



Department for Transport

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18 December 2024

Dear Professor Paul Marks,

RESPONSE TO REGULATION 28 REPORT TO PREVENT FUTURE DEATHS

Thank you for your report of 07 November 2024 made under the Coroners and Justice Act 2009 and the Coroners (Investigations) Regulations 2013, following the inquest you conducted into the death of Daniel Pinkney. I am responding as the Minister for the Future of Roads.

I am deeply saddened by the circumstances of Daniel Pinkney's death, and I would like to extend my condolences to his family.

I am determined that we learn from tragedies like this and that we take action to reduce those killed and injured on our roads.

I want to assure you that the Government treats road safety with the utmost seriousness. Whilst UK roads are among the safest in the world, there is no room for complacency and I have carefully considered your report and its recommendations.

You recommended updating the Highway Code to raise awareness about aquaplaning. You also mentioned the importance of reducing speed when surface water is present, and basic knowledge about braking and steering.

While there is no specific mention of aquaplaning in The Highway Code. Rules 117 to 126 cover control of the vehicle. Rules 119 to 121 mention skidding, ABS and brakes affected by water. Rule 125 offers guidance on reducing speed, including when the road layout or condition presents hazards and weather conditions make it safer to do so. Rule 227 (Wet Weather)

advises what action should be taken if steering becomes unresponsive, likely due to water preventing the tyres from gripping the road, and recommends that drivers ease off the accelerator and slow down gradually. As such, we consider that appropriate guidance is in place in the current text of the Highway Code.

The Highway Code has historically undergone a major revision approximately every ten years and we currently have no plans to carry out a major revision. When we carry out the next revision to the Code, we will as usual undertake a consultation on proposed changes and this would offer the appropriate opportunity to consider including advice on aquaplaning.

Additionally, the Driver and Vehicle Standards Agency (DVSA) already provides advice to drivers on aquaplaning.

The DVSA's driving tests are designed to make sure new drivers have the skills they will need to help them through a lifetime of safe driving. The DVSA also continues to encourage experienced drivers to read the Highway Code to refresh their road safety knowledge and check if there are changes.

The Highway Code and the DVSA Guide to Driving; the Essential Skills (DES) are both source material for the car theory test. DES is a source that goes into more detail about driving on standing water (aquaplaning) which can be purchased by candidates and this allows the DVSA to ask questions in the theory test.

The DVSA produces a number of guidance documents to assist all drivers and riders on Great Britain's roads. The DVSA publishes this advice for all drivers, not just for learners. Further free information about driving in standing water can be found in their following publications:

Driving conditions (skills 24 to 26) - Ready to Pass?:

<https://readytopass.campaign.gov.uk/driving-skills/driving-conditions/>

There are numerous sections on recognising and handling risks when operating a motorbike in deep water or rainy conditions, as well as when operating a heavy-goods vehicle and driving a car, at

<https://www.safedrivingforlife.info/advice/>

The DVSA is aware of the importance of reminding drivers of their road safety responsibilities. The agency regularly posts articles on social media platforms, and this month the DVSA also plans to launch and promote a winter driving e-learning course through www.safedrivingforlife.info

You also mentioned blockage of drainage gulleys as a factor in the collision. Local highway authorities have a duty under Section 41 of the Highways Act

1980 to maintain the public highway network in their area. The Act does not set out specific standards of maintenance, as it is for each individual local highway authority to assess which parts of its network need repair and what standards should be applied, based on its local knowledge and circumstances.

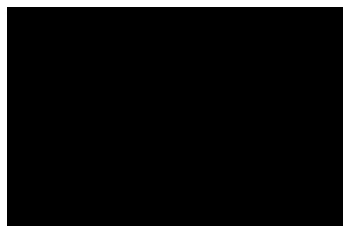
DfT strongly advocates a risk-based whole lifecycle asset management approach to local authority highways maintenance programmes. This considers all parts of the highway network, such as bridges, cycleways, drainage gullies, and lighting columns – and not just the fixing of potholes. It is up to the respective highway authority how best to spend this funding to fulfil their statutory duty under Section 41 of the Highways Act 1980.

Further information and best practice on the on the importance of ensuring adequate drainage and tackling surface water is available from the UK Roads Leadership Group website¹: *Guidance on the management of highway drainage assets* within the Code of Practice for Well Managed Highways.

We will continue to work with stakeholders to amplify road safety messages and will encourage them to do this with aquaplaning where appropriate.

This Government takes road safety very seriously, and we are committed to reducing the numbers of those killed and injured on our roads. My Department is developing our road safety strategy and will set out more details in due course.

Best wishes,



MINISTER FOR THE FUTURE OF ROADS

¹ <https://ukrlg.ciht.org.uk/>