

IN THE COUNTY COURT AT CARDIFF

CLAIM NO: B11YM125

B E T W E E N: -

**(1) MR GAVIN REES
(2) MS JANINE REES**

Claimants

-v-

**(1) THE BRITISH DRIVING SOCIETY
(2) CIMLA RIDE AND DRIVE CLUB
(3) MR GERALD POULTON**

Defendants

WITNESS STATEMENT OF GWENDA KESANS

I, Gwenda Kesans of 6 Crymlyn Terrace, Bonymaen, Swansea, SA1 7BQ WILL SAY as follows:-

1. I am making this statement in respect of events surrounding the tragic death of the Claimants' daughter, Angharad Rees, whilst she was taking part in a British Driving Society (BDS) organised fun day ride and drive event in Afan Argoed Country Park on 27 May 2012.
2. I am the local Area Commissioner for the BDS in West South Wales and have been since August 2011.
3. As Area Commissioner I have wide ranging authority to approve BDS events in my area.
4. When I became the Area Commissioner I was provided with the BDS code of practice, the guidelines for Area Commissioners, a copy of the BDS event insurance and the BDS health and safety checklist.
5. The health and safety checklist is used as a risk assessment for any drives organised by the BDS.
6. I organise everything within my area and it is my decision over what the area needs, what members requirements are and to that end I have regular contact with all the local members.

7. I have been asked to comment on the circumstances leading up to the tragic death of Angharad Rees on 27 May 2012 when she was taking part in a BDS event in Afan Argoed county park.
8. I was first approached by Modris Kesans, by father in law, who asked if we were able to run the event under the auspices of the BDS which had previously been run for many years by the Cimla Ride and Drive Club.
9. All of the Cimla members were also members of the BDS.
10. I was told that due to dwindling numbers and the costs of insuring the event they could no longer host it themselves which is why the BDS were asked to do so.
11. The event had taken place for many years prior to 2012 at the same venue.
12. I have known John Green, the former chairman of the Cimla Club before it disbanded, for many years and was aware that John had run the event for several years prior to this. I therefore had no problem in agreeing to this.
13. I spoke to John Green and found out the date of the event and provided him with a copy of the BDS insurance. It was left to him to prepare a risk assessment so that the event could get permission to go ahead from the Forestry Commission.
14. I understand that Mary Jones, who was the Cimla secretary at the time, prepared the risk assessment for the event to be given to the Forestry Commission for permission.
15. Once I had found out the date of the event, I passed the details to the editor of the BDS newsletter so it could be included in the schedule of events being held.
16. I was unable to attend the event myself but appointed John as my assistant for the day.
17. I was notified of the tragic accident by John Green and attended the scene the following day, Monday 28 May 2012, with Modris, John, Mary Jones and Gerald Poulton in order to investigate it.
18. We all walked the route in question and Gerald Poulton informed us where he had been thrown and where he then found Miss Rees. I could see a mark on the tree where someone or something had collided with it.
19. Gerald knew the route like back of his hand and is a very experienced horseman and carriage driver.

20. Having visited the scene, I was satisfied that the track was entirely suitable for the event and did not represent any obvious hazards. I couldn't see anything on the track or leading down to the track that should cause a usually calm horse any problems. For example, there was nothing that would cause you to veer off the track such as protruding rocks, trees, ruts etc.
21. Following this, I prepared a handwritten report which is attached by way of exhibit 'GK1'.
22. This particular route had been used for many years successfully and without any previous accidents.
23. I have driven the route myself in the past and never encountered any problems with it.
24. The track had been used in the past by pairs (2 horses/ponies abreast), but I believe there were no pairs competing that day.

STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true

Signed G.M. Wom

Dated 29/06/16

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EXHIBIT GK1

— Accident Sunday 27th May 2012
at Aken Argoed Country Park.
B.O.S. Event - nominated organiser
MR. John Green.

Accident involved Miss Angharad Rees, who
was driving her own pony (15 years old pony said
to have approx 2 years driving experience).

Accident occurred on downhill stop after
lined section had finished. Out of sight of
ranger who was at top of track at bend.
Weather at time of incident Dry, clear daytime.
Track condition - undulating, down hill.

Bank up to Right side, bank down to
left bramble + trees. Some stones on track
no obvious pot holes / Large stones or dip / Trip
hazards across track. No low overhanging
branches.

Although public Park, no general public were
on or near the path at the time.

- Cause sign posted and Stewarded.
 - Briefing given before event
 - Experienced groom Gerald Poulton (adult starter) on
carriage.
 - Other competitors had already completed the course.
- Alarm raised when pony and carriage stopped at
bottom of the hill by stewards and other
competitors.
- * Steward on site observed head trauma,
Emergency Services called, Air Ambulance
appeared to have some trouble landing.
Miss Rees taken straight to hospital.

Mr Poulton appears to have been thrown from the carriage down left side of track, into brambles. Lost consciousness for unknown time before waking to find Miss Rees on the track with obvious head/Face injury.

Site of accident visited Monday 28th May 2012 at approx 6pm by myself Mrs G. Kesars

B.D.S. Area 38 area commissioner.

Mr M. Kesars. B.D.S. Wales Chairman.

Mr. John Green, nominated organiser / chief steward

Mrs. Mary Jones, Steward

*one of the first on site of accident

Mr. Gerald Poulton, Groom on carriage at time of accident.

Report Compiled by Mrs G. Kesars

B.D.S. Area 38 AC, Monday 28th May 2012.

G M. Kesars

Note.

Mr Poulton was unconscious for some time and received minor abrasions to face & neck, although visibly shaken appears to have no other injuries.

Miss Rees however later died from her injuries in hospital.

Miss Rees was not wearing a safety / Hard hat of any kind at time of accident, although had been advised to by parent and others, she had declined.

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WITNESS STATEMENT OF GWENDA KESANS

Knights Professional Services Ltd
Midland House
West Way
Botley
Oxford
OX2 0PN

Solicitors for the Defendant

Reference: JLV//78558.101

