

**Her Majesty's Coroner
for the County of Dorset**



Senior Coroner: Rachael C Griffin

Assistant Coroners: Brendan J Allen, Grant E Davies
Richard T Middleton, Debbie S Rookes
Stephen J Nicholls, Victoria L Cook

20 May 2021

REGULATION 28 REPORT TO PREVENT FUTURE DEATHS

THIS REPORT IS BEING SENT TO: [REDACTED] **Chief Executive, BCP Council, The
Town Hall, Bourne Avenue, Bournemouth**

1 CORONER

I am Brendan J Allen, Acting Area Coroner for The County of Dorset

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.

<http://www.legislation.gov.uk/ukpga/2009/25/schedule/5/paragraph/7>

<http://www.legislation.gov.uk/uksi/2013/1629/part/7/made>

3 INVESTIGATION and INQUEST

On 26 May 2020 I commenced an investigation into the death of Wilfred Roy Breakell.

The investigation concluded at the end of the inquest on 12 May 2021.

The conclusion of the inquest was Accident

1a Multiple Fractures of Cervical Spine

1b Fall from a Bicycle

1c

II

4 CIRCUMSTANCES OF THE DEATH

Wilfred Roy Breakell died at the Royal Bournemouth Hospital on 18th May 2020 from multiple fractures of his cervical spine sustained on 17th May 2020 when he fell into a storm drain at Blackwater Junction, Hurn whilst riding his bicycle. The incident occurred at the northbound exit, which, at the time, had recently been refurbished. There was no barrier between the highway and the storm drain, which is lined with concrete paving slabs. Mr Breakell appears to have fallen into the storm drain and landed on one of the concrete paving slabs, resulting in the significant injuries that led to his death.

5 CORONER'S CONCERNS

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.

The **MATTERS OF CONCERN** are as follows. –

(1) Although there is now wooden fencing that runs from the end of the paved footpath in a northerly direction (adjacent to the pedestrian crossing), there is still no barrier between the highway and the storm drain where there is no paved area; that is, from the start of the exit from the A338 to the paved footpath adjacent to the pedestrian crossing. The evidence I heard at the Inquest from the investigating police officer is that cyclists use the A338 and the Blackwater Junction exit. There remains a risk that if a cyclist left the paved highway for any reason, he or she would be at risk of falling into the storm drain. In addition, if a vehicle lost control at the exit, that vehicle is at risk of leaving the highway and falling into the storm drain. A barrier between the highway and the storm drain would reduce that risk.

