

**Response to Regulation 28 Report to prevent future deaths**

Dear Mr Ellery

**Re: The late John Neil Shenton deceased**  
**Inquest: 1<sup>st</sup> August 2023**  
**Location: Coroners Court, Shrewsbury**

Actions taken and to be taken.

We write further to the Inquest touching the death of John Neil Shenton which took place on 1 August 2023 and the related Regulation 28 Report dated 2 August 2023.

Firstly, we would like to take this opportunity to again confer our condolences to Mr Shenton's family. We were deeply saddened to learn of his passing.

As you know, an investigation was carried out and a report subsequently produced by [REDACTED] Environmental Health Officer, Telford and Reeking Council. The Coroner's concerns were directly related to the findings of that report and, in particular, the recommendations/actions required as set out in paragraphs 5.1 to 5.8. We think it is important and fair to reiterate the Coroner's note made in the Regulation 28 Report which stated that we had not been provided with a copy of [REDACTED] report prior to the Inquest and we therefore did not have an opportunity to make appropriate submissions about the report.

Nevertheless, listed below are the actions taken in response to the recommendations made by [REDACTED]

**1.1 Assess site specific risk posed to vulnerable people and others using the escalator to travel to and from the first floor if the passenger lift is not available.** This assessment should extend to customers wanting to move large or heavy items between floors.

Actions;

The escalator and lift risk assessment has been reviewed and updated.

Appropriate customer information signage will be located at the lift and the escalator in the event of a breakdown, advising customers to seek assistance if they require assistance to move between the floors. Where possible the access route may include the opening of a fire escape staircase provided that there is no risk to the customer's safety.

When opening new stores or if an existing store is fitted with an escalator, members of staff will be located at the escalators for an initial period to offer guidance and assistance to customers unaccustomed to escalators.

Risk assessment amended.

**1.2 The daily escalator checks and observations should be recorded.**

Actions:

The existing weekly recorded checklist now incorporates the daily informal visual checks.

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**1.3 The illumination readings that are taken by The Range/CDS after an escalator is installed but prior to its use are recorded to demonstrate compliance to BS EN115-1:2017**

Actions:

CDS have been made aware and the risk assessment amended.

**1.4 Staff are trained in how to react if there is a problem with the escalator, including the appropriate use of the emergency button (following the accident on 27/04/2023).**

Actions:

A toolbox talk has been created and issued.

Risk assessment updated.

**Non-mandatory recommendations**

**1.5 Recommendation that checks put in place to ensure that the time recorded on CCTV footage is accurate.**

Action:

Store advised to make regular checks and amend time if required.

**1.6 Recommendation that audible warning be considered to prompt users to embark disembark the escalator.**

Action:

The reasoning for this recommendation is not known. There does not appear to be any evidence that Mr Shenton was unaware that he was about to step onto the escalator and we would respectfully submit that an audible warning would not have improved the safety of the escalator on the day of the incident. We would also therefore respectfully submit that a lack of audible warning should not give rise to an ongoing concern for the Coroner. It is quite common for escalators to operate without an audible warning system in place.

In any event, we are investigating the feasibility and likelihood of improved safety of retro fitment of an audible warning system as a matter of good practice.

**1.7 Recommendation that obstructions be removed if they block CCTV coverage of the top of the escalator.**

Action:

Item removed.

Incorporated into risk assessment.

**1.8 Recommendation for the addition of high visibility paint to the nosings of the escalator moving treads which could make the edge more visible; this demarcation could encourage users to stand correctly on the step.**

Action:

To be trialled and the effectiveness and longevity of the paint evaluated. As part of the evaluation the company will consider the level of risk posed by escalators taking into account the speed and

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gradient of the installation, as well as historical accident data. We anticipate that the trial will during October 2023.

We trust that the above information meets the requirements of Regulation 28 but please do not hesitate to contact me if you require any further information.

Yours sincerely

[Redacted signature]

Health and Safety Manager (UK and Ireland)

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