



Our ref:

Your ref:

Adrian Farrow
HM Assistant Coroner
HM Coroner Manchester South
Coroners Court
11 Mount Tabor Street
Stockport
SK1 3AG

Operations Regional Director

Piccadilly Gate
Store Street
Manchester
M1 2WD

www.nationalhighways.co.uk

13 March 2025

Dear Mr Farrow

Regulation 28 Report into the death of Alexander Charles Edward Thomas

Thank you for your correspondence dated 16/01/2025.

The M56 motorway at this point spans Hasty Lane which forms an underpass to facilitate access by cyclists and pedestrians. The structural supports and cast concrete wing walls mirror the profile of the embankments on either side of the motorway and are located within the highway boundary. This design of 'bridge' complies with the design requirements outlined within the Design Manual for Roads and Bridges and includes tubular railings to protect against falls from the structure. It is accepted that this type of design does not deter determined attempts by pedestrians to gain access to the motorway but when combined with timber boundary fence provides some deterrence and security. By the very nature of the Strategic Road Network, it is impossible to fully deny access.

Whilst there are no requirements for highway authorities to fence their boundaries, as this responsibility generally rests with landowners, National Highways recognises the specific hazards associated with the operation of motorways and provides boundary fencing generally located to reflect the legal separation of adjacent land. This normally takes the form of 1 metre high timber post and rail fencing although more specialised types of fence are used for specific purposes for example, to address the presence of deer or other hazards and minimise environmental impacts.

To the east of the motorway, along the southbound carriageway, the extents of the boundary line are clearly marked by timber fencing as outlined above. This extends along the wing walls of the structure and this would be the ideal, and normally achieved, layout. Additionally, along this section, a timber environmental barrier is installed at the top of the

embankment/verge. We believe this is the substantial wooden fence referred to in the Coroner's concerns.

Along the northbound carriageway and to the south of Hasty Lane, the M56 carriageway is some 3 metres higher than the adjacent ground level and initially has a ramped profiled embankment. After a distance of 12 metres, the profiled verge area becomes a near vertical retaining wall which continues for some distance. This also creates a level area of ground, running parallel to the motorway between the retaining wall and boundary fence. Between the retaining wall on one side and the boundary fence and mature vegetation on the other, this gives the visual impression of a pathway.

The M56 at this point is lit with lighting columns located within the area of carriageway immediately behind the hard shoulder. This includes columns installed within the top of the verge/embankment and the top of the retaining structure. The electrical supply required to operate this system is distributed from electrical feed cabinets located at the foot of the retaining wall. Maintenance personnel require unhindered access to, not only the individual lighting columns, but also these supply cabinets to safely work on the systems when needed. A set of metal steps (ladder) allow access for maintenance personnel to and from carriageway level and the flat ground some 2 metres below. This is within the fenced highway boundary.

The boundary fence alongside the northbound carriageway to the south of Hasty Lane has suffered some level of vandalism in the immediate area of the underpass and although there is some dense vegetation, this affords access to the side of the carriageway and metal steps outlined above.

Additionally, it appears that a boundary fence line has never been in place along the wing walls on this side of the structure and Hasty Lane. Further investigation has identified some minor vandalism at the edge of the car park for the Marriot Hotel, 100 yards south of Hasty Lane. This indicates the section of lane between the retaining wall and boundary fence has been used as short cut or cut through although the usage appears to be light.

Our current incident recording system was implemented during April 2019. Since this time we are not aware of any similar, pedestrian related, incidents having been recorded at this site.

We will repair the boundary fence both at the edge of the hotel car park and Hasty Lane, extending this to cover the wing walls of the structure to increase the security and reduce access to the area along the carriageway. This work will be completed by the 30 June 2025.

In addition, we are in discussion with our Electrical team and Maintenance contractors to establish if it is feasible to maintain a more remote access to the electrical cabinets and whether direct access from the mainline carriageway, via the ladder is essential. This includes the relevant health and safety requirements and if this can be resolved we will take steps to remove the ladder from the retaining wall. Again, if this is feasible the work will be completed by 30 June 2025.

If this is not a realistic way forward, we will undertake to design and install a bespoke fence assembly to secure the access point, cabinets and ladder. If this course of action is necessary, the work will be completed by the 31 August 2025.

I hope that you find this information helpful.

Yours sincerely

[Redacted signature]

[Redacted name]

Operations Regional Director

Email:

[Redacted email address]