



LEGAL SERVICES LINCOLNSHIRE

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Date: 12/08/2025

Dear Ms Johnson

Re: Response to Regulation 28 (Report to Prevent Future Deaths) - Inquest in relation to the deaths of David Walsh and Cameron Walsh

We write in response to the Regulation 28 Report issued on the 23 June 2025 following the inquest into the deaths of David Walsh and Cameron Walsh. This is a joint response submitted on behalf of Lincolnshire County Council and Lincolnshire Police.

The conclusion of the inquest was that both David Walsh and Cameron Walsh were travelling in a Mercedes GLC300 motor vehicle on the 6 January 2024 when it left the road at Whitegates Farm, Tetney Lock Road, Tetney and entered the Louth Canal. Despite rescue attempts both were pronounced deceased at the scene of the collision.

The Regulation 28 Report follows as a result of evidence provided during the inquest on behalf of Lincolnshire County Council's Highway's Department that road traffic collisions, where there are injuries or fatalities that may have been contributed to by the condition of the highway, are not immediately reported to the Highways Department by the Police. The evidence provided was that the Police complete a STATS19 Form which is then sent to the Lincolnshire Road Safety Partnership. The information from the STATS19 Form is then collated and placed onto the WINGS software programme which is a Council owned software programme. This information is reviewed on an annual basis where the types of incidents are considered along with the traffic flow on that road and it gives a score. Based on the score there is then a ranking of sites where there has been more than one collision within a set area (known

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as a Cluster). The score is used to decide where the Highways Department should intervene first on looking at potential safety improvements. The Accident Investigation Team and the Road Safety Partnership then look at each of those Cluster Sites and investigate those sites. Consideration will then be given to what improvements could be made to the highway to reduce the risk of future incidents.

It is the view of the Coroner that as these reports are only considered annually there is the possibility that other incidents can occur prior to the annual review that could have been prevented had a report been made to the Highway's Department at the time of the incident and as such action should be taken.

The below response provides further information in respect of the current processes already in place between Lincolnshire County Council and Lincolnshire Police, as well as additional actions that have been agreed to further mitigate any future risks.

Lincolnshire is uniquely positioned to ensure that the Local Authority receives early notification of potential highway issues reported by Lincolnshire Police. The co-location of Lincolnshire County Council (LCC) Accident Investigation and Prevention (AIP) staff and Lincolnshire Police Forensic Collision Investigation Unit (FCIU) at the Lincolnshire Road Safety Partnership (LRSP) ensures that timely sharing of pertinent information occurs. The LRSP Senior Manager and the FCIU Inspector and Sergeants meet regularly to discuss cases where information sharing is appropriate.

Additionally, Lincolnshire Police can, and do, submit P199 forms to LCC where they consider there may be highway related safety issues. The P199 form is used to advise of road engineering or signing problems that may be contributory to an accident and suggested improvements where applicable.

Regarding the case of David Walsh and Cameron Walsh, LCC were notified about the collision on the date it occurred. However, at that early stage the road condition was not highlighted as an area of investigation and no P199 form was submitted. This is not uncommon and Lincolnshire Police will generally provide further updates / request information as an investigation progresses. The road undulations were noted at the time of the collision; however, they were not considered to be a primary causation factor and it was agreed to await the outcome of the investigation, although a safety inspection did take place as scheduled on the 9 January 2024 and identified no safety defects.

On the 24 June 2024 LCC were notified that 'surface undulations are being explored as a possible causation factor.' This information was disseminated accordingly.

Regarding the reporting of potential highway issues in fatal collisions more widely, I am pleased to confirm that LCC systems have recently been improved to ensure that any possible highway issues are identified at the earliest opportunity.

The following now occurs after every fatal collision:

LCC Fatal Notification Process

- Unmodified Police Fatal Report without private and sensitive data distributed to Highways Managers and relevant interested parties as soon as it is received in

LCC from Lincolnshire Police. This provides a general overview of what has occurred.

- LRSP create a record on SharePoint adding the Police Fatal Report and a Fatal Notification Spreadsheet. LRSP liaise with Police Forensic Collision Investigation Officer to record any likely highway issues that may be a contributory factor to this collision.
- LRSP update spreadsheet Tab One. LRSP search records to identify if any issues have been raised at this location by / to LRSP. LRSP update spreadsheet Tab two.
- LRSP email to relevant Highways Managers and LCC Legal Services, notifying them that the spreadsheet has been created.
- Relevant Highways Managers search all systems and records and add relevant information to the spreadsheet.
- Any actions identified that could prevent a future collision can then be considered.

As such, every fatal collision reported to LCC is considered at the earliest opportunity.

In addition, two additional actions have been agreed. The Lincolnshire Police Serious Collision Investigation Unit (SCIU) and FCIU hold monthly operational update meetings to discuss progress on open cases. In addition to the informal discussions outlined above, the LRSP Senior Manager and FCIU Inspector have formally agreed to meet every month after the SCIU/FCIU meeting to ensure any relevant data is shared that may help prevent future collisions occurring.

Every STATS19 collision form that has R1-R5 (Roads) listed as a possible causation factor will be highlighted within the wider LCC Highways Team. This will allow for any review or action to be taken at the earliest opportunity where necessary. The actions to be taken will be graded based on the severity of the collision and the weighting of the causation factor. For example, a road related causation factor rated as the most likely issue in a fatal/serious collision will indicate a more significant issue than a causation factor ranked third in likelihood for a slight collision.

Finally, as noted during the inquest, LCC AIP staff undertake an annual collision cluster run and route study programme. This ensures that every collision in the preceding five-year period, regardless of severity is also reviewed, to identify patterns or issues, highlighting locations that require further investigation. This is a risk-based assessment that factors in the number of collisions, the severity, and the presence of vulnerable road users. This generates a work programme of 30 or more sites and three or more routes for review every year. I can confirm that whilst this work forms a vital part of LCC's activity to prevent future death and injury, it is not the only relevant programme, and LCC do not wait for the annual review before investigating fatal collisions.

We hope that the above information provides reassurance in terms of the current processes already in place and that the additional actions agreed provide further reassurance in relation to the commitment of all agencies to ensure that the highway in Lincolnshire is safe for all users.

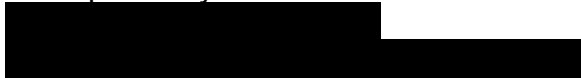
Both LCC and Lincolnshire Police would like to extend their sincere condolences to the family and friends of both David Walsh and Cameron Walsh.

If we can be of any further assistance, please do not hesitate to contact us.

Yours sincerely

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Principal Lawyer

A black rectangular redaction box covering the contact information of the Principal Lawyer.

For Legal Services Lincolnshire