


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>██████████ Head of Legal Service, General Counsel Transport for London Petty France 55 Broadway London SW1H 0BD</p> <p>Head of Shared Legal Services ██████████ Wandsworth, Merton, Richmond and Sutton Gifford House 67c St Helier Avenue Surrey SM4 6HY</p>
1	<p>CORONER</p> <p>I am Russell A Caller, HM Assistant Coroner, for the coroner area of Inner West London</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 Friday 26th January 2018 Russell Caller, HM Assistant Coroner, conducted an Inquest into the death of Lucia CICCIOLOI which occurred on Monday 24th October 2016.</p> <p>Medical Cause of Death</p> <p>1.(A). Multiple Traumatic injuries</p> <p>How, when and where and in what circumstances the deceased came by her death:</p> <p>The view of the evidence based upon photographs and CCTV and the evidence of the collision investigator was that the collision took place on Monday 24th October 2016 just to the west of the cross road on LAVENDER HILL, junction with ELSPETH ROAD, leading westbound towards CLAPHAM JUNCTION Train station.</p> <p>Lavender Hill runs EAST to WEST across the road. North of the cross road is LATCHMERE ROAD and south is ELSPETH ROAD vehicles passing through this junction are controlled by a system of automatic traffic lights (ATS). Pedestrians are provided with crossing on each four mouths of the junction. It was clear and the road surface was wet.</p>

	<p>The circumstances of the collision are that Miss Lucia Ciccioli was cycling westbound on LAVENDER HILL, heading westbound through the ATS controlled cross road junction with ELSPETH ROAD. Miss Lucia CICCIOLOI approached the road from lane one, which is a dedicated left turn lane into ELSPETH ROAD.. Approximately 20 metres west of the cross road junction the collision occurred.</p> <p>██████████ was driving westbound on LAVENDER HILL in a white/blue MAN, articulated lorry registration ██████████. He continued straight ahead from late two of LAVENDER HILL which is a dedicated lane for going straight ahead only.</p> <p>As Miss Lucia CICCIOLOI has exited the junction intending to head west (and not turning left into ELSPETH ROAD) she has been struck by the MAN lorry approximately 20 metres past the junction.</p> <p>Miss Lucia CICCIOLOI received fatal injuries as a result of the collision and died at the scene. On Monday 24th October 2016 at 08.12hours life was pronounced extinct by ██████████</p> <p>Attached to this report is a CCTV Reconstruction Plan (The "Reconstruction Plan") to assist with the description of the collision given above.</p> <p>Conclusion as to the death:</p> <p>Accidental Death</p>
4	<p>CIRCUMSTANCES OF THE DEATH</p> <p>The evidence was that Miss Lucia CICCIOLOI moved from lane one (dedicated to the left turn into ELSPETH Road) into lane two as she crossed the junction (position 3 on the Reconstruction Plan) cycling towards LAVENDER HILL where the road appeared to narrow and Lucia CICCIOLOI travelled over a dip in the road where it appeared as if a pot hole had not been repaired which caused her to lose her balance and fall and collide with the MAN lorry.</p> <p>During the Inquest it was suggested that the cycle lane (see area coloured pink on the Reconstruction Plan) was possibly misplaced and cyclists had difficulty in using the same due to its very close proximity to lane two particularly when large vehicles (in particular lorries) were in lane two. Notwithstanding that cyclists wished to remain in the centre of the road cyclists felt obliged to place themselves in lane one even though that was a dedicated route to the left into ELSPETH ROAD.</p> <p>Moreover, cyclists found it extremely difficult to keep to the middle of the road as they crossed the junction due to an apparent "narrowing of the road" and a yellow box junction positioned in the middle of the junction (in which they could not legally stop). Further cause for concern was that there was a pothole positioned between position 4 and position 5 of the Reconstruction Plan which required urgent repair.</p>
5	<p>CORONER'S CONCERNS</p> <p>During the course of the Inquest 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> <ol style="list-style-type: none"> 1) There is an inadequate cycle lane leading up to the traffic lights leading up to the traffic lights at the junction with LATCHMERE ROAD and ELSPETH ROAD (the cycle lane is coloured pink on the Reconstruction Plan). 2) There is inadequate protection generally for cyclists riding towards the junction with LATCHMERE ROAD and ELSPETH ROAD particularly for those cyclists that wish to go straight over the said junction towards LAVENDER HILL or for those cyclists that wish to turn right at that junction into LATCHMERE ROAD. 3) There is a yellow box in the middle of the said junction (situated between position 3 and 4 on The Reconstruction Plan) which causes concerns to cyclists when they are either proceeding straight on or turning right from the junction as they are prevented from legally stopping in the said yellow box. 4) There is no cycle lane provision in LAVENDER HILL immediately past the said junction. 5) The narrow aspect of LAVENDER HILL immediately past the said junction places cyclists in a vulnerable position when they arrive in LAVENDER HILL from the said junction. 6) The dip in the road in LAVENDER HILL (between position 4 and position 5 on the Reconstruction Plan) is dangerous and is in need of urgent repair.
6	<p>ACTION SHOULD BE TAKEN</p> <p>In my opinion action should be taken to prevent future deaths and I believe you AND/OR your organisation have the power to take such action in relation to the concerns raised above. It is for each addressee to respond to the matters relevant to them.</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. I, the assistant 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 :</p> <p>  ADL Legal LLP 131 – 133 Cannon Street London EC4N 5AX </p>

[REDACTED]
Serious Collision Investigation Unit
Merton Traffic Garage
15 Deer Park Road
London
SW19 3YX

[REDACTED]
DAC Beachcroft (Claims Ltd)
Motor Prosecutions
Portwell Place
Portwell Lane
Bristol
BS1 9HS

9 I am also under a duty to send the Chief Coroner a copy of your response.

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.

16th May 2018



Mr Russell Caller
HM Assistant Coroner
Inner West London
Westminster Coroner's Court
33 Tachbrook Street
London
SW1V 2JR