



Cyngor Castell-nedd Port Talbot  
Neath Port Talbot Council

Dyddiad/ Date

20<sup>th</sup> September 2022

**His Majesty's Senior Coroner  
South Wales Central Coroner Area  
Coroner's Office  
The Old Courthouse  
Courthouse Street  
Pontypridd**

Dear Sirs,

Please find attached a response to your Regulation 28 Notice in respect of the sad death of Hemanta Kumar Rai.

This response has been prepared jointly with Brecon Beacons National Park Authority whom the Neath Port Talbot Council is presently working with to consider the issues raised in your Notice.

Yours faithfully

- Head of Legal and Democratic Service

[www.npt.gov.uk](http://www.npt.gov.uk)

Pennaeth Gwasanaethau Cyfreithiol a Democrataidd  
Y Ganolfan Ddinesig, Port Talbot SA13 1PJ

Head of Legal Services and Democratic Services  
Civic Centre, Port Talbot, SA13 1PJ

Croesewir gohebiaeth yn y Gymraeg a byddwn yn ymdrin â gohebiaeth Gymraeg a Saesneg i'r un safonau ac amserlenni.  
We welcome correspondence in Welsh and will deal with Welsh and English correspondence to the same standards and timescales.

Joint response by Brecon Beacons National Park Authority and Neath Port Talbot Council to the Regulation 28 Report (25 July 2022) in relation to the death by accident of Hemeta Kumar Rai on 16 August 2021.

## **1. Introduction**

- 1.1. The Brecon Beacons National Park Authority and Neath Port Talbot Council wish to thank the Coroner for writing to their respective Chief Executives and bringing to our attention the various matters of concern that were prompted by her investigation into the tragic death of Mr. Rai.
- 1.2. The Brecon Beacons National Park is an area which is designated for its special qualities consequently, signage is something we must consider very carefully in the context of a natural landscape.
- 1.3. Those concerns have been shared with and considered carefully by Brecon Beacons National Park Authority and Neath Port Talbot Council.
- 1.4. This report is our joint response on behalf of the Brecon Beacons National Park Authority and Neath Port Talbot Council to your Report to Prevent Future Deaths dated 25 July 2022, in accordance with the provisions of the Coroners and Justice Act 2009.
- 1.5. It should be noted that this response is based entirely on the Regulation 28 Report that was received. Despite further requests for information to the Coroner Officer no additional or specific information was provided.

## **2. Aims**

- 2.1. Both Brecon Beacons National Park Authority and Neath Port Talbot Council express their deep regret and sorrow at the death of Mr Rai. We acknowledge the Coroner's concerns and recognise the need to consider signage at the land we own and manage at the waterfall at Pontneathvaughan, Powys ('the Site'). This response is prepared to assure the Chief Coroner of our commitment to change, ongoing learning and improvement.

2.2. We will seek to respond to the key point of signage that has been raised by the Coroner's concerns, and to identify any changes to signage to mitigate the risk of any future death by accident by someone visiting the Site by undertaking a signage review and implementing any necessary actions (see section **Error! Reference source not found.**).

### **3. Other parties**

3.1. We are committed to working in partnership with each other and have extended the offer collaboration to other public body landowners and colleagues so that a joint approach can be pursued.

### **4. Immediate first steps**

4.1. As a result of the concerns that the Coroner raised in her report, Brecon Beacons National Park Authority has commissioned an independent review of signage at the Site and a Site visit has been scheduled for 29<sup>th</sup> September 2022 which is to be led by the external health and safety consultant and attended by officers from Brecon Beacons National Park Authority, Neath Port Talbot Council and Natural Resources Wales.

### **5. Longer aims**

5.1. As stated we are committed to working collaboratively with the other public body landowners and colleagues to improve our joint management of matters that affect visitors to the site. We hope that we can continue the dialogue to create a unified approach to health and safety matters within the National Park

5.2. In the interim, Brecon Beacons National Park Authority has commissioned a review of all signs within its high-volume visitor areas to ensure they are fit for purpose and are uniform in their design, content and application.

### **6. Policy Review**

6.1. Brecon Beacons National Park Authority is in the process of reviewing the suite of health and safety policies which includes the policy covering the management of our sites and actions to be taken when health and safety concerns are received. Neath Port Talbot Council have also looked at the access way to such sites that are within its responsibility, to ensure matters are being considered appropriately.

## 7. Initial responses to the Coroner's Criticisms

7.1. It is important that we offer factual response to the Coroner's findings, both to acknowledge and to identify any failings and to correct any misperceptions which may be barriers to full learning.

7.2. The Coroner's key points are summarized here, and the full table can be found in her [Regulation 28 Report](#).

Coroner's Matters of Concern	Response	Action already completed	Action proposed
(1) There is no adequate signage to warn visitors of the risk of drowning by entering the water at Sgwd Gwladys.	This area is not within the ownership of Brecon Beacons National Park Authority or Neath Port Talbot Council.	We have instructed an independent reviewer to compile a complete review of signage within public access areas within our land ownership	To review signage within the National Park and land in the ownership of Neath Port Talbot Council and consider implementing a uniform form of signage.
(2) Existing signage in 'Waterfall Country'	We accept additional signage can explicitly	We have instructed an independent reviewer to advise	To review signage and implement a uniform form of

<b>Coroner's Matters of Concern</b>	<b>Response</b>	<b>Action already completed</b>	<b>Action proposed</b>
is overloaded with a variety of information, which although helpful for walking routes etc., is not explicit in warning of the real danger of death from entering the water.	address safety concerns	on best practice signs	signage.
(3) Any sign(s) erected ought to be easily visible, in plain English and spell out the risk of death by drowning.	We agree with using signs that are clear to all users regardless of language. It should be noted that each authority must also comply with Welsh Language Standards which will have a bearing on any approach in signs that can be utilised	We have instructed an independent reviewer to advise on the formation and content of new signs	To review signage and implement a uniform form of signage.
(4) It is very unclear who bears responsibility for	It is accepted that land ownership is divided and can be	Brecon Beacons National Park Authority will install	To review signage and implement a uniform form of

<b>Coroner's Matters of Concern</b>	<b>Response</b>	<b>Action already completed</b>	<b>Action proposed</b>
this particular area, which borders 3 local authority areas, and falls within the National Park and NRW jurisdiction.	confusing	user friendly signs delineating the National Park area with a contact detail regarding any queries.	signage