

Thorn Depot
Unit 3, Thorn Business Park
Rotherwas, Hereford
Herefordshire
HR2 6JT

H G Mark Bricknell
H.M. Senior Coroner Herefordshire
Town Hall
St Owen Street
Hereford
HR1 2PJ

26 July 2022

Dear Mr HG Mark Bricknell,

Inquest into the deaths of Alison Margaret Morris and Paul Haydn Morris
Your ref: MB/NP/ab/4523/21 & MB/NP/ab/4524/21

Thank you for proving us with your Regulation 28 report raising your concerns following the tragic deaths of Mr and Mrs Morris whilst crossing the A44 at Kington.

As you know, Balfour Beatty Living Places Limited (BBLP) are contracted by Herefordshire Council to provide public realm services in accordance with the terms of the Highways Maintenance Plan (HMP).

The HMP sets out a risk-based approach and refers to the location of the accident in terms of the USRN which is unique reference number. The location of the accident is not an accident cluster site and did therefore not fall into any special remit for inspections and maintenance and was inspected in line with the HMP.

The Site History Report (SHR) shows the area is subject to a statutory monthly driven inspection which was carried out prior to the accident on 1 September 2021 and no actionable defects were raised. By way of clarification, in a driven inspection there are two individuals in the vehicle, one acts as driver and one inspecting in order to pick up actionable defects and looking for damaged signage or damaged trees in accordance with the list set out in page 24/25 of the HMP.

The SHR also indicates that the public right of way footpath located at the accident locus was inspected prior to the accident on the 17 March 2021 and no action or defects were found.

As you note there is a safety barrier located at the crossing point to prevent pedestrians from walking straight out into the A44.

Under the contract, verges were subject to two planned cuts per year, the last prior to the accident being on 27/28 August 2021.

Further in accordance with the contract, the trees in the stretch leading up to the area were not subject to any proactive survey and therefore were only cut back when there was a request to do so or if they were

noted to be affecting visibility during the driven inspection. There had been no reports of any visibility issues in the 12 months in the area prior to the accident.

The verges and tree foliage were cut back following the accident at the request of West Mercia Police following their accident investigation.

The signage erected in the area predates the BBLP contract and had remained unchanged since BBLP commenced the public realm contract.


We have been consulting with Herefordshire Council subsequent to the accident and can report the following in relation to the concerns raised:

In relation to the prevailing foliage, Herefordshire Council have visited the site and now requested improvements to the sight lines. The Council have now instructed BBLP to remove vegetation from the wall, cut back trees and the verges on both side of the road, so as to increase sight lines to 160 metres. The order is at quotation stage. Cyclical grass cutting will take place in May and August each year.

Herefordshire Council have confirmed to BBLP that it does not have any concerns in relation to the pedestrian of vehicle restraint system (VRS) barriers, but has commissioned BBLP to carry out bi-annual clearance around the VRS barrier. The Council have further confirmed that the position and nature of the pedestrian crossing will not require altering.

BBLP have been informed that Herefordshire Council have commissioned a Traffic Regulation Order review of the speed limit at the site, with a view to the speed limit being reduced to 50mph. The review will also consider appropriate signage at the site. The Council have reported that it is hoped that this review will be completed within 9 months and although BBLP will play no part in the review, it will of course carry out any further works as instructed by the Council with a view to preventing further accidents.

Yours sincerely

A large black rectangular redaction box covering the signature of the Contract Director.

Contract Director
Balfour Beatty Living Places

