Canal & River Trust

Mrs Joanne Lees
Area Coroner for The Black Country
Jack Judge House
Halesowen Street
Oldbury, West Midlands
B69 2AJ

Case Reference: [redacted]
Our Reference: [redacted]

Sent via email : [redacted]

16 October 2026

Regulation 28 Report to Prevent Future Deaths following the death of Ms Jody Brown at Marsh Lane Canal Basin, [redacted]

Dear Madam,

I am responding on behalf of Canal & River Trust (the "**Trust**") to your Regulation 28 Report dated 21 August 2026 ("**Report**"), in light of the tragic and untimely death of Jody Brown.

Please take this letter as the formal response by the Trust to your Report. I confirm I am duly authorised to respond to your Report on behalf of the Trust.

Whilst the Trust was not a party to the Inquest and has not had access to all of the evidence considered by the Court, we have carefully reviewed the matters of concern identified in the Report. The Trust's response does not seek to comment upon the circumstances of Ms Brown's death or the findings of the Court. Rather, it addresses the concerns raised by HM Coroner in the Report and the actions that have been taken, or are under consideration, to enhance safety at this location.

HM Coroner has set out nine concerns in the Report, which I address in turn below.

Background

The Trust is the navigation authority responsible for approximately 2,000 miles of inland waterways across England and Wales and places the utmost importance on the safety of our staff, volunteers, visitors and the public. We recognise that waterways are unique and dynamic environments and our approach to water safety is founded on robust risk

management, evidence-led interventions, partnership working and proactive education to encourage safer behaviours around water.

Marsh Lane Canal Basin (the "**Basin**") forms part of a mixed-use urban waterside environment, comprising commercial, cultural, leisure and residential development. Whilst the Trust owns the water space and manages the associated navigation infrastructure, adjoining land is owned and managed by a number of third parties. As a consequence, responsibility for aspects of the public realm does not sit with the Trust. This presents a number of challenges and limits the actions we are able to take directly.

Trust ownership of the water space is shown shaded red on Plan 1. The Trust's additional areas of ownership in the locality of the Basin is shown edged green. The area edged green and shaded green is also owned by the Trust, but subject to a long lease granted to Urban Splash.

Plan 1 – Showing Trust Ownership on GIS map



Following Ms Brown's death, the Trust met with representatives of Walsall Borough Council (the "**Council**") on 1 June 2026 to review the location and discuss potential safety improvements. That collaborative approach has continued following receipt of the Report and remains ongoing.

Lighting

HM Coroner has raised a concern regarding lighting levels in and around the canal basin, which HM Coroner noted appear to be inadequate, resulting in poor visibility during hours of darkness.

The majority of lighting serving the Basin and the surrounding public realm is neither owned nor controlled by the Trust. Illumination within the area is predominantly provided through third-party infrastructure, including lighting columns maintained by the Council and lighting associated with adjoining commercial, leisure and residential premises, which provide additional ambient lighting.

The Trust keeps risks associated with the water space at the Basin under periodic review through its risk assessment processes. Having undertaken those assessments, and taking into account the nature of the location, the existing lighting provision has not been identified as presenting a risk that requires direct intervention by the Trust. Nevertheless, the Trust will continue to keep the position under review as part of its ongoing management of the water space and will continue to engage with relevant stakeholders where risks are identified and matters fall outside its ownership or control.

Warning Signage

HM Coroner has raised a concern that Signage warning members of the public of the presence and proximity of the canal appears absent or insufficient.

The Basin currently contains multiple permanent warning signs advising on the presence of deep water, together with a prominent floating warning buoy, displaying the words "Deep Water". A plan identifying the location of the signage is included in Appendix 1 of this response, along with photos of the signage and the buoy for HM Coroner's information.

In order to further improve public awareness, additional high-visibility, photoluminescent signage identifying the locations of emergency escape ladders was installed in August 2026.

The Trust has also worked with the Council to implement additional visual warnings around the perimeter of the Basin, including surface markings intended to draw attention to the presence of open water (a strip of luminescent paint around the edge of the Basin was introduced by the Council in September 2026). Photographs showing the new signage and newly painted line are also included in Appendix 1 of this response

Physical Barriers and Railings

HM Coroner has raised a concern regarding the absence of safety railings or other physical barriers around the canal basin.

The Trust manages many miles of open waterside environment where unrestricted public access forms part of the historic and operational character of the waterway network. The installation of continuous guarding is not generally considered appropriate and must be balanced against navigation requirements, accessibility, emergency access, maintenance considerations, heritage interests and the needs of legitimate waterway users.

Notwithstanding this, as noted above, the Trust has worked collaboratively with the Council in reviewing safety considerations at the Basin following Ms Brown's death, this has included a review of potential physical measures to address HM Coroner's concerns identified within the Report.

The Trust and the Council are continuing to engage constructively in this process and the Trust continues to provide input insofar as any proposed measures may affect the operation of the Basin, navigation requirements, or the health and safety of boat users and others accessing the waterway.

A meeting is scheduled for Monday 19 October 2026 between the Trust and the Council to launch a review of the available options for a physical barrier at the Basin. It is anticipated that this meeting will also include a review of options for the installation of temporary measures at the Basin over the Christmas period.

As the Trust has no control over the public realm, upon which any barrier will be installed, we are unable to commit to timescales for its approval nor its permanent installation. However, we will continue to work collaboratively with the Council and other land owners to find a permanent solution.

Rescue Equipment

HM Coroner has raised a concern that there appears to be an absence of public rescue equipment, such as life rings, throw lines or rescue poles.

Public rescue equipment is provided at the Basin in the form of a rescue cabinet containing a throwline. This equipment is locked, with a code provided by the emergency services to prevent loss or tampering. In addition, the Trust has approved the provision of further rescue equipment at the site. A second rescue cabinet is scheduled for installation by 1 December 2026.

A plan identifying the location of the current rescue cabinet is included in Appendix 1 of this response (the location of the current rescue cabinet is shown on Plan 2 as a red pin and the location of the new rescue cabinet, when installed, is shown as a purple pin), along with a photo of the rescue cabinet in situ, for HM Coroner's information.

In addition to the fixed rescue equipment located around the Basin, the Trust has previously engaged with businesses in the immediate vicinity, providing portable throwlines that may be deployed by trained staff in the event of an emergency. To further support these arrangements, the Trust will provide additional throwlines, and training where appropriate, to businesses surrounding the Basin by 1 December 2026.

Rescue Ladders and Means of Self-Rescue

HM Coroner has raised a concern that there appears to be an absence of ladders or other readily accessible means of self-rescue for persons who enter the water.

Emergency escape ladders are already installed at the four corners of the Basin. To improve their visibility, additional high-visibility photoluminescent ladder location signage was installed during August 2026.

The Trust has also commenced a programme of installing grab chains around the inner perimeter of the Basin. These works are expected to be completed by 1 December 2026 and are intended to provide additional opportunities for individuals in the water to maintain a hold and reach a place of safety.

Presence of Algae

HM Coroner has raised the following concerns regarding algal growth within the Basin and the potential impact upon public perception of the water's edge:

- The presence of algae on the surface of the canal may make it difficult to distinguish the water's edge from the adjacent pedestrian area, creating the appearance of a continuation of the footpath and/or a grassed surface area.

- Information came to light during the investigation that the accumulation of algae had previously been identified as an issue in 2019 and that similar non-fatal incidents occurred at this location in 2019 and 2022, raising a concern that the risks identified above may be ongoing.

- Evidence received during the investigation includes reports of other occasions on which individuals have inadvertently walked from the paved area into the canal basin.

Whilst the Trust understands that concerns were raised during the investigation regarding the possibility of surface vegetation obscuring the water's edge, the Trust's records, including photographs taken on the day of the incident, show that there was no significant algal growth within the Basin at that time. The Trust further notes that there is a discernible vertical drop (of approximately 1 foot) from the edge of the paved area to the water surface, which provides a physical distinction between the pedestrian area and the waterbody. Nevertheless, the Trust acknowledges that seasonal algal growth has occurred within the Basin on other occasions and accepts that, during periods of significant growth, surface vegetation has historically had the potential to affect the visual appearance of the waterbody.

The Basin has experienced recurring episodes of algal growth in recent years and the Trust has undertaken extensive management activity in response. The Trust operates a programme of inspections specifically directed at monitoring algal and surface vegetation growth, with inspections undertaken three times per week. As part of this process, photographic records are taken to monitor the extent and development of vegetation within the Basin over time. Where algal growth or surface vegetation is identified, removal measures are implemented. Historically, this work was undertaken manually; however, in 2026 the Trust procured a dedicated workboat, in collaboration with the Council, to support more effective and timely vegetation management within the Basin.

In 2026, the Trust installed specific warning signage advising members of the public of the potential presence of surface vegetation. A photograph of this signage is included at Appendix 1 for HM Coroner's information.

The Trust maintains records of reports concerning persons entering the water within the Basin and reviews each incident as part of its ongoing safety management arrangements. This includes consideration of conditions at the site, any contributing factors identified, the effectiveness of existing safety measures and whether any further controls may be

appropriate. The Trust remains committed to learning from operational experience and new information and will continue to review and, where appropriate, enhance its management of algal growth and other safety measures at the Basin.

HM Coroner's Overarching Concern

The Trust has carefully considered HM Coroner's overarching concern regarding the risk of future deaths at the Basin, particularly during hours of darkness and/or in poor weather conditions.

Having reviewed the matters identified within the Report, the Trust considers that the combination of existing safety controls and the additional measures implemented following its review of the site substantially mitigates the risks identified. Having regard to the Trust's responsibilities as owner of the water space and associated navigation infrastructure only, the Trust considers that the safety measures within its control are appropriate and proportionate. The Trust will continue to review those measures and work collaboratively with the Council and other stakeholders in relation to the wider public realm.

I trust that this response adequately addresses the matters raised by HM Coroner and would be pleased to provide any further information that may assist.

Yours faithfully

[redacted]

[redacted]
Director West Midlands
Canal & River Trust

Appendix 1 – Safety measures in place at the Basin

Plan 1 – Location of Safety Signage at the Basin



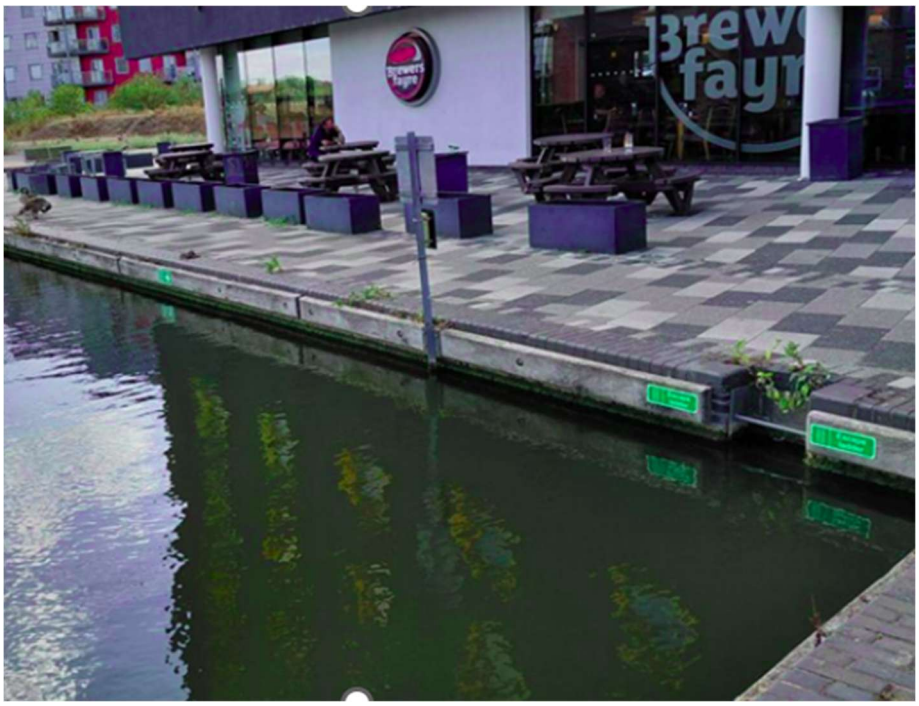
Example of the signage around the Basin



The 6-foot-tall water buoy installed in the centre of the Basin

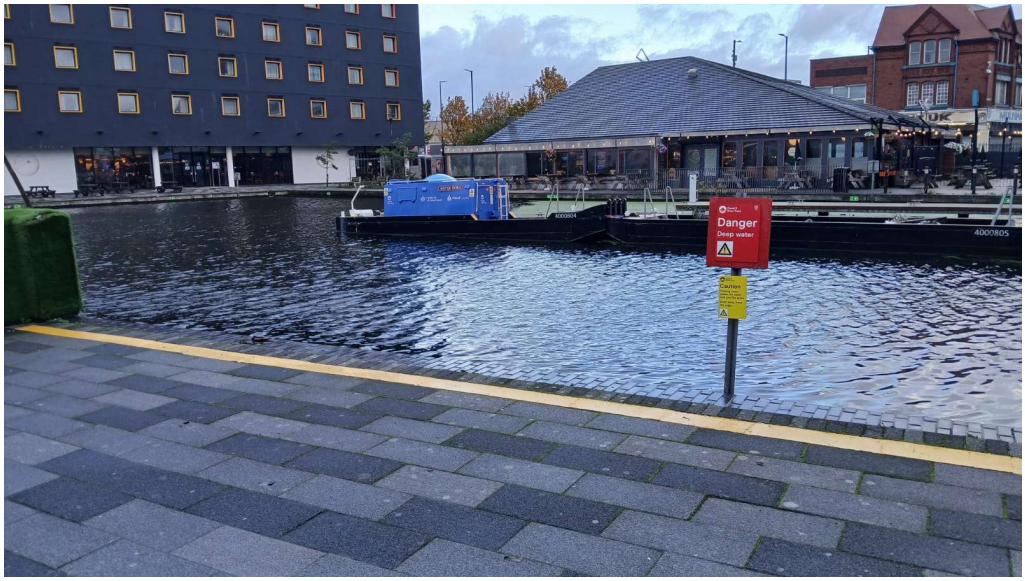


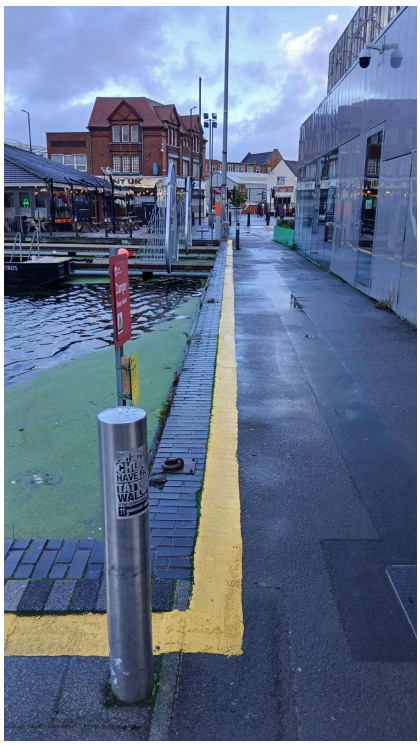
Signage identifying the location of the escape ladders installed in August 2026





Painting to highlight the edge of the Basin, undertaken by the Council in September 2026





Plan 2: Showing the location of the Safety Cabinet at the Basin



Photo of the Safety Cabinet



Signage cautioning members of the public about floating weed installed in 2026



Photo taken 6th May 2026 to monitor the presence of algae in the Basin



Photo taken 7th May 2026 to monitor the presence of algae in the Basin

