

It is important to note in this respect that the Internal Drainage Board is the public body responsible for surface water management in the entire Marston Vale and specifically responsible for the management of water levels in Stewartby Lake in its use as a strategic stormwater balancing facility. This function entails that there can be a 0.75m variation in depth throughout the year. This depth variation translates into a significant encroachment into shoreline.

(4) At the time of the incident, safety/life-saving equipment at the location of the incident was limited to a Safety Board consisting of a throwline in a locked box which required a code from Emergency Services (necessitating a 999 call) to release it. The Head Ranger explained that the previous life safety rings (costing approx. £40.00 each) had not been replaced once the locked throw lines had been installed. The locked throw line was not accessible to the children; although, they had seen the Safety Board as they had approached Location 5 and noted that there was some kind of float inside it, when they had gone to access it when Kyron went into the water they couldn't get the code as their phone battery had died. They reported that the box (Safety Board) "felt very far away from where we were down at the water" (REDACTED). Although since the Inquest, the Trust have indicated that in addition to the locked throw lines on the Safety Boards, traditional safety lines are also to be installed again at Locations 5 and 7; I am concerned that these are to be placed next to the Safety Boards rather than closer to the lakeside. Whilst prompt access to further life-saving equipment may not have altered the outcome in this incident, it might in future incidents.

The Head Ranger's evidence at inquest was that locked throw lines in a number of locations had replaced unlocked throw lines, not life rings. There were therefore a combination of locked and unlocked throw lines around the lake at the time of this incident. The design of the locked throw lines was arrived at following consultation with Bedfordshire Fire and Rescue and reflects that used by the local authority in the Bedford area. The locked line was accessible to the children if one of them had followed the instructions on the signage to obtain the access code from the emergency operator. The written evidence on the issue was that one of the children had no battery power in her phone. It is highly likely others had mobile phones that were working. It seems reasonable to infer from the evidence that the fact that Kyron, a non-swimmer, immediately went under the water and did not resurface meant the children were not seeking rescue equipment.

The Trust has looked at installing additional unlocked throw lines in areas where there are secure lines in place. It has also considered whether these can be located closer to the edge of the lake. The locked lines are on the main lakeside walkway where they are most visible to members of the public. As has been highlighted in evidence and previous written submissions, the water level of the lake varies significantly throughout the year as the lake is part of the flood defences in the area. We have described the role of the IDB in response to point 3 above. To illustrate the impact of this on the shoreline we attach two photographs taken in March 2023 showing the general area where this incident occurred. It can be seen that the area where the children were playing is completely under water.

Whilst it is not accepted the secure throw lines were "very far away" from the water, in order to deal with HM Senior Coroner's concern on this issue the Trust will install additional unlocked lines closer to the high water mark of the lake at locations 5 and 7, and at the other points around the lake and closer to the edge of the lake in locations where there have been previous incidents of swimming.

These new throw lines with accompanying safety signage will be in place by 1st June 2023.

All at the Trust was devastated by Kyron's death and it will go above and beyond its legal duty to try and avoid a similar incident. That said the Trust believes the evidence in this case sadly confirmed the positioning or availability of life saving equipment would not have altered the fatal outcome of this case.

As well as installing the new throw lines and signage referred to above , the Trust has resolved to issue messages to local schools in periods of warm weather warning of the dangers of accessing the lake, and encouraging them to share this information with their pupils. This will supplement information already provided by the Trust via social media.

Yours faithfully



Partner
DAC Beachcroft

Gullwatch - Other

North West Elevation

☉ 121°SE (T) ☉ 52°4'23"N, 0°32'18"W ±42ft ▲ 110ft



20 Mar 2023, 10:27:47

Gullwatch 2- from top of bank down to edge. - Other

North West Elevation

📍 120°SE (T) 📍 52°4'21"N, 0°32'18"W ±39ft ▲ 129ft



20 Mar 2023, 10:34:10