



## Highways Committee

**Date**      **Wednesday 20 November 2019**  
**Time**      **9.30 am**  
**Venue**     **Committee Room 2, County Hall, Durham**

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### Business

#### Part A

1. Apologies for Absence
2. Substitute Members
3. Declarations of Interest, if any
4. C95 Whitworth Road, Spennymoor - 40mph Speed Limit TRO - Report of Corporate Director of Regeneration and Local Services (Pages 3 - 30)
5. Such other business, as in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration

**Helen Lynch**  
Head of Legal and Democratic Services

County Hall  
Durham  
12 November 2019

To: **The Members of the Highways Committee**

Councillor C Kay (Chair)  
Councillor S Morrison (Vice-Chair)

Councillors D Bell, H Bennett, G Bleasdale, J Chaplow,  
J Considine, S Dunn, D Hicks, K Hopper, S Hugill, K Liddell,  
O Milburn, R Ormerod, J Rowlandson, P Sexton,  
J Shuttleworth, A Simpson, K Thompson, J Turnbull and  
M Wilson

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**Contact: Michael Turnbull      Tel: 03000 269 714**

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## Report of Corporate Management Team

Ian Thompson, Corporate Director of Regeneration and Local Services

Councillor Brian Stephens, Cabinet Portfolio Holder for Neighbourhoods and Local Partnerships

### Electoral division(s) affected:

Spennymoor.

## 1 Purpose of the Report

- 1.1 In accordance with the Council's Constitution, Members are asked to offer guidance to the Corporate Director in the exercise of delegated decision making. The final decision is therefore one to be made under delegated powers.
- 1.2 To advise Members of two objections received to the C95 Whitworth Road, Spennymoor 40mph Speed Limit Order.
- 1.3 To request that members consider the objections made during the consultation period.

## 2 Executive Summary

- 2.1 It is proposed to extend the existing 40mph speed limit on the C95 Whitworth Road. The 40mph speed limit which currently commences near to the entrance to Page Grove, Spennymoor and continues in a north westerly direction to the Auckland Walk crossing is proposed to be extended beyond the entrance to the Burton Woods development to a point passed Newtown. This would operate to reduce the speed limit of that section of the C95 from 60mph to 40mph. Details of the extents of the proposed 40mph speed limit can be found in Appendix 2.
- 2.2 At the commencement of the proposed 40mph restriction north west of Newtown, it is also proposed to create a gateway feature consisting of a 40 roundel, 'dragons teeth', 'Slow' markings and a red hatched surface treatment. Details of the gateway feature can be found in Appendix 3.
- 2.3 New chevron signs with yellow borders to emphasise a bend in the carriageway. These signs have already been installed.

- 2.4 40mph Repeater Signs will be installed along the extends of the 40mph Speed limit.
- 2.5 These proposals are intended to assist in maintaining lower speeds through Newtown, passed the entrance to the Burton Wood development and towards the existing 30mph restriction near Page Grove.
- 2.6 Traffic surveys have been undertaken at several locations on the C95 Whitworth Road over a typical 7-day deployment period.
- 2.7 The survey data has been analysed by both Durham County Council Traffic Engineers and Durham Constabulary Traffic Management Officers who have verified that the proposed extension of the 40mph speed limit satisfies the Department for Transport's national guidance and best practice on the setting of local speed limits.

### **3 Recommendation(s)**

- 3.1 Accordingly, it is recommended that, having considered these objections, the Committee agree to the proposals in principle and recommends to the Corporate Director of Regeneration and Local Services that a Traffic Regulation Order be made to amend the 40mph speed limits as per the plan in Appendix 2.

## **4 Background**

- 4.1 Planning conditions for Burton Woods development in Spennymoor stipulate that a 40mph speed limit on the C95 Whitworth Road shall be extended to incorporate the developments new access, as per Appendix 4.
- 4.2 Whilst fulfilling this planning condition the Traffic Assets team have also taken the opportunity to propose a further extension of the 40mph speed limit in a north westly direction to also include nearby Newtown as per Appendix 2.
- 4.3 The extension of the 40mph speed limit northwest to include nearby Newton is proposed in order to address the road safety concerns of a small number of residents in this area.

## **5 Statutory Consultation**

- 5.1 A statutory consultation as part of the legal Traffic Regulation Order making process was carried out between 16<sup>th</sup> March 2019 and the 8<sup>th</sup> April 2019. This included consulting all statutory consultees, advertising the proposed 40mph speed limit in the local press and erecting public notices on-site.
- 5.2 Paul Emmerson, Durham Constabulary Traffic Management Officer offers his full support to the proposed 40mph speed limit. His written response to the statutory consultation is detailed below –

*In May 2015 I supported the extension of the current 40mph limit on Whitworth Road from its current location, northwest, to commence near Newtown Farm. I re-confirmed this support for a 40mph limit on 8 March 2019.*

*My rationale for a 40mph limit is based upon speed data collected in 2015 that revealed a 85%’ile speed of 44.3mph & mean speed of 37.8mph. These figures confirm that drivers would recognise a 40mph restriction as credible and it would not require additional enforcement activities to ensure compliance.*

*My only comment in 2015 was I would have no objections to extending it to the proposed location but would need some assurances regarding the provision of gateway features and additional signs and road markings/roundels to reinforce the 40 limit especially between the commencement of the new limit at Newtown and the entry to the new development. Whilst this section of the road has a series of bends which naturally slows vehicles down it is bordered by trees and there is a tendency to increase speed.*

*I could not support the introduction of a 30mph along this section of Whitworth Road for the following reasons*

- *The section of road is rural in nature bordered by fields and trees*
- *Newtown consists of 3 inhabited properties immediately fronting the road to its east side and 1 inhabited property to the west, which is set back from the road. It does not constitute an urban environment nor have the character of a village.*
- *Research shows that the introduction of a signed only speed limit will result in a 1-2 mph drop in vehicle speeds*
- *The collision rate at this location is not significant and the collisions that have occurred are a result of poor driver behaviour combined with inappropriate speed as opposed to excessive speed.*

*Given the above the introduction of a 30mph limit would not be credible, would result in high non-compliance (around 59%) and a requirement to enforce which would have no impact on driver behaviour/vehicle speeds and create a demand that we cannot service.*

*There is also the likelihood it will increase vehicle speeds within the current 30mph limit on Whitworth Road, as drivers will have travelled over 1km within a non-credible 30mph limit before they encounter an urban environment.*

## **6 Local Member Consultation**

6.1 Local Ward Member Councillor Liz Maddison made no formal objection to these proposals but commented as follows;

- 1) Residents believe that both sections should be a maximum of 30mph along the C95 Whitworth Road.
- 2) At Newtown there have been several accidents where vehicles have gone into resident's perimeter fence due to excess speeding along this road.
- 3) Whitworth Park Academy has a 20-mph restriction that should also be enforced.

6.2 No other Local Ward members commented on the statutory consultation.

## **7 Objection(s) and response**

7.1 The statutory consultation resulted in the receipt of two formal objections from residents of Newtown:

- Objector 1 - Berenice Cottage, Newtown.
- Objector 2 - 2 Newtown Bungalows, Newtown.

## 7.2 Objector 1 – Berenice Cottage, Newtown.

This objection is based on the below reasons;

- 1) The TRO proposal should reduce the current de-restricted speed limit to 30mph.
- 2) The accidents that have occurred at Newtown have not had their cause determined so it must be assumed they are occurring at the 85<sup>th</sup> percentile speed of “40mph”.
- 3) Visibility splays and lines of sight are not being considered.

### *Response (Item 1)*

*I note that you have made a formal objection to this scheme. With regards to your comments within your objection there is no scope for lowering the proposed limit to 30mph as you have requested. The Police do not support a 30mph limit on this road. Only the 40mph Speed proposal is supported, following their own onsite review of the C95 Whitworth Road. Additionally, the C95 Whitworth Road does not meet the criteria for a 30mph road set out in accordance with the Durham County Council Speed Management Strategy and Department for Transport guidelines.*

### *Response (Item 2)*

*The 85th percentile speed is the speed which 85% of the vehicles are not exceeding. Research has shown that the safest group of vehicles are travelling at or below the 85th to 90th percentiles. Above the 90th percentile we tend to find drivers exceeding safe limits and their accident risk increases as a consequence; in the case of C95 Whitworth Road, the recent accidents that have occurred fit within this remaining 15% above the 85<sup>th</sup> percentile. This leads to engineering recommendations that speed limits should normally be set at around the 85<sup>th</sup>. Because of this, the recommended safe road speed for C95 Whitworth Road is 40mph and is why it has been proposed.*

### *Response (Item 3)*

*The visibility splays and stopping distance requirements that are outlined within highways standards only apply to new build residential developments; this does not apply to private roads and existing developments/ properties. The highway authority, in this instance Durham County Council, do not have a duty to change road layouts or change speed limit where individual private properties have insufficient visibility from a private driveway.*

## 7.3 Objector 2 - 2 Newtown Bungalows, Newtown.

This objection is based on the below reasons;

- 1) The TRO proposal should reduce the current de-restricted speed limit to 30mph with traffic calming to be installed on C95 Whitworth Road to support the reduced speed limit.
- 2) Planning permission has been granted for a housing development in Newtown this will increase the number people having to pull on and off the C95 off the blind bend.
- 3) Heavy and Long vehicles use the C95 Whitworth Road. Resident has been informed that these types of vehicles shouldn't be allowed as they exceed the weight restriction on the bridge on Page Bank.

*Response (Item 1)*

*With regards to your comments, there is no scope for lowering the speed limit on C95 Whitworth Road below the proposed limit of 40mph. Following speed surveys and onsite reviews it has been concluded that this road does not meet the criteria for a speed limit below 40mph in accordance with the Durham County Council Speed Management Strategy and Department for Transport guidelines or permit the installation of physical traffic calming measures such as road humps; This conclusion is also supported by the Police.*

*Response (Item 2)*

*Newtown has received planning permission for the development of 5 Bungalows which will not lead to a significant increase to the number of vehicles using C95 Whitworth Road for accessing and egressing.*

*Response (Item 3)*

*There is also no weight limit restriction on the bridge at Page Bank allowing all types of vehicles travel on the C95 Whitworth Road, including Heavy Good Vehicles.*

## **8 Conclusion**

- 8.1 Under part 3 of the Council's Constitution, the final decision on whether to make a TRO is delegated to the Corporate Director of Regeneration and Local Services, having regard to guidance from the Committee.
- 8.2 The proposal will provide what will be self-evident and self-enforcing speed limits thus satisfying the Department for Transport guidance. It is recommended that the Committee, having considered the objections, endorse the proposal in principle to proceed with the implementation of the speed limit changes, as per the plan in Appendix 2.

## **Background papers**

- Correspondence on Office File.

## **Other useful documents**

- Previous Cabinet reports / None.

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**Contact:** Sean Ventress

Tel: 03000 261020

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## **Appendix 1: Implications**

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### **Legal Implications**

Enforceable TRO.

### **Finance**

To be funded by the developer.

### **Consultation**

16<sup>th</sup> March to 08<sup>th</sup> April 2019 - Statutory Consultation.

### **Equality and Diversity / Public Sector Equality Duty**

It is considered that there are no Equality and Diversity issues to be addressed.

### **Human Rights**

No impact on human rights.

### **Crime and Disorder**

N/A.

### **Staffing**

Carried out by the Traffic Asset Team.

### **Accommodation**

No impact.

### **Risk**

There may be objections to the scheme following consultation which will need to be considered through the TRO process.

### **Procurement**

Operations, DCC.

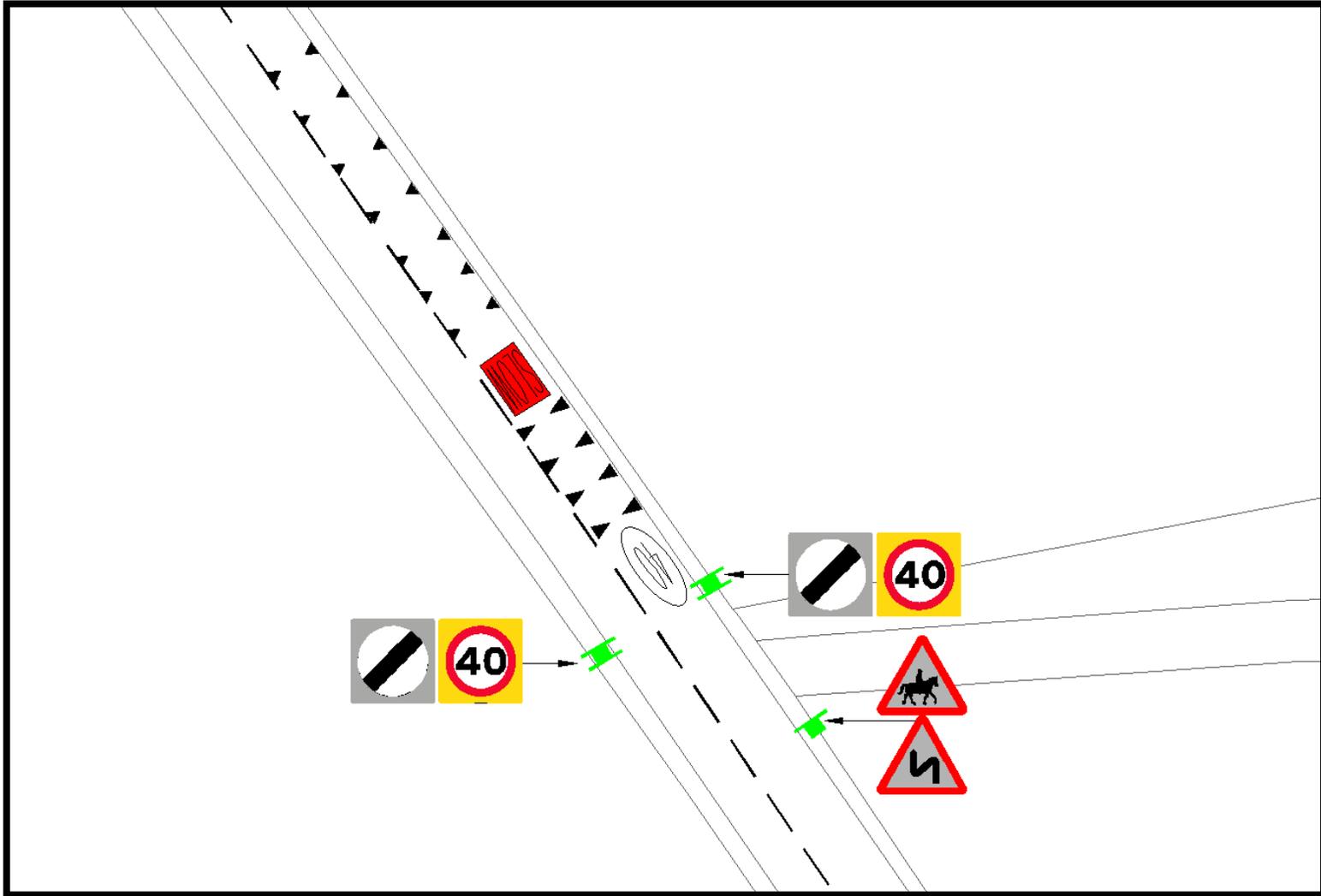
## Appendix 2: 40mph Speed Limit



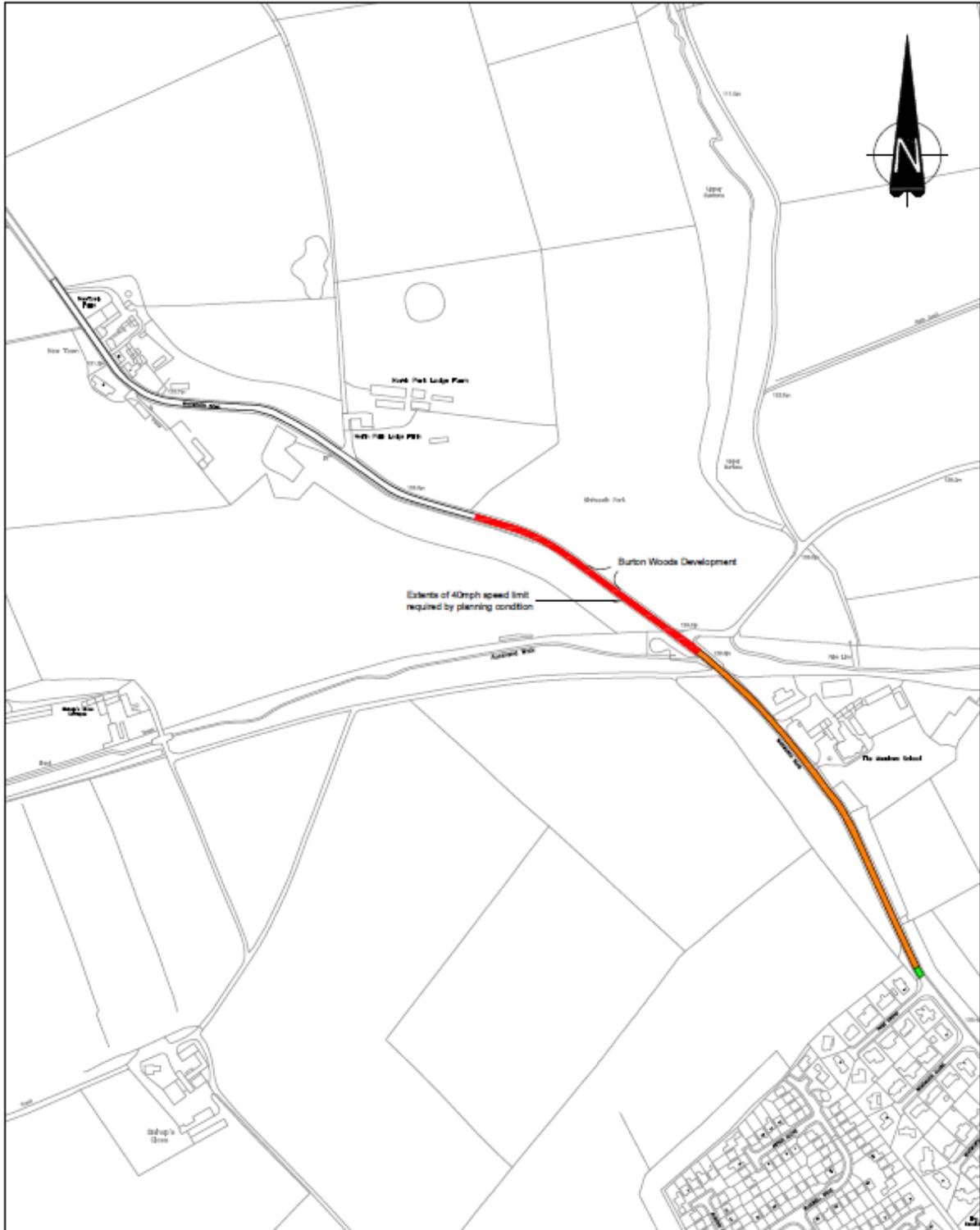
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### Appendix 3: Newtown Gateway Features

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# Appendix 4: Planning condition 40mph Speed Limit extents



Rev/ Amdt	Approved By			Description Of Amendments	 Iain Thompson Corporate Director of Regeneration and Local Services County Hall Durham DH1 1UG	Project	
	Name	Date	Sign			CG5 WHITWORTH ROAD, SPENNYMOOR	
-	S.VENTRESS	10/19	SV			Drawing	
						40 MPH SPEED LIMIT - PLANNING CONDITION	
						All Portrait Scale	Project/Drawing No.
						NTS	
EXISTING 40MPH SPEED LIMIT PLANNING CONDITION 40MPH SPEED LIMIT EXTENTS							
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# Highways Committee

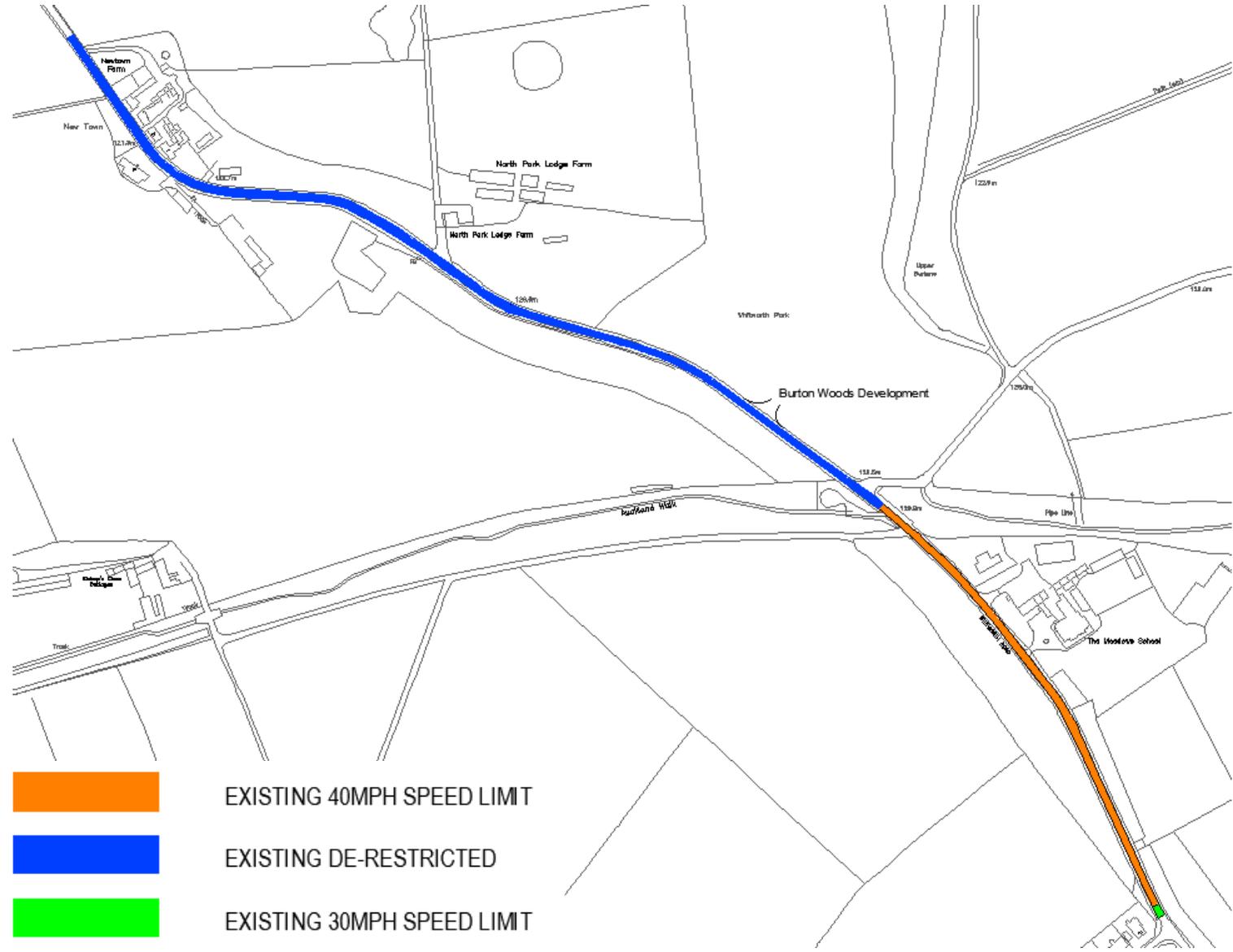
# C95 Whitworth Road

Proposed Speed Limit









EXISTING 40MPH SPEED LIMIT

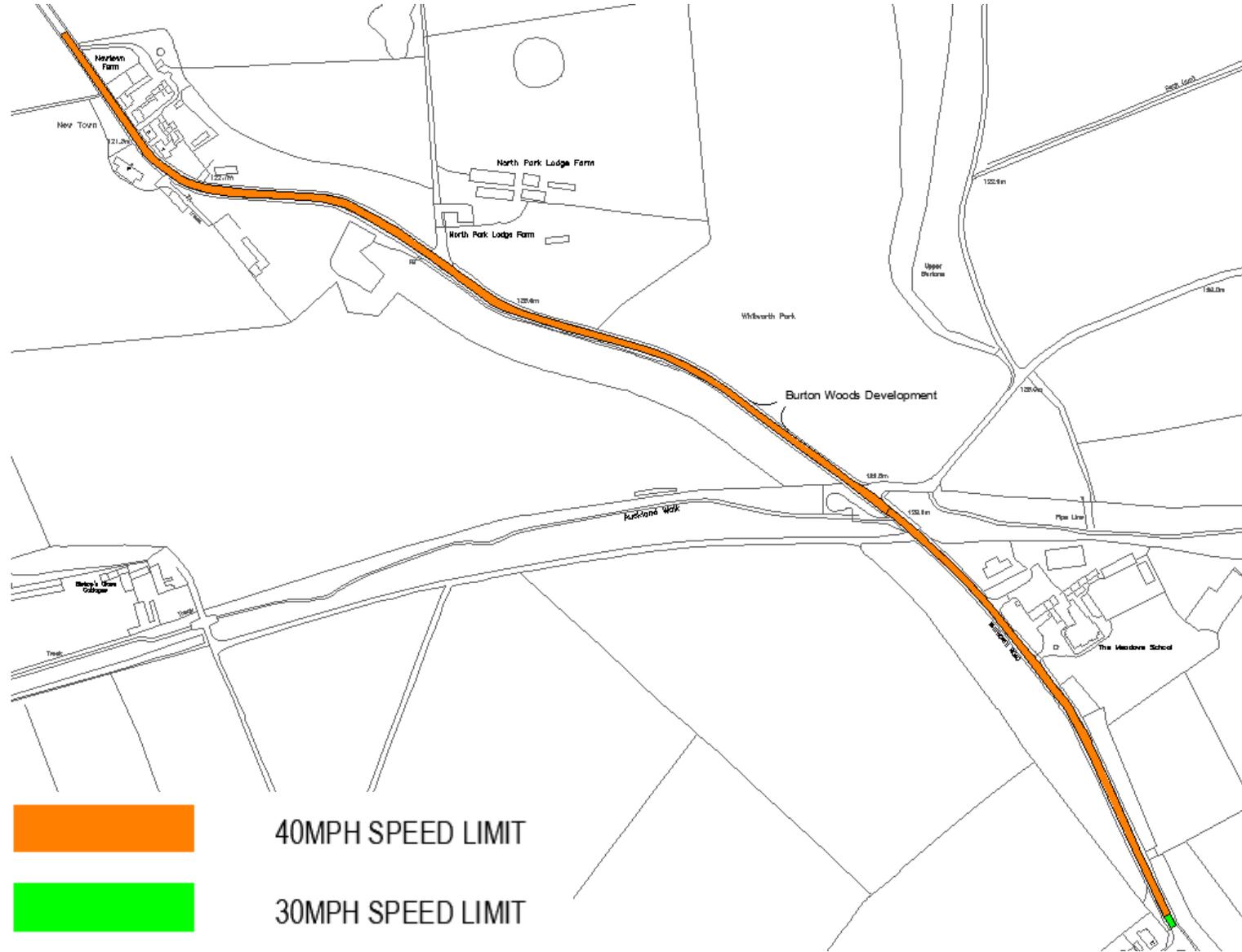


EXISTING DE-RESTRICTED

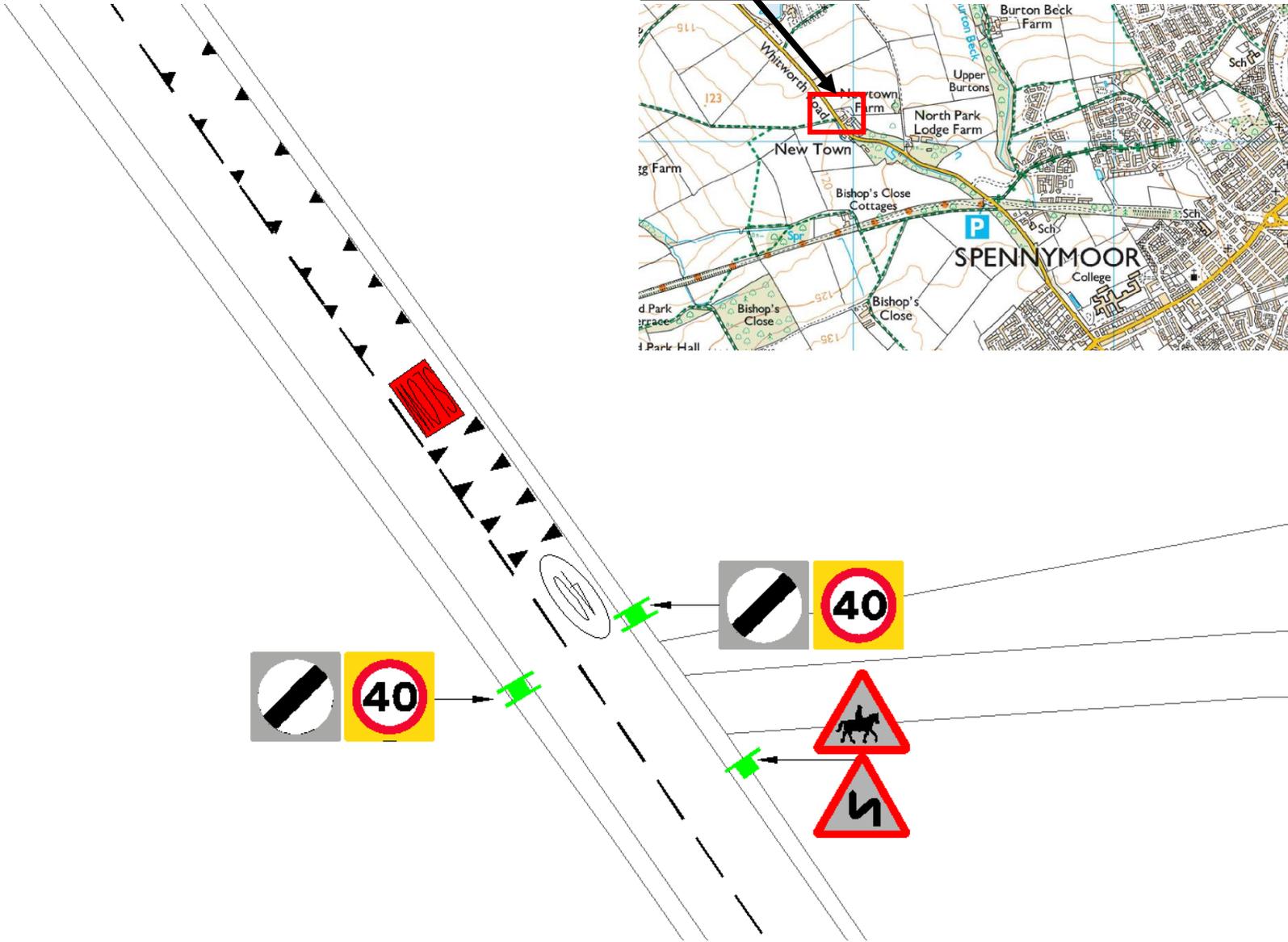


EXISTING 30MPH SPEED LIMIT



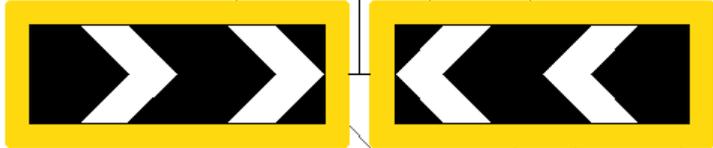
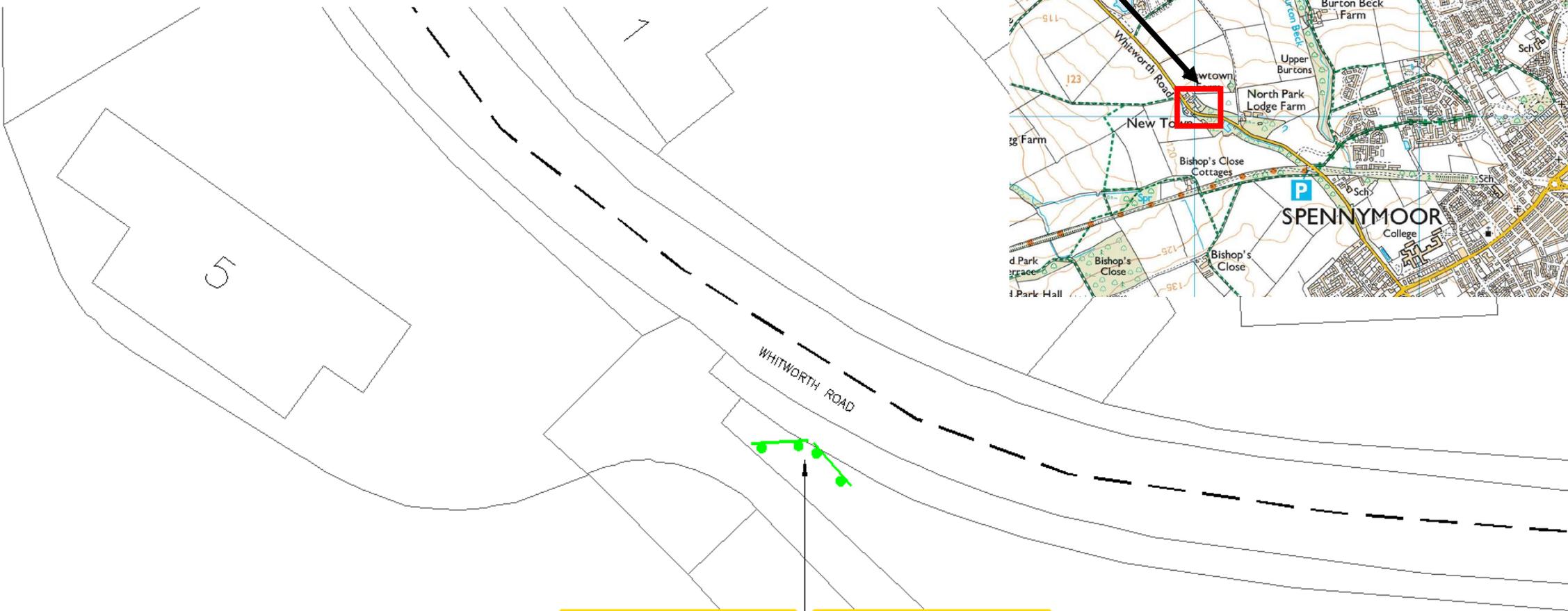
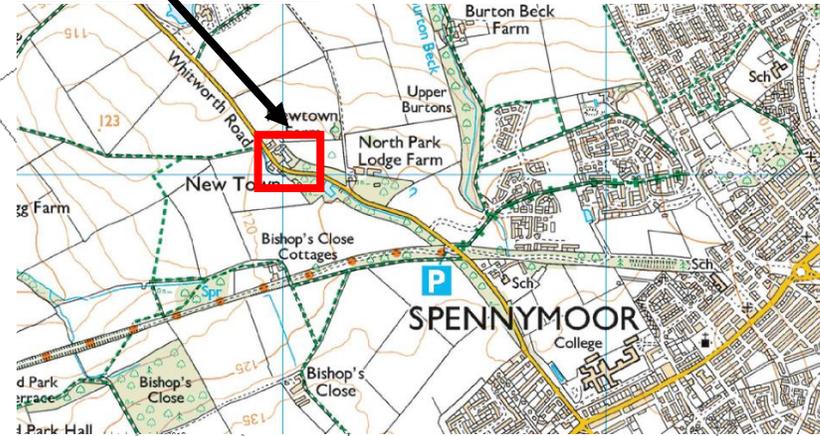


Location of Gateway Features



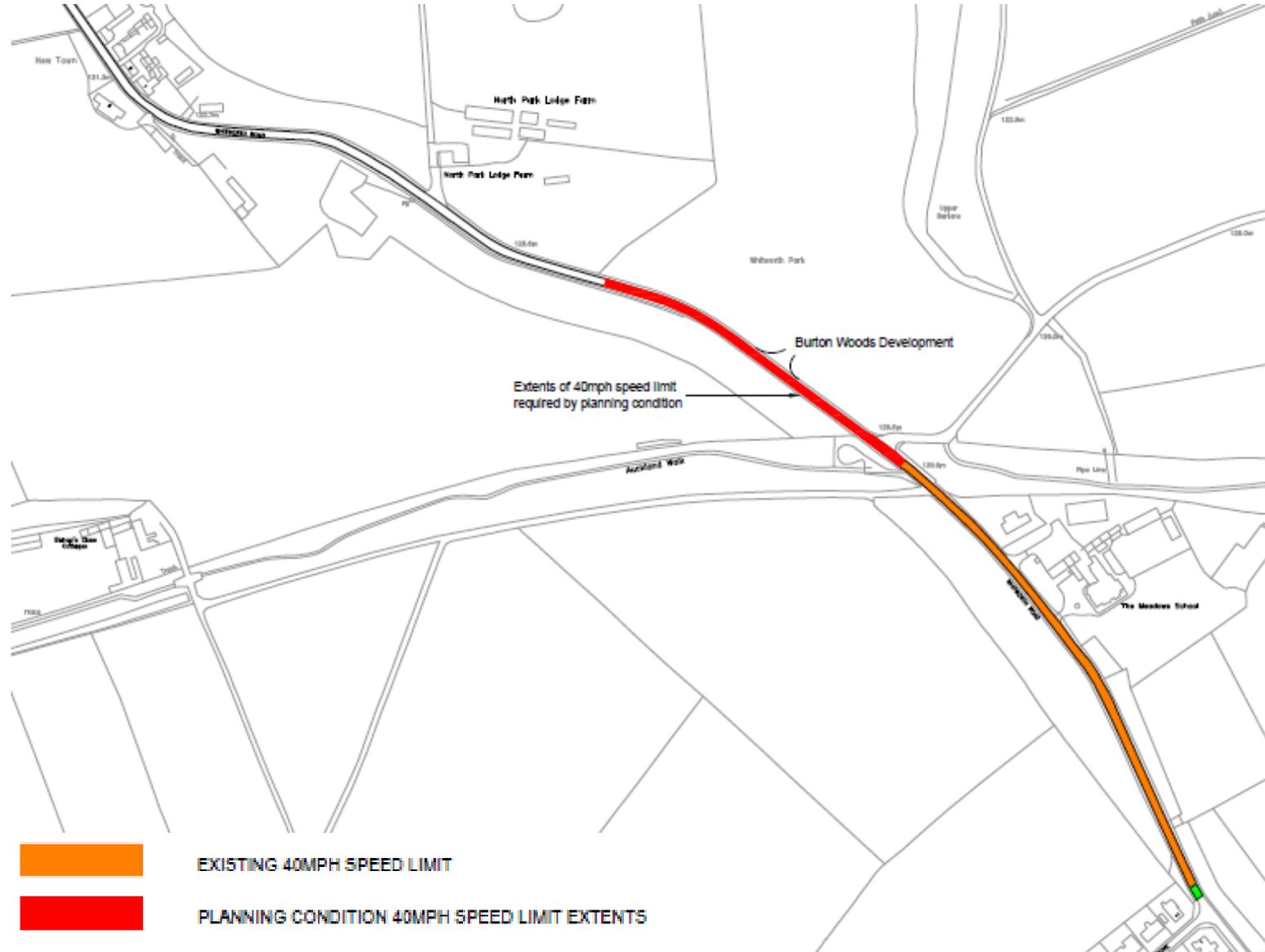


Location of Chevron Signs

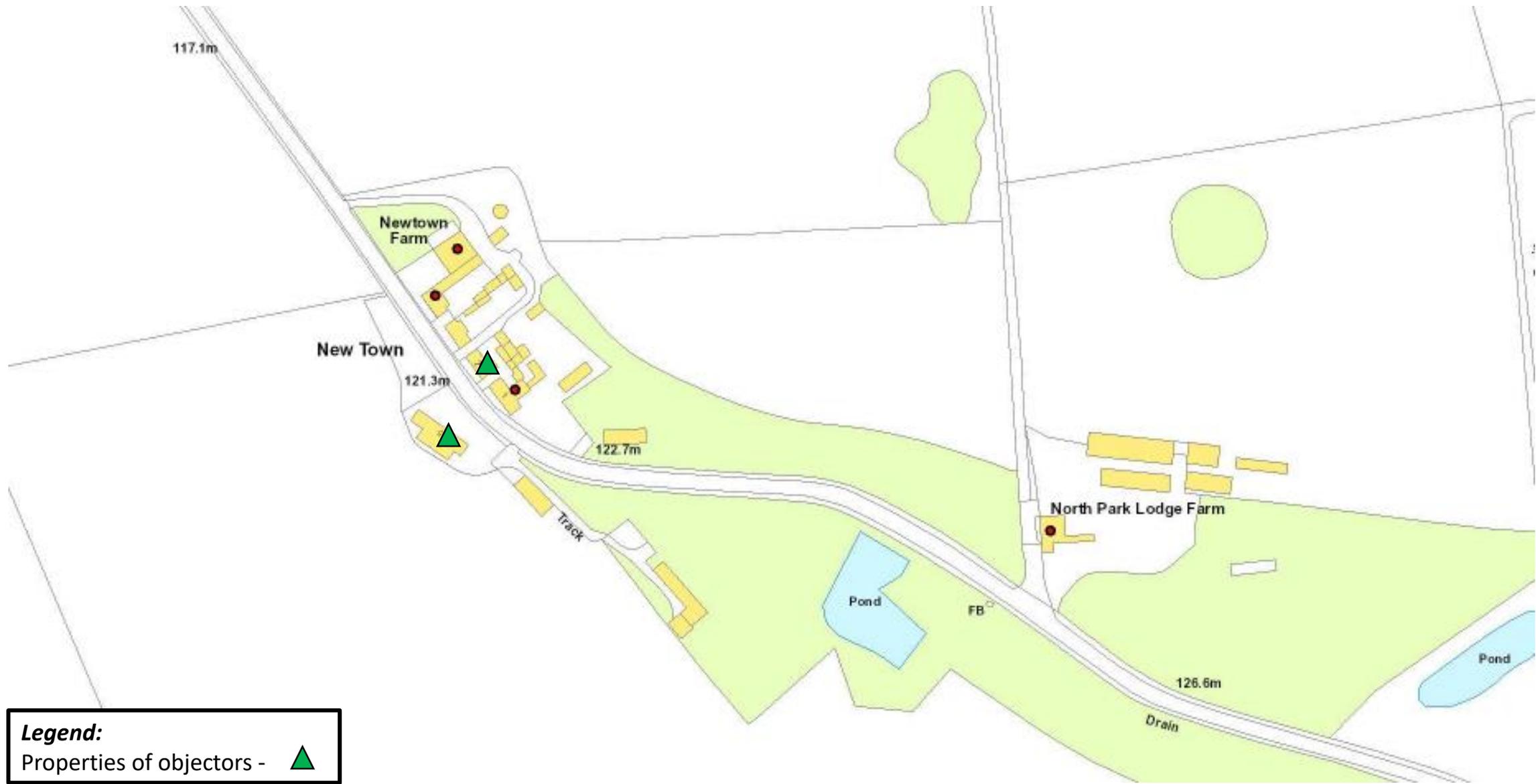








**Legend:**  
Properties of objectors - ▲



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