

Highways Committee

21st February 2012



Stanhope Ford

Report of Terry Collins, Corporate Director for Neighbourhood Services

Councillor Bob Young, Cabinet Portfolio Holder for Environment

Purpose of the Report

1. To appraise Members of the Highways Committee regarding the Planning Inspector's recommendations following a Public Inquiry into the proposed Prohibition of Driving Traffic Order to prevent all vehicles from using Stanhope Ford on the grounds of safety.
2. It is recommended that the Committee endorse the proposal having considered the recommendation of the Planning Inspector and the views of the Corporate Director.

Background

3. Members of the Highways Committee will recall at its meeting of 28th June 2011 (see Appendix 2) that proposals to close the Ford to vehicles were put forward in response to serious safety concerns following a number of incidents in which people had to be rescued after attempting to drive across the ford during unsafe conditions. At this meeting a recommendation was approved that evidence, both for and against the closure of the Ford to all vehicles, should be heard at a Public Inquiry due to the complexity of the issue and the volume of objections from local residents, user groups and the Parish Council. A summary of objections and officer responses can be seen in Appendix 3.
4. Over three days in January 2012, a non-statutory public inquiry heard evidence from a range of experts and local people regarding proposals to close the Ford. The inquiry was heard by Inspector Malcolm Rivett, who also carried out site inspections at the ford.

Findings of the Inspector

5. The report of Malcolm Rivett can be seen in Appendix 4.
6. The Inspector found that potential disadvantages to tourism that may result from the Ford's closure would be outweighed by the potential to make the area safer and more attractive by preventing vehicles from driving across the Ford.
7. The overall conclusion of the inquiry was that, on balance, the public safety benefits of making an order to close the Ford outweigh the objections which were raised.

8. In his report, Mr Rivett stated: "I consider that the elimination of serious and potentially life-threatening incidents, which have occurred at the Ford at an average rate of around one every four months during the April to September period, would be a significant benefit of the order, a benefit which would not be achieved by any of the suggested alternatives."

Conclusion

9. It is clear from past experiences of rescues, that there is a continued risk to the motoring public using Stanhope Ford, some of whom persist in their attempts to traverse the Ford during spate conditions, despite the warning signs.
10. The concerns of both the Police and the Fire & Rescue Service have escalated to a level where incidents and consequential rescues must be eliminated.
11. As it is known that lives are potentially at risk, Durham County Council cannot accept anything but a 100% guaranteed workable solution.
12. The Inspector concluded that none of the alternatives put forward would result in improved public safety and, in some cases, would be unworkable and recommended that the Order should be made.
13. The Corporate Director accepts the findings of the Inspector and intends to make the Order.
14. Durham County Council will continue to maintain the Ford to a condition that is suitable for access on foot only by maintaining the stepping stones upstream of the Ford. Furthermore, the Ford bed will continue to be available to those people who gather in the summer months to play in the river.

Local Member Consultation

15. The Local Members, Councillor Shuttleworth and Councillor Savory, both gave evidence at the Inquiry and offered objections to the proposals believing Stanhope Ford to be essential to Stanhope's heritage and tourism.

Recommendation and Reasons

16. It is **RECOMMENDED** that the Committee note the recommendation of the Planning Inspector to confirm the Order.
17. It is **RECOMMENDED** that, having considered the recommendation of the Planning Inspector, the Committee endorses the decision of the Corporate Director of Neighbourhood Services to proceed with the confirming of the Traffic Regulation Order to introduce a 'Prohibition of Driving' to close the Ford to vehicular traffic.

Background Papers

- Highways Committee report dated 28th June 2011.
- Summary of objections and Officer responses
- DPI/X1355/11/21 Report of Planning Inspectorate in respect of Durham CC Stanhope Ford TRO - Prohibition of Driving

Appendix 1: Implications

Finance

The ford will continue to be maintained which will require a capital funding.

Staffing

None

Risk

The risk to motorists remains the principle reason for closure. There will also be a risk to the Authority, if an accident were to occur, having been notified of the safety issues by the Emergency Services.

Equality and Diversity / Public Sector Equality Duty

An Equality Impact Assessment to be carried out.

Accommodation

None

Crime and Disorder

Reduction in callouts to emergency services.

Human Rights

None

Consultation

This has been completed in accordance with the Road Traffic Regulation Act 1984.

Procurement

None

Disability issues

An Equality Impact Assessment to be carried out.

Legal Implications

The Authority may be challenged on a decision to close the Ford by means of a judicial review.