


Regulation 28: REPORT TO PREVENT FUTURE DEATHS

REGULATION 28 REPORT TO PREVENT DEATHS

THIS REPORT IS BEING SENT TO:

Chief Executive
Great Yarmouth Borough Council
Town Hall
Great Yarmouth
Norfolk
NR30 2QF


Clerk for Parish Council
79 Seafield Road North
Caister-on-Sea
Great Yarmouth
Norfolk
NR30 5LF

1. CORONER

I am Jacqueline LAKE, Senior Coroner for the area of Norfolk

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.

3. INVESTIGATION and INQUEST

On 13/08/2021 I commenced an investigation into the death of Anthony David RODÈ aged 74. The investigation concluded at the end of the inquest on 24/01/2022. The medical cause of death was:

- 1a) Hypoxic Brain Injury
- 1b) Out of Hospital Cardiac Arrest
- 1c) Spinal Fractures Following a Fall
- 1d)

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The conclusion of the inquest was: Accident.

4. CIRCUMSTANCES OF THE DEATH

Mr Rodè was a volunteer for the Coastwatch Institution, based at Second Avenue, Caister On Sea. On 24 July 2021 Mr Rodè used his own strimmer to cut grass on sand dunes next to the office, which had grown to such a height it was restricting the view from the hut down the beach. Whilst strimming the grass, Mr Rodè fell down the bank onto the concrete path below sustaining injuries which 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 could 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. There is a dispute between Great Yarmouth Borough Council and Caister-On-Sea Parish Council as to who is responsible for the stretch of land where Mr Rodè was strimming the grass.
2. Caister-On-Sea Parish Council state that the bank is part of the sea defences and so is the responsibility of the Great Yarmouth Borough Council.

3. Great Yarmouth Borough Council state the land belongs to the Parish Council and so is their responsibility.
4. As a result, neither organisation has taken responsibility for this section of coastline and the grass on the dunes has grown to such a height as to obscure the view of the Coastwatch volunteers along the beach.
5. Accordingly, the Coastwatch volunteers are unable to properly carry out their role to provide the "eyes and ears" along the coast and to assist in the protection and preservation of life at sea and along the coastline. In addition, in this case, it has resulted in a volunteer making the decision to cut the grass himself in circumstances when it was not safe to do so

6. ACTION SHOULD BE TAKEN


In my opinion action should be taken to prevent future deaths and I believe your organisations have the power to take such action.

7. YOUR RESPONSE

You are under a duty to respond to this report within 56 days of the date of this report, namely by 21 March 2022. I, the coroner, may extend the period. 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.

8. COPIES and PUBLICATION

I have sent a copy of my report to the Chief Coroner and to the following Interested Persons:


I have also sent it to RoSPA who may find it useful or of interest.

I am also under a duty to send a copy of your response to the Chief Coroner and all interested persons who in my opinion should receive it.

I may also send a copy of your response to any other person who I believe may find it useful or of interest.

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.

9. Dated: 25 January 2022



Jacqueline LAKE
Senior Coroner for Norfolk
Norfolk Coroner Service
County Hall
Martineau Lane
Norwich NR1 2DH