



Mr Andrew Walker
HM Coroner and Senior Coroner for the Northern District of
Greater London
North London Coroners Court
29 Wood Street
Barnet
EN5 4BE

05 December 2022

Re: Regulation 28 Report – Connor Peter Marron

Dear Sir,

I refer to your report dated 22nd June 2022 made under Paragraph 7, Schedule 5, of the Coroners and Justice Act 2009 and regulations 28 and 29 of the Coroners (Investigations) Regulations 2013.

I would like to take this opportunity to express my sincere condolences to the family of Mr Marron. Please be assured that we take all incidents of this nature on the railway incredibly seriously and have carefully considered the matters raised in your report. I would also like to apologise for the delay in submitting Network Rail's response, which, unfortunately, resulted from your report being initially received by a former (now retired) Network Rail employee.

Addressing the matters set out in your report in turn, in relation to the first two matters listed we note that it states that there was "*....no lighting beside the stream or the railway fence, nor any signs identifying the stream, its depth and any warning of danger*" and "*....no signs in that area to assist with locating a way out from that part of the venue's grounds*". The stream and venue referenced are not located on Network Rail land and therefore the provision of lighting and/or signage in those locations is a matter for the relevant landowners, whom Network Rail understands are Thames Water and Alexandra Palace. With regard to lighting beside the railway fence, it is not Network Rail policy to provide lighting along its fence line and, accordingly, lighting is not in place along this particular section of fencing.

In relation to the third matter listed, whilst your report states that the fence separating the venue grounds from the railway track was "*....not adequate to prevent ingress to the railway track*" and Network Rail's post-incident inspection of the fencing (on the morning of 2nd January 2022) in the wider area recorded that a small gap in the fencing had been discovered, as well as damage to the Downside access gate, resulting in minor repairs being carried out immediately, we note that the BTP's Post Incident Site Report (BTP Control Works Reference 15-020122) ("**the PISR**") concluded that, having reviewed the possible routes to the incident scene following the incident, "*.....access onto the railway is inconclusive*".

The PISR suggests two mitigation measures which could help to prevent similar incidents:

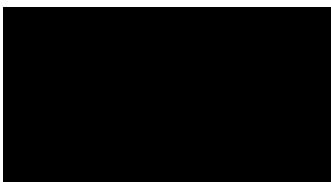
- ensuring that fence line inspections comply with the National Safety Briefing in relation to Boundary Fencing Inspection Standard NR/L2/OTK/5100 Module 01 (1st April 2019) tactile / non-tactile inspections ("**the Standard**"). Network Rail takes a pro-active approach to asset maintenance and renewal, with inspections complying with the Standard and remediation works carried out following such inspections. Where upgrading of an asset is identified as being required, a fencing proposal is prepared by the Off-Track team and ranked in terms of priority, with those with the highest scores (indicating that they are the highest priority) given precedence. Each route within an area is allocated a fund of monies to be used for maintenance and repair works, with monies focused on delivering the highest priority works identified i.e., those with the highest scores. The relevant section of fencing in this matter is inspected on a quarterly basis by the Network Rail Off-Track Team in line with the process described above; and


- replacing the relevant section of chain link fencing and continuing with palisade fencing. Whilst, as mentioned previously, the route to the incident scene has been deemed inconclusive, we note that the fencing in closest proximity to the incident scene is, in fact, palisade fencing, rather than chain link fencing (the fencing in this particular area, which separates the venue grounds from the railway track, is currently of a mixed palisade and chain link design). Class I boundary measures, which include palisade fencing, are installed to provide a security measure where the risk of unauthorised access is probable and these boundary measures are designed with anti-tamper and anti-climb components within the installation. The chain link section of fencing is approximately ¼ mile down the track, on the opposite side of the tracks and across approximately 6 lines of track. However, following a recent scheduled inspection, Network Rail has decided that the chain link section of the fencing will be replaced with palisade fencing and this work is now part of the Route's work bank to be carried out (this work has not yet been scheduled).

I note that the conclusion of this inquest was an 'open' verdict. However, I thought you may be interested in some of the other work we do as we are committed to maintaining a safe railway and to reducing opportunity for members of the public to harm themselves on or near the railway. An example of this is the work being carried out on the Peterborough to Kings Cross line of route, where this section of track is located, which is one of three Focus Areas where Network Rail is working closely with the British Transport Police, Samaritans and Rail Industry partners to prevent suicide. Network Rail has also invested significantly in preventing unauthorised access in this line- of-route through physical mitigations, such as platform end barriers and mid-platform fences at stations and lineside fencing outside.

I hope that this response answers your concerns but if I can be of any further assistance, or if you would like further clarification, please do not hesitate to contact me.

Yours sincerely,




Route Director (East Coast)
Network Rail Infrastructure Limited