

Report for Coroner in respect of fatality at Huntingdon Road Bridge

Tomi Obi Solomon – 1st June 2021.

I, Steven Lee of Calderdale Metropolitan Borough Council write this report on the 11th May 2022, which revises and replaces my earlier report dated 20th April 2022. The report is written in respect of the Huntingdon Road Bridge which is situated in Brighouse. I am writing in response to a Regulation 28 request from HM Senior Coroner for West Yorkshire, MD Flemming.

My current role is Assistant Director Strategic Infrastructure for Calderdale Council, a post I have held since September 2016. Prior to that I held similar roles in both Oldham and Salford within Greater Manchester.

I am responsible for all operational aspects of the highway network within Calderdale, a responsibility that also extends to Bridges and other highway structures.

Huntingdon Road Bridge – Highway Layout.

The Huntingdon Road Bridge is a private bridge which crosses the River Calder along the course of Huntingdon Road. Huntingdon Road runs between Armytage Road and River Street in Brighouse, Calderdale. From the River Street end, there is no vehicular access to Huntingdon Road, the through route across the bridge being created by Brighouse 145, a public right of way which is recorded on the Definitive Map and Statement as a “footpath”. The dedication for the footpath reads:

“Dedicated by agreement between the Borough of Brighouse and J. Blakeborough & Sons. Limited. Agreement dated 31 December 1962. Registered at the West Riding Registry of Deeds 11 January 1963 (Page 657 No. 321).

J Blakeborough & Sons and successors in title are obliged to repair and keep the bridge and land in good and substantial repair to the satisfaction of the Council.”

This indicates that the path itself is not adopted. Beyond the bridge itself, continuing onto Armytage Road, Huntingdon Road is recorded as adopted highway. This arrangement is shown at Appendix 1.

As noted above, Huntingdon Road Bridge is a private bridge belonging to another party and Calderdale Metropolitan Borough Council have no authority or control over it as a matter of property for the purposes of erecting signage warning of the hazards of jumping from it.

According to Section 130(1) of the 1980 Highways Act

“It is the duty of the highway authority to assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority, including any roadside waste which forms part of it.”

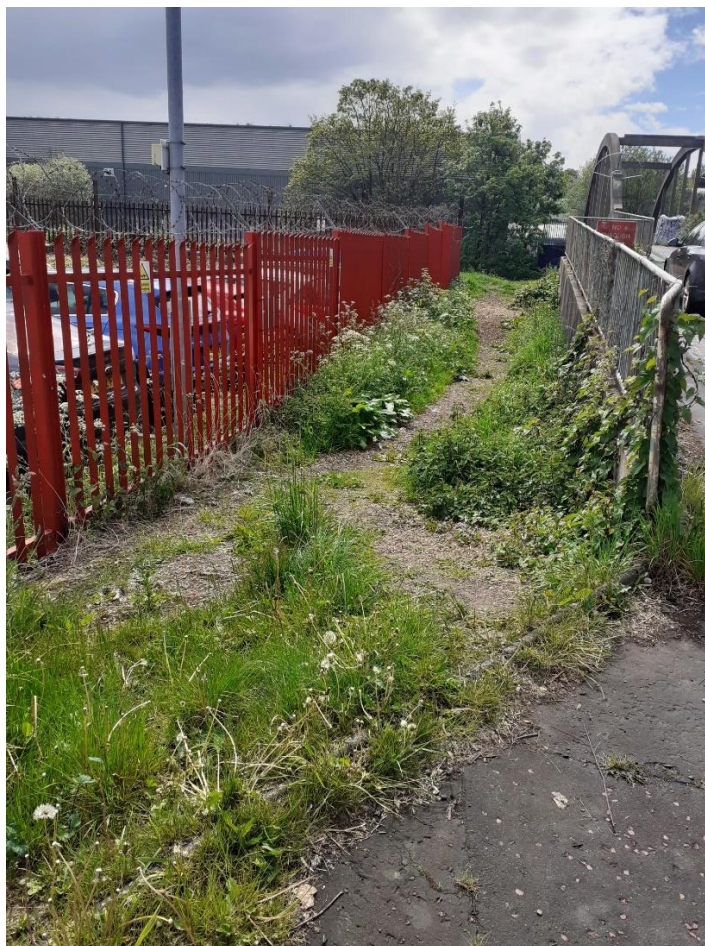
As previously stated, the bridge is crossed by Brighouse 145, a highway recorded on the Definitive Map and Statement. Consequently, according to Section 130 of the Highways Act 1980, Calderdale has a statutory duty, as the local highway authority, to maintain “passage and re-passage” which form “the rights of the public.” This entails preventing any stopping up or obstruction of the footpath.

As Highway Authority, we are, of course aware that were the PROW to be adopted then S66(3) of the 1980 Highways Act might come into play. This states the following

“A highway authority may provide and maintain in a highway maintainable at the public expense by them which consists of a footpath or bridleway, such barriers, posts, rails or fences as they think necessary for the purpose of safeguarding persons using the highway.”

However, as the PROW is not adopted that is not the case.

Further research has revealed, however, that Calderdale owns the NE riverbank which can be accessed from Huntingdon Road by the manner shown in the photograph below (and therefore might equally be used as an egress by any person or persons who choose to jump off the bridge into the river):



It should be noted that this is not a definitive footpath however.

In light of this we will discuss with partners any signage which might be erected adjacent to the path / on the riverbank, and assuming such signage can be identified, erect same as soon as possible.

Assistant Director Strategic Infrastructure
Calderdale Metropolitan Borough Council.

11th May 2022.

Appendix 1.

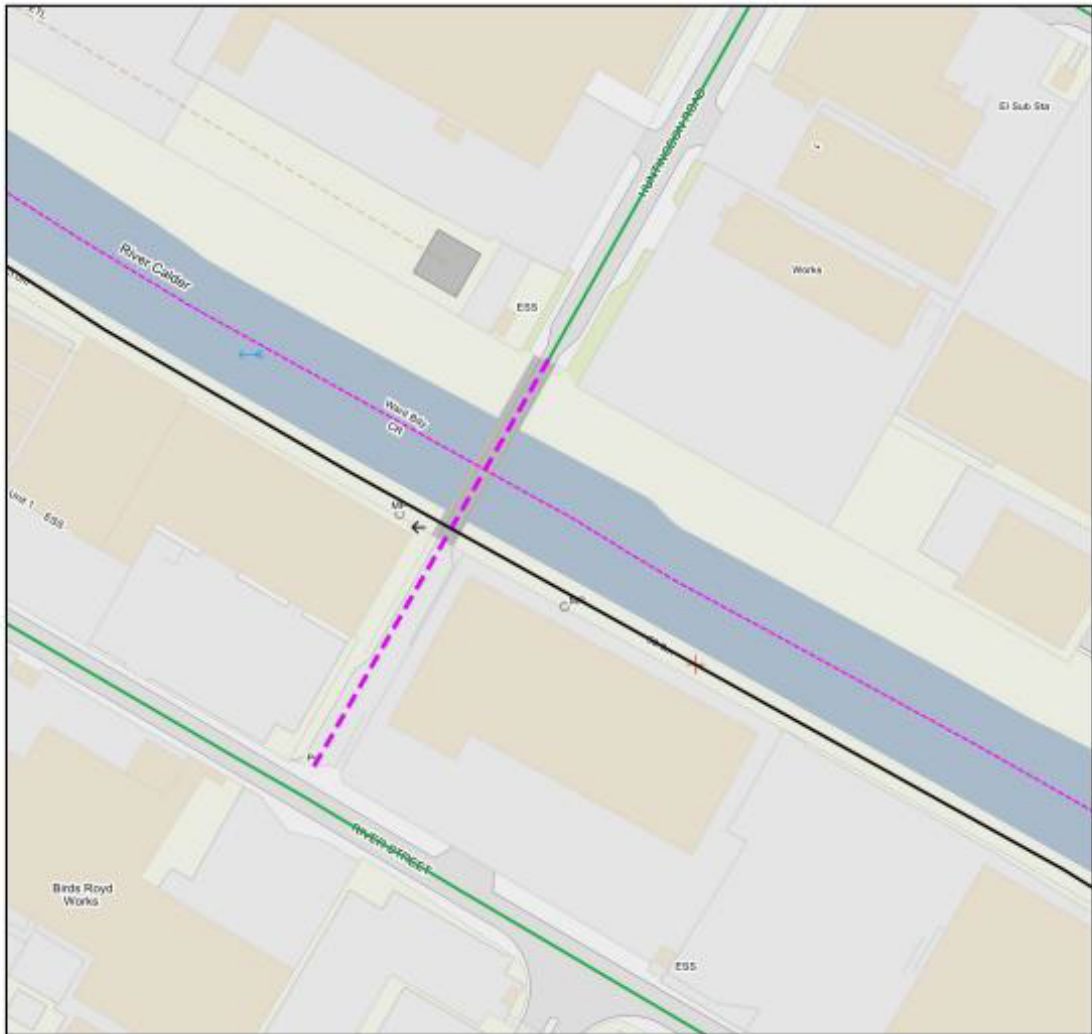


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Huntingdon Road
Brighouse 145

Drawn By: [REDACTED]

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Ordnance Survey
0100023069.
Date: 20 April 2022
Scale: 1:1250
Map Centre: 415371, 422539



Streets		---	Restricted Byway
—	Mixed	---	Cycle Path or Track
—	Unadopted	---	Road
—	Adopted	▨	CA16 Deposit
Rights of way		▭	Calderdale boundary
---	Bridleway		
---	Footpath		
---	Byway Open to All Traffic		