# Widow sues council after husband dies in crash caused by pothole



A widow from Derbyshire has initiated legal proceedings against North Northamptonshire Council following the death of her husband caused by a pothole on a road in Northamptonshire.

Robert Newcombe, aged 70, a retired hospital porter and grandfather of three, tragically died on 25 September 2022 after his motorbike struck a substantial pothole on the A43 in Walgrave, Northamptonshire. The incident occurred while he was riding with a group of motorcyclists en route to a memorial event at the National Memorial Arboretum in Staffordshire. Reports indicate that Mr Newcombe was overtaking another vehicle when his bike, an Indian Scout Bobber, hit the crater in the road, causing him to be thrown from the machine. He slid 170 feet before colliding with the kerb of a nearby roundabout.

Emergency services arrived promptly, but despite their efforts, Mr Newcombe succumbed to catastrophic head injuries and a broken neck, entering cardiac arrest and dying at the scene. A coroner later determined that the death was directly caused by the 'degraded road surface,' emphasising the critical role the condition of the road played in the fatal crash.

In reaction to her husband's death, Mrs Aileen Newcombe, 71, has filed a claim for substantial damages through the High Court, accusing the council of failing to maintain the road adequately. The council denies liability, and unless a settlement is reached, the dispute will proceed to a judicial hearing.

Mrs Newcombe, from Ilkeston, spoke to the Daily Mail about the emotional toll the loss has taken on her and the ongoing legal battle. She said, "I want his name exonerated because they are not accepting responsibility for what happened. I just want justice for my husband and for other families to not suffer a similar heartbreak." She further remarked, "The council knew about this pothole and the state of the road... It's not about the money, they could give me a million pounds and it wouldn't come close to replacing him."

Reflecting on Robert’s character and their life together, she added, "He was a union man with morals and principles, he stood up for what he believed was just and right – I'm only doing what he would have done himself."

Robert, a union official for Unison, was reportedly travelling to visit a memorial dedicated to the founder of the Hells Angels, a detail that emphasises his commitment to the motorcycling community.

Legal representation for Mrs Newcombe is provided by Ken Brough of Hodge Jones & Allen, who highlighted the unusual but serious risks posed by poor road conditions to motorcyclists. Speaking to the press, Mr Brough said, "All councils have a responsibility to ensure they adequately inspect and maintain all roads... The inspection process must be fit for purpose in practical terms and not just conducted as a tick-boxing exercise."

He expressed hope that the council would settle the civil case promptly and take measures to prevent future tragedies: "We are hopeful North Northamptonshire council will settle our civil case with Mrs Newcombe swiftly and make sure lessons are learnt, protecting future lives."

The legal claim also states that "poor quality repairs had caused the A43 in the area of the turning to Walgrave to become dangerous, with the tarmac melting and then solidifying, creating a dangerous, undulating carriageway." Furthermore, the claim alleges the council ignored multiple public reports about the deteriorating road surface.

The road safety charity Brake is supporting Mrs Newcombe’s legal action but has declined to comment on the specific case. North Northamptonshire Council has also been approached for comment but had not responded at the time of reporting.

This case underlines ongoing concerns about road maintenance responsibilities and the potential consequences of neglected infrastructure on public safety.

Source: [Noah Wire Services](https://www.noahwire.com)

## Bibliography

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