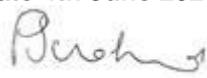




REGULATION 28: REPORT TO PREVENT FUTURE DEATHS

	<p>THIS REPORT IS BEING SENT TO:</p> <p>██████████ Chief Executive West Sussex County Council County Hall Chichester West Sussex PO19 1DN</p>
1	<p>CORONER</p> <p>I am PENELOPE SCHOFIELD, Senior Coroner, for the coroner area of WEST SUSSEX</p>
2	<p>CORONER'S LEGAL POWERS</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>
3	<p>INVESTIGATION and INQU EST</p> <p>On 24th September 2020 I commenced an investigation into the death of Pathushan Sutharsan which concluded at the end of the inquest on 27th May 2021</p> <p>At the end of the Inquest I concluded "Pathushan died as a result of an accident."</p> <p>Following the Inquest, I indicated that I was minded to make a Regulation 28 report setting out my concerns surrounding the circumstances of Pathushan's death.</p>
4	<p>CIRCUMSTANCES OF THE DEATH</p> <p>On 22nd July 2020 Pathushan was taking part in a charity cycle ride on the Downs link in West Sussex. He was cycling on the stretch from Cranleigh towards Southwater when he went down a steep slope along the track that approached the junction with the A281. As he got close to the A281 it appears that he braked but lost control of his bike (probably caused by the gravel surface on the track). This caused him to fall from his bike with a forward momentum pushing him out into the road directly into the path of a Heavy Goods Vehicle being driven along the A281.</p> <p>There is no physical barrier in place and the signage in the lead up to the junction at the time to warn users on the Downs link of the immediacy of a major A-road was inadequate.</p> <p>Following Pathushan's death a post mortem examination was carried out and this showed the cause of death was due to 1a Blunt head injury.</p>

5	<p><u>CORONER'S CONCERNS</u></p> <p>During 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 MATTERS OF CONCERN are as follows. –</p> <p>Whilst it was accepted that West Sussex County Council had, following Pathushan's death, made significant improvements to the junction between the Downs link and the A281 evidence was heard from a number of different organisations (speaking on behalf of all the different users of the Downs link) that the junction in question still posed a substantial risk for cyclists, pedestrians and equestrians alike.</p> <p>This junction is the only part of the Downs Link that crosses a major A-road where there is no alternative safe crossing, a Pegasus crossing or bridge. Evidence was heard that there is no pavement running alongside the A281 and therefore this causes poor sight lines for horse riders and, in some circumstances, cyclists who have to put their horse's head or part of their bike out onto the road before they can see oncoming traffic.</p> <p>It is understood that WSCC has identified a need to address the issues at this junction and has undertaken (or is about to undertake a feasibility study) but it appears that at this stage there are no definitive plans in place to take this forward. Therefore the significant risk to the users of this junction remains.</p> <p>The Downs link is actively promoted as a recreational activity by West Sussex County Council.</p>
	<p>ACTION SHOULD BE TAKEN</p> <p>In my opinion action should be taken to prevent future deaths and I believe your organisation have the power to take such action.</p>
7	<p>YOUR RESPONSE</p> <p>You are under a duty to respond to this report within 56 days of the date of this report, namely by 24th August 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>COPIES and PUBLICATION</p> <p>I have sent a copy of my report to the Chief Coroner and to the following Interested Persons: -</p> <p>██████████ and family</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>Date 4th June 2021</p> <p></p> <p>Penelope Schofield, Senior Coroner</p>