



Mr R Guy Davies
Assistant Coroner
Cornwall & the Isles of Scilly
[REDACTED]

[REDACTED]
[REDACTED]
Date:

29 March 2023

Dear Mr Davies

Regulation 28 Prevention of Future Deaths Report – James Francis Parsons

Thank you for your Regulation 28 Prevention of Future Deaths Report (FDR), dated 22nd February 2023 which I am responding to on behalf of [REDACTED], Chief Executive. I would like to take the opportunity at the outset of my letter to offer my sincere condolences to the family of James Parsons.

Cornwall Council welcomes the comments that you have made about the safety of Porthleven Harbour in relation to events. The matter of concern you raised at the inquest is as follows:

There were safety issues revealed at Porthleven Harbour, particularly in the evening when festival goers will have been drinking alcohol. Sections of the harbour wall feature sheer drops into water with no railings and trip hazards. The pier presents a particular risk due the absence of railings on one side with a sheer drop into water, and being poorly lit. For anyone falling from the pier, swimming to safety will be difficult due to current and the absence of access ladders or refuge area. The pier is sometimes closed to access by the public but was not closed at the time of the festival.

Porthleven Food Festival is an annual event and is considered every year by the Cornwall Safety Advisory Group (SAG) in terms of safety. Since receiving your FDR officers from the emergency planning, health & safety and licensing teams have been in contact with the event organiser. The Police have also been in contact with the event organiser through our emergency planning team as part of the SAG process. A meeting between a Cornwall Council Officer, event organiser and Porthleven Harbour & Dock Company has also taken place.

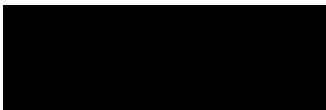
The SAG are awaiting a response from the event organiser in relation to what additional measures are planned for this year following the tragic death, including safety measures for the harbour area and the sale of alcohol. The response will be supported by attendance at a SAG, so that all agencies have an opportunity to speak directly with the event organiser. The response will be considered by the members of the SAG prior to the event going ahead to ensure that reasonable precautions are in place.

Thinking more widely than Porthleven, Cornwall Council will write to all harbours and event organisers for events near harbours, making them aware of this tragic incident and asking them to consider harbour edges as part of their risk assessment process. This will be completed by the end of April 2023.

In relation to the safety concerns of the Harbour itself, Cornwall Council has no statutory powers under the Health and Safety At Work etc Act 1974 because Dock Premises fall to the Health & Safety Executive (HSE) for statutory enforcement purposes [Appendix 1: Health and Safety \(Enforcing Authority\) Regulations 1998: A-Z guide to allocation \(hse.gov.uk\)](#). We have passed your FDR to the local inspectors for the HSE, however you may wish to consider sending the HSE an FDR directly.

Thank you for bringing your concerns to my attention. I trust that this response provides assurance that appropriate action is being taken.

Yours sincerely



Strategic Director – Neighbourhoods