

9 September 2022  
Our reference: PG/CR

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Senior Coroner's Officer - HM Coroners Service (Cumbria)  
HM Coroner  
Fairfield  
Station Road  
Cockermouth  
CA13 9PT

Dear ██████████

**Peter John Moorby Ref 2443416- Regulation 28 Report**

Cumbria County Council ("The Council") acknowledges receipt of the Regulation 28 report to prevent future deaths in this matter and provides this response as Street Authority under the Highways Act 1980.

The Council expresses its sorrow for Peter Moorby's death and offers its condolences to Mr Moorby's family and friends.

The Council acknowledges its locus as Street Authority in considering action which may be required to prevent future fatalities at Millstream Court, a private unadopted street in Cark-in-Cartmel, South Cumbria.

The Council has considered the Regulation 28 report to prevent future deaths and notes that as the wall is on a private street, that primary responsibility for action lies with the owners of the properties fronting the street.

The Council has considered the responses of the residents, ██████████ and notes that ██████████ has not yet provided a response. The Council notes that the residents do not believe any action is necessary to safeguard pedestrian and vehicular traffic and that they object to any increase in the height of the wall on grounds of amenity.

The Council commits to fulfil its duty as a Street Authority under the Highways Act and will work with the residents to support them to take action to reduce the risk and likelihood of future accidents from the wall.

The Council aims to meet with residents not later than the end of November 2022 to try to reach agreement on a way forward not later than the end of January 2023. Failing that, the Council will take the appropriate enforcement action, with a view to completion of the necessary works as soon as possible thereafter.

Yours sincerely



**Assistant Director Highways & Transport**