation is that the Trust is part-owner of Kirkthorpe weir. The Trust owns the western half (the Eastmoor estate side) of the weir. The weir is essential in maintaining water levels (known as "navigation levels") to allow boats to use the Aire & Calder Navigation which is operated by the Trust.

The hydropower scheme operated by Yorkshire Hydropower Limited (YHL) is on land owned by Wakefield Metropolitan District Council (WMDC) and WMDC own the Eastern half of the weir adjacent to the hydroscheme itself. Both banks adjacent to the weir are owned by WMDC.

The Trust has and continues to proactively engage with the other parties involved (YHL and WMDC) in relation to shared risks at Kirkthorpe Weir and the implementation of control measures as appropriate.

There have been a number of meetings between the Trust (myself attending) and representatives of WMDC and YHL. We have discussed the risks and potential mitigations, and the outcome of those discussions is a proposal to install a fence at the interface between the hydroplant and the sluice gates. This would be on land not owned or managed by the Trust, though the Trust is a

statutory consultee for any planning applications which may affect the weir and navigation. We will provide our statutory responses to any planning applications as a matter of priority.

We are aware that WMDC are considering the installation of a fence or other deterrent along the western bank which will not prevent access to the weir but will deter it. It is also hoped that the installation of interpretation panels with Water Safety Messaging (which the Trust has developed) will also have a deterrent effect.


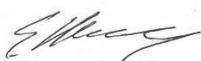
We note that your letter has been sent to media representatives with a view to conveying the nature of the risks to families living on the nearby Eastmoor Estate. Following Elliot's tragic death, the Trust has rolled out a number of educational and outreach activities as part of its 2020-2021 programme and this work continues, including:

- A Schools Water Safety Awareness Communication produced by the Trust's national Education team. This is a series of on-line learning bundles aimed at children (5-11 years) for teachers, uniformed groups and parents to use at home while schools were closed.
- A water safety video aimed at children aged 5 – 11 years which focuses on the Trust's 'Stay Away From the Edge' message and explains what to do in an emergency.
- All primary schools across Wakefield and surrounding area have received multiple emails as part of both Drowning Prevention Week in (June 2020 and June 2021) and our Winter Water Safety Campaign (Nov 2019 & Nov 2020) containing links to our water safety resources. In addition, all primary schools in the area were offered our free digital Water Safety session (Jan 2021)

Since July 2019, the Yorkshire & North East region has delivered water safety sessions that reached 7942 children up to the age of 11 across the Region.

I believe that this addresses all of your concerns.

Yours faithfully,



**Director Yorkshire & North East  
Canal & River Trust**