



## Department for Transport

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Our Ref: [REDACTED]

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Dear Ms Hayes,

Thank you for your letter of 21 February regarding your Regulation 28 Report about the tragic death of Paul Stephen Collingridge on 12 December 2022. May I begin by expressing my deep sadness about Paul Collingridge's death and offering my condolences to his family and loved ones. I am also very sorry that there has been a delay in responding to your report.

I would like to make clear that road safety is one of my Department's highest priorities. Too many people are killed and seriously injured in road traffic collisions, and this government will work hard to prevent these tragedies. As part of this, it is vital that we ensure safety at street and road works for road users and workers.

My Department is responsible for the Safety at Street Works and Road Works Code of Practice ("the Safety Code") which is statutory guidance that must be adhered to at all street and road works sites in England, Scotland, Wales and Northern Ireland. The code of practice seeks to ensure street and road works sites in the highway are set up safely in the interest of those carrying out the works and road users, including pedestrians and those with disabilities. The Safety Code is issued under section 65 of the New Roads and Street Works Act 1991 and section 174 of the Highways Act 1980. Failure to comply with the code is evidence that an offence of failing to comply with safety measures under section 65 of the 1991 Act has been committed.

I would like to address the matters of concern you raised in your report.

You raised several concerns about how set distances can be measured accurately when a work site is set out with signing and guarding as required by the Safety Code.

You made references to the use of street furniture and road markings to determine distances and measuring distances accurately in the hours of darkness. The Safety Code details the sequence for setting out a street work site with reference to a table of distances. These distances are determined with reference to the street work site and do not depend on the presence of street furniture or road markings. The Safety Code makes it clear that it is the responsibility of those carrying out the works to ensure that the distances are measured accurately. This also includes during the hours of darkness. Failure to comply with the distances set out in the Safety Code is evidence that an offence for failing to comply with the Safety Code has been committed. If it appears to the highway authority that an undertaker has failed to comply with the Safety Code, they may take necessary steps and recover their reasonable costs from the undertaker.

The Safety Code also states that bends in the road must be considered before setting up work sites. If a site is on or near a bend in the highway, then extra care must be taken to ensure safety. This includes providing additional advance signs, using reflective barriers and ensuring adequate visibility for both drivers and workers at all times of the day.

You raised a further concern regarding a sign that was placed incorrectly at a junction which obscured visibility but was not a contributing factor to Mr Collingridge's death. It appears that the placement of the sign was not in accordance with the Safety Code. However, it is for the local highway authority that granted the permit to decide on any enforcement action. It would have been for them to do this at the time of the incident.

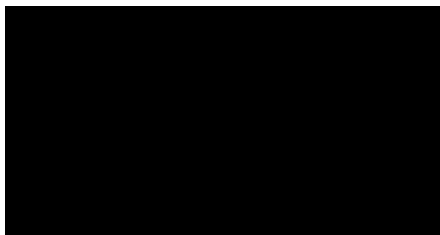
You raised a final concern that the fatality was not mentioned on the permit application for the works. For immediate works, permits can be submitted within two hours of arriving on site. If a fatality happens at the site, there is no requirement for it to be referred to on the permit application, as the permit is concerned with agreeing timings and durations of works. It is the Safety Code and the risk assessments that are carried out that take account of incidents to ensure sites are set up correctly.

The Safety Code was last published in 2013 and is currently in the process of being updated, with a consultation due to take place in early summer. We are inviting comments on whether there are any parts of the Safety Code that can be improved to maximise safety, and we plan to publish an updated version by the end of 2025. I will ensure that we take into account your report when completing this work.

I am sorry again for the lengthy delay in responding to your letter. This was due to handling errors within the Department. My officials will review this case and ensure necessary training is undertaken to avoid delays occurring in the future.

I am sending a copy of this letter to the recipients of your report.

Yours sincerely,



**MINSTER FOR THE FUTURE OF ROADS**