

REGULATION 28: REPORT TO PREVENT FUTURE DEATHS

	<p>REGULATION 28 REPORT TO PREVENT FUTURE DEATHS</p> <p>THIS REPORT IS BEING SENT TO:</p> <p>Chief Executive - Warwickshire County Council</p>
1	<p>CORONER</p> <p>I am R Brittain, Assistant Coroner for Warwickshire</p>
2	<p>CORONER'S LEGAL POWERS</p> <p>I make this report under paragraph 7, Schedule 5, of the Coroners and Justice Act 2009 and regulations 28 and 29 of the Coroners (Investigations) Regulations 2013.</p>
3	<p>INVESTIGATION and INQUEST</p> <p>On 10th December 2012 an investigation was commenced into the death of Archibold WELLBELOVE, aged 18 years old. The investigation concluded at the end of the inquest on 22 November 2013. The conclusion of the inquest was narrative (Copy attached).</p>
4	<p>CIRCUMSTANCES OF THE DEATH</p> <p>Mr Wellbelove died in the early hours of December 7 2012, after being struck by a Taxi on the Kenilworth-bound carriageway of the A452. There had been a recent change in the County Council's night-lighting policy, which resulted in this section of road being unlit at the time of his death.</p>
5	<p><u>CORONER'S CONCERNS</u></p> <p>During the course of the inquest the evidence revealed matters giving rise to concern. In my opinion there is a risk that future deaths will occur unless action is taken. In the circumstances it is my statutory duty to report to you.</p> <p>The MATTERS OF CONCERN are as follows. –</p> <p>(1) failure of the Council to review its night-lighting policy with specific regard to the circumstances of Mr Wellbelove's death; to include consideration of :</p> <ul style="list-style-type: none">• evidence that pedestrians regularly use the road during the unlit hours; and• evidence that pedestrians, during the unlit hours, may not be aware of the presence of a footpath on the Leamington-bound side of the road, at the point of

	discontinuation of the footpath on the Kenilworth-bound side of the road.
6	<p>ACTION SHOULD BE TAKEN</p> <p>In my opinion action should be taken to prevent future deaths and I believe you as Chief Executive of the Council have the power to take such action.</p>
7	<p>YOUR RESPONSE</p> <p>You are under a duty to respond to this report within 56 days of the date of this report, namely by 29 January 2014. I, the coroner, may extend the period.</p> <p>Your response must contain details of action taken or proposed to be taken, setting out the timetable for action. Otherwise you must explain why no action is proposed.</p>
8	<p>COPIES and PUBLICATION</p> <p>I have sent a copy of my report to the Chief Coroner and to the following Interested Persons (a) The Wellbelove Family and (b) ██████ (Taxi Driver).</p> <p>I am also under a duty to send the Chief Coroner a copy of your response.</p> <p>The Chief Coroner may publish either or both in a complete or redacted or summary form. He may send a copy of this report to any person who he believes may find it useful or of interest. You may make representations to me, the coroner, at the time of your response, about the release or the publication of your response by the Chief Coroner.</p>
9	<p>4 December 2013 Assistant Coroner R Brittain</p>