



Highways Committee

Date Tuesday 19 April 2011
Time 9.30 am
Venue Committee Room 2 - County Hall, Durham

Business

Part A

1. Declarations of Interest, if any
2. Minutes of the meetings held on 9 February and 3 March 2011 (Pages 1 - 8)
3. Proposed Traffic Regulation Order: Co-operative Street/C184 Front Street, Chester-le-Street (Pages 9 - 14)
4. B6277 Speed Limit Review (Pages 15 - 30)

Colette Longbottom
Head of Legal and Democratic Services

County Hall
Durham
11 April 2011

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

Councillor G Bleasdale (Chair)
Councillor J Robinson (Vice-Chairman)

Councillors B Arthur, A Bainbridge, D Burn, N Foster, D Hancock,
S Hugill, D Marshall, J Maslin, D Morgan, A Naylor, J Shiell,
P Stradling, T Taylor, L Thomson, R Todd, E Tomlinson, C Woods,
A Wright and R Young

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DURHAM COUNTY COUNCIL

At a Meeting of the Highways Committee held at County Hall, Durham on
Wednesday 9 February 2011 at 11.30am

Present:

Councillor G Bleasdale

Chair

Members of the Committee:

Councillors Arthur, A Bainbridge, Burn, Hugill, Naylor, J Robinson, Shiell, T Taylor, L Thomson, Tomlinson, C Woods and R Young

Officers:

D Wilcox (Strategic Highways Manager), Pat Holding (Legal Adviser) and D Roberts (Democratic Services)

Apologies:

Apologies for absence were received from Councillors Foster, Hancock, D Marshall and Wright

Also present: Councillors Cox (for item 5 – Wingate) and Walker (for item 3 – Seaham)

A1 Declarations of Interest

The Chair (Councillor Bleasdale) declared an interest in item 3 – Proposed Traffic Calming: B1287 North Road, Seaham and relinquished the chair to the Vice-chair (Councillor Robinson) whilst the matter was discussed and voted on.

A2 Minutes

The minutes of the meetings held on 22 November and 2 December 2010 were agreed as a correct record and signed by the Chair.

A3 Proposed Traffic Calming: B1287 North Road, Seaham

The Committee considered the report of the Corporate Director, Neighbourhood Services advising of objections received with regard to a proposed traffic calming scheme and 20mph speed limit for the B1287 North Road, Seaham.

The report summarised the background to the proposal, which was the result of representations made with regard to traffic congestion and increased pedestrian activity in the area arising from tourists and recent housing developments. The existing traffic calming had accordingly been reviewed and a scheme had been prepared comprising alterations to/removal of current road narrowing features, a series of sets of speed

cushions along the length of North Road, a humped zebra crossing, the introduction of a 20mph speed limit with associated signing and road markings and a rationalisation of existing signs to reduce roadside clutter. A consultation exercise had been undertaken and resulted in 5 objections being received.

The objections were detailed in the report, together with officer responses. It was noted that the police, ambulance service and local members were supportive of the proposals.

RESOLVED:

That the Committee endorses the proposal to set aside the objections and proceed with the introduction of a traffic calming scheme on the B1287 North Road, Seaham, as outlined in the report.

A4 Prohibition of Waiting: A68 and C42 West Auckland

The Committee considered the report of the Corporate Director, Neighbourhood Services advising of objections received to a proposal to introduce waiting restrictions on the A68 and C42 Front Street/Chapel Street, West Auckland.

The report summarised the background to the proposal, which was the result of complaints about indiscriminate parking made to the Council and the police – parking in close proximity to a mini roundabout and various side road junctions was causing road safety concerns. Pedestrians were also being prevented from using a footway running alongside the A68 due to parked cars.

A consultation exercise had been undertaken and resulted in a number of objections being received. The objections were detailed in the report, together with officer responses. It was noted that the police were supportive of the proposals.

RESOLVED:

That the Committee endorses the proposal to set aside the objections and proceed with the implementation of the Traffic Regulation Order to introduce 'No Waiting At Any Time' restrictions on the A68 and C42 Front Street/Chapel Street in West Auckland, as outlined in the report.

A5 Proposed bus shelter: 65 Milbank Terrace, Station Town, Wingate

The Committee considered the report of the Corporate Director, Regeneration and Economic Development advising of objections received to the proposed erection of a bus shelter at 64/65 Milbank Terrace, Station Town, Wingate.

The report summarised the background to the proposal, which was the result of a request from the parish council. There were currently six bus services utilising the bus stop, approximating to more than three buses an hour during the day Monday to Saturday and it was proposed to erect a fully glazed cantilever bus shelter (without a seat) at this location.

Whilst local members and the police were supportive of the proposal, an objection had been received from a nearby resident. The objection was detailed in the report, together with officer responses.

RESOLVED:

That the Committee endorses the proposal to set aside the objection and proceed with the installation of the bus shelter.

A6 Transit 15: Responses to consultation for A177 Durham High School junction modifications and North Road, Durham bus stop modifications

The Committee considered the report of the Corporate Director, Regeneration and Economic Development providing feedback on consultations with the public on two Transit 15 schemes involving changes to the existing road layout at the above locations.

Members were reminded that completion of all the planned schemes comprising the Transit 15 project would see reduced delays and improved reliability for services on seven key bus corridors across the county.

Each of the two proposals was detailed in the report, together with representations received as a result of consultation; the comments received were outlined in the report, together with officer responses in each case.

RESOLVED:

That the Committee endorses the proposal to set aside the objections and to proceed with the road layout modifications in each case, as outlined in the report.

The meeting closed at 12.15pm

CHAIR

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DURHAM COUNTY COUNCIL

**At a Meeting of the Highways Committee held at the Civic Centre, Crook on
Thursday 3 March 2010 at 1.30pm**

Present:

Councillor G Bleasdale

Chair

Members of the Committee:

Councillors Arthur, A Bainbridge, Burn, D Marshall, Naylor, Robinson, Shiell, Thomson, Tomlinson and R Young

Officers:

A Christie (Public Rights of Way Officer), C Freeman (Legal Adviser), Leigh Coulson (Public Rights of Way Officer) and D Roberts (Democratic Services)

Apologies:

Apologies for absence were received from Councillors Foster, Hancock, Hugill, Maslin, Morgan, Stradling, T Taylor, Todd, Woods and Wright

Also present: Councillor J Shuttleworth (local member), Mr K Lord, Mr R Smith and Mr S Campbell (Trail Riders Fellowship)

A1 Declarations of Interest

There were no declarations of interest.

A2 Byway Applications (Weardale and Teesdale): Wildlife & Countryside Act 1981 – Definitive map Modification Order applications

The Chair noted that, prior to the meeting, members had visited a number of sites and had an opportunity to view and walk parts of some of the application routes.

The Committee proceeded to consider the report of the Corporate Director, Regeneration and Economic Development and the Head of Legal & Democratic Services regarding applications to modify the Definitive Map and Statement of Public Rights of Way by the addition of byways.

The Public Rights of Way Officer (Audrey Christie) reviewed the background to the applications, which had originally been made between 1992 and 1995 (when 8 applications had been lodged but 2 had subsequently been dealt with, leaving 6 to be considered today). The application routes were across open moorland areas of Teesdale and Weardale – locations were detailed in the report and on plans/maps appended to it, together with copies of various background documents, including extracts from Inclosure Awards and responses from consultees. It was noted that each application would require individual consideration.

The Legal Adviser explained the legal framework for consideration of the applications and emphasised that the Council had to make decisions in accordance

with the law, and in particular with the provisions of the Wildlife and Countryside Act 1981. She noted that paragraph 14 of the report should read as follows:

'Therefore it is important to decide whether or not these applications were properly 'made' and meet all the provisions of paragraph 1 of Schedule 14 to the 1981 Act. The effect of Section 67(1) of the NERC Act means that if a right of way for mechanically propelled vehicles can be established on the documentary evidence presented but the application is not properly 'made', then the application for byway status would fail with the appropriate status being that of restricted byway.'

She explained that it would be unlawful to take into account issues such as the suitability or desirability of the applications. She referred to a recent case determined by the Court of Appeal, which had prompted the Council to seek Counsel's advice with regard to these applications; the advice was appended to the report.

The Public Rights of Way Officer (Audrey Christie) advised members of the recent receipt of a request from a firm of solicitors acting on behalf of some of the landowners involved (objectors to the applications) to defer consideration to enable them to obtain Counsel's opinion as to whether the applications were properly 'made'. However, members were advised that all parties had been given ample opportunity to consider the officer's report and the legal opinion received by the Council. On this basis members agreed that they would proceed to consider the applications at this meeting.

Members then proceeded to consider each of the six applications individually and had an opportunity to comment and ask questions of officers. Each report detailed the proposed route, considered the documentary evidence and any evidence on the ground and outlined the objections/comments received. In each case the written report was supplemented by a visual presentation which included maps/plans and photographs of the route.

Councillor Shuttleworth recorded his opposition to each application on the basis that creating byways would be detrimental to wildlife habitats, damage would be caused to the surface of the land and there would be a detrimental impact on the heather grouse moor.

Middleton Lane: Route 1

RESOLVED:

That a Modification Order be made to record Middleton Lane as a public byway as per the Wolsingham Inclosure Award at a width of 60 ft (18.29m) (to include the reclassification of those parts of Wolsingham public bridleway and footpath no 107 and Frosterley public footpath no 50 where the Inclosure route and public right of way intersect within the Inclosure width of 60ft (18.29m)), and beyond the western end of the Wolsingham Award to record a public byway of 5 metres width (a width considered appropriate for a Byway) along the route depicted on the 1st edition OS map, subject to a minor adjustment of the OS line to ensure continuity of the route (as described in paragraph 24 of the report), to where the route meets the B6278 and including a reclassification to public byway of Eggleston footpath no 47 where it intersects with this route.

Pikestone Lane and Stanhope Road (Lane): Route 2

RESOLVED:

That a Modification Order be made to record Pikestone Lane as a public byway as per the Wolsingham Inclosure Act and Award at a width of 60ft (to include the reclassification of those parts of Wolsingham footpath no 115 where the Inclosure route and the public footpath intersects with the 60ft Inclosure width), to record as a public byway a continuation of this route through Lands Common to Hamsterley, South Bedburn and Lynesack and Softley at a width of 5 metres (to include the reclassification of those parts of Footpath no 3 Lands Common etc where this route and the footpath intersect) and to record Stanhope Road (Lane) as a public byway as per the Hamsterley, Lynesack, Softley and South Bedburn Inclosure Act and Award and laid out along the route of South Bedburn bridleway no 23a at a width of 40ft.

Hartop Lane: Route 3

RESOLVED:

That a Modification Order be made to record Hartop Lane as a public byway as per the Wolsingham Inclosure Act and Award at a width of 60ft.

Coal Lane: Route 4

RESOLVED:

That a Modification Order be made to record Coal Lane as a public byway as per the Wolsingham Inclosure Act and Award at a width of 60ft (to include the reclassification of that part of Wolsingham footpath no 61 where the Inclosure route and the public footpath intersects within the 60ft Inclosure width).

Houselop Lane: Route 5

RESOLVED:

That a Modification Order be made to record Houselop Lane as a public byway as per the Wolsingham Inclosure Act and Award at a width of 60ft (to include the reclassification of that part of Wolsingham footpath nos 59 where the Inclosure route and the public footpath intersects within the 60ft Inclosure width).

Old Stanhope Road: Route 6

RESOLVED:

That a Modification Order be made to record Old Stanhope Road as a public byway, including the reclassification of Eggleston Footpath no 45 to public byway, all at a width of 5 metres.

The meeting closed at 3.15pm

CHAIR

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Highways Committee

19th April 2011



**Proposed Traffic Regulation Order
Co-operative Street / C184 Front Street,
Chester-le-Street.**

**Report of Terry Collins, Director of Neighbourhood Services
Councillor Bob Young, Cabinet Portfolio Holder for Strategic
Environment and Leisure**

Purpose of the Report

- 1 To advise Committee of the representations received with regard to a Traffic Regulation Order for Cooperative Street / C184 Front Street, Chester-le-Street.
- 2 It is recommended that, having considered the objections, the Committee endorses the proposal to proceed with the implementation of the Traffic Regulation Order.

Background

- 3 There is currently a traffic sign on Co-operative Street which indicates that there is a requirement for all vehicles to turn left from this street into the C184 Front Street. The reason for this requirement is to protect the traffic restriction on the C184 Front Street which limits access, to the south of Cooperative Street, to permit holders, buses and taxis and creates what is effectively a Pedestrian Zone.
- 4 There is currently no legal order in place to enforce this sign and the required action.

Proposal

- 5 In order to formalise this restriction it is proposed to make a traffic regulation order to introduce a mandatory left-turn from Cooperative Street into the C184 Front Street.

Consultation

- 6 A consultation exercise was undertaken with the affected residents/ businesses. This included Co-operative Street; which acts as a service road in to the cul-de-sac containing properties on Tuart Street, William Street, Hedworth Street, Morningside Court, The View and Greenbank Terrace. Also, properties on Front Street adjacent to the junction of Co-operative Street were consulted.

- 7 Out of 121 letters sent out to the properties a total of 25 responses were received. 22 were in favour of the proposals, 2 were neither in favour nor against and 1 was opposed to the scheme. The remaining consultees who did not respond are deemed to have no preference.
- 8 The proposals were formally advertised from 7 October 2010 to 28 October 2010 and no further responses, either in favour or against, were received.

Public Representations

- 9 One representation was opposed to the proposal but did not give a reason for the objection.

Response: It is not possible to provide a response other than to reiterate that the proposed restriction provides legal authority to the existing traffic management arrangements.

Statutory Representations

- 9 From the statutory consultees list, responses of support were received from the North East Ambulance Service, Arriva North East, Durham Constabulary and Design and Historic Environment

Local Member Consultation

- 10 County Councillors Henig, L Marshall, B Bainbridge and Shiell have all been consulted and are minded to support the proposal.

Recommendations and reasons

- 11 It is recommended that, having considered the representation, the Committee endorses the proposal to proceed with the implementation of the Traffic Regulation Order.
- 12 The proposed restriction formalises and provides legal authority to an existing traffic management arrangement for the town centre.

Background Papers

- 13 Correspondence on Office File
Copies of Correspondence have been placed in the Members' Resource Centre.

Contact: [David Battensby] Tel: 0191 332 4400

Appendix 1: Implications

Finance – 1

Funding for the scheme is from Area 1 Route Maintenance Budget.

Staffing - 2

None

Risk – 3

None

Equality and Diversity – 4

Improved road safety

Accommodation – 5

None

Crime and Disorder – 6

Legally formalises the existing traffic management arrangement in the town centre.

Human Rights – 7

None

Consultation – 8

As described in the report

Procurement – 9

None

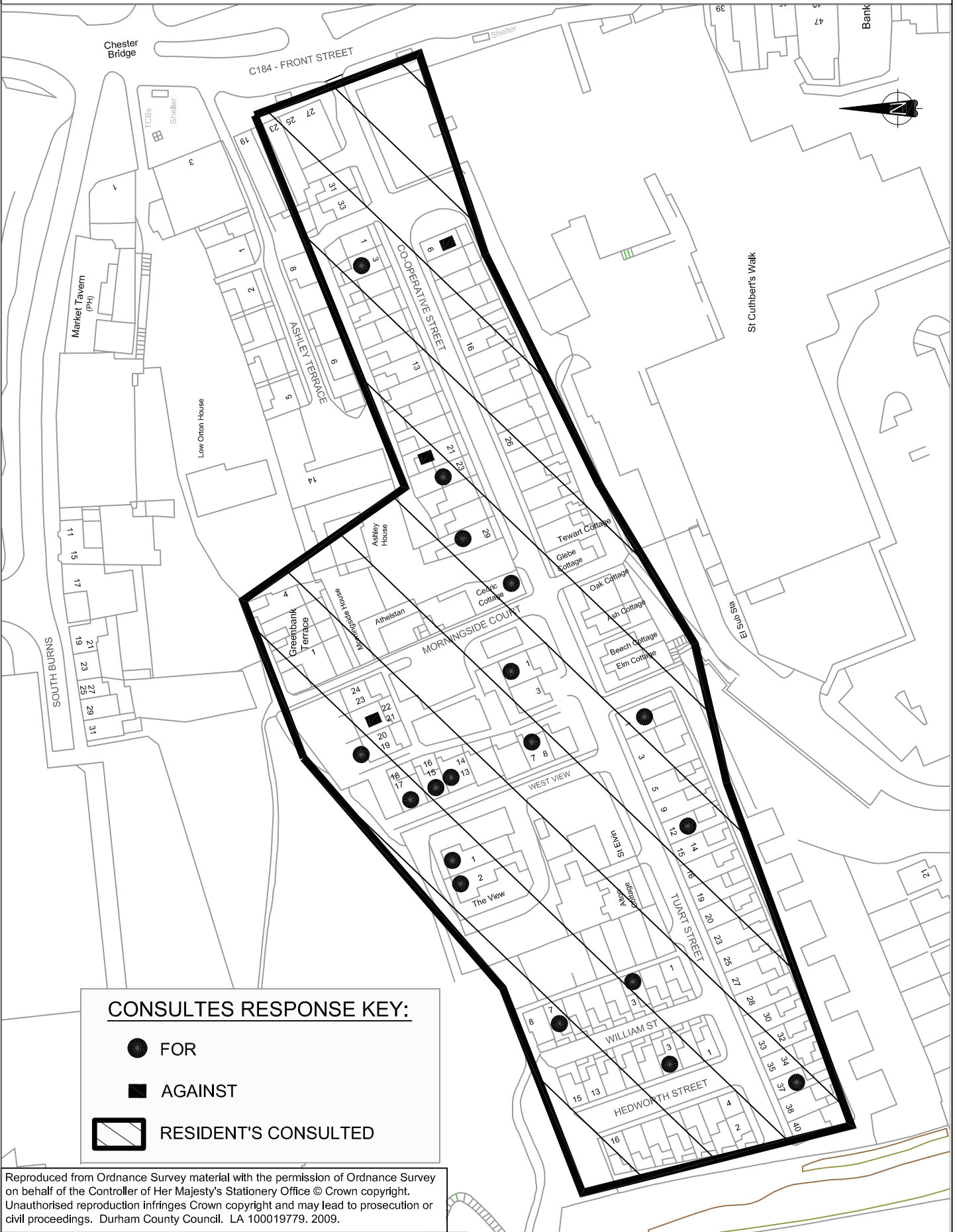
Disability Discrimination Act – 10

None




Legal Implications – 11

The proposals would formally allow Durham Constabulary to enforce and where necessary prosecute drivers who make the right turn.


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CONSULTES RESPONSE KEY:

-  FOR
-  AGAINST
-  RESIDENT'S CONSULTED

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Rev/ Amdt	Drawn By		Approved By			Description Of Amendments
	Name	Date	Name	Date	Sign	
0/-	PAW	16/11/10	BM	16/11/10		

 STRATEGIC HIGHWAYS MANAGEMENT CORPORATE DIRECTOR OF NEIGHBOURHOOD SERVICES COUNTY HALL, DURHAM. DH1 5UQ	Project Cooperative Street / Front Street, Chester - Le - Street
	Drawing LOCATION OF INITIAL CONSULTES AND RESPONSES
Scales 1:1250 @ A4	Project/Drawing No. N12940-Coo
Page 13 Rev. 0/-	

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Highways Committee

19th April 2011

B6277 Speed Limit Review



**Report of Terry Collins, Corporate Director Neighbourhood Services
Councillor Bob Young, Cabinet Portfolio Holder for Strategic
Environment and Leisure**

Purpose of the Report

- 1 To advise Members of representations received in respect of the proposed speed limits on the B6277 Middleton-in-Teesdale and the B6277, C162 and C163, Cotherstone
- 2 It is recommended that, having considered the objections, the Committee endorses the proposal and proceeds with the implementation of the proposed speed limits on the B6277.

Background

- 3 The speed limit review has been completed in accordance with current best practice guidance produced by the Department for Transport (DfT), known as Circular 1/06 `Setting Local Speed Limits`.
- 4 The County Council has adopted this guidance and incorporated this DfT document into `The County Durham and Darlington Speed Management Strategy 2006-2011` ensuring good practice is maintained countywide.
- 5 Research and experience gained at other locations within the County have proven that the installation of speed limits which are credible with the environment through which the motorist is travelling results in improved driver compliance.
- 6 De-restricted speed limit orders are to be created for the sections of highway covered by street lighting which are not subject to a 30mph speed limit. In addition 30mph speed limit orders are to be created for the sections of non-street lit areas which are to be subject to a 30mph speed limit.

- 7 The B6277 forms a route linking the A66 transpennine road to the county boundary at Langdon Beck near Alston, Cumbria. It is therefore a key strategic route through Teesdale. The B6277 travels through a number of villages such as Startforth, Lartington, Cotherstone, Romalldkirk, Mickleton and Middleton in Teesdale. See route map in Appendix 2.

Proposal

- 8 To make a Traffic Regulation Order to regulate speed limits on the B6277 and adjoining roads between Startforth and Langdon Beck.
- 9 The order will formalise the existing speed limits on the majority of roads included in this speed limit review. There are 2 amendments to the current situation. These are (a) at the C162 Briscoe Lane, Cotherstone and (b) the C163 Clint Lane, 'Lancelands', Cotherstone. In relation to (a) it is proposed that the 30mph speed limit on Briscoe Lane be relocated 50 metres in a westerly direction so that it is in line with the western most street light. In relation to (b) it is also proposed that a de-restriction order be raised to cover the street lit section to the south west of the 30mph zone on the C163 Clint Lane.

Statutory Consultation

- 10 The Traffic Regulation Order was drafted and advertised as per the requirements of the Road Traffic Regulation Act 1984 with the objection period ending 22nd December 2010.
- 11 The extent of the proposed speed limit was agreed with Durham Constabulary and identified so that it complies with the best practice guidance.
- 12 Local members, Councillors Bell and Harrison, were both consulted and offered no objection to the proposal.
- 13 The consultation exercise resulted in 8 objections/representations being received. 5 objections were from residents of Cotherstone, 1 objection was from Middleton-in-Teesdale & Newbiggin Parish Council and 2 representations were made by Cotherstone Parish Council.
- 14 An amendment was made to the initial draft speed limit proposal for the C162 Briscoe Lane, Cotherstone. The proposed de-restriction zone was removed from the order and this resulted in 4 residents retracting their objections. In removing the proposed de-restriction order, the 30mph zone will, by default, commence at the start of the streetlighting.

- 15 There now remain 4 objections/representations - 1 objection from a Cotherstone resident, 2 representations from Cotherstone Parish Council and 1 objection from Middleton-in-Teesdale & Newbiggin Parish Council.

Objections / Representations and Responses

16 **Objection**

Middleton-in-Teesdale Parish Council request that consideration be given to moving the 30 mph signs further out of the village on the northbound approach. See plan in Appendix 3.

17 **Response**

The 30 mph speed limit at this location commences at a point just to the north of Middleton Bridge. This location is compliant with current best practice guidance produced by the Department for Transport (DfT) known as Circular 1/06 'Setting Local Speed Limits'. Compliance would not be met should the speed limits be moved southwards outside of the built up area. It is felt that locating the signage further to the south where there is limited frontage development would send a confusing message to any motorists.

18 **Representation**

Cotherstone Parish Council request that the 30mph signage on the B6277 south of Fitzhugh Court be relocated further south so that it commences at the site of the existing village nameplate signage. See plan in Appendix 4.

19 **Response**

It is not proposed to amend the location of the existing speed limit signage at this location. This location is compliant with current best practice guidance produced by the Department for Transport (DfT) known as Circular 1/06 'Setting Local Speed Limits'. Compliance would not be met should the speed limits be moved southwards outside of the built up area and this may result in higher vehicle speed being recorded within the village itself. Again, as mentioned previously, it is considered that the positioning of the 30mph signs in an area of no frontage development would send a confusing message to the motorist.

20 **Representation**

Cotherstone Parish Council request that the 30mph signage on the C162 Briscoe Lane is moved further west so that it commences to the west of the property named 'Baldercroft'. See plan in Appendix 5.

21 **Response**

The speed limits at this location are to be positioned so that they are in line with the westernmost street light. This location is compliant with current best practice guidance produced by the Department for Transport

(DfT) known as Circular 1/06 'Setting Local Speed Limits'. Compliance would not be met should the speed limits be moved westwards outside of the built up area.

22 **Objection**

A resident of 'Lancelands', Cotherstone, requests that the 30mph signage on the C165 Lancelands approach be moved southwest beyond the Lancelands entrance to a location beyond 'Pinner's Cottage'. See plan in Appendix 6.

23 **Response**

Consideration was made when determining the extent of the speed limit that the terminal signs were located so that they best met with the DfT advice. It is not proposed to relocate the signs at this location as it is considered that they are located at the start of the village frontage development. It was felt that locating the signage further to the southeast where there is only sporadic frontage development would send a confusing message to any motorists.

Recommendation

- 23 It is RECOMMENDED that the Committee endorses the proposal to set aside the objections and proceed with the implementation of the Traffic Regulation Order.

Background Papers

Area Traffic Office Scheme File
Department of Transport Circular 1/06 – Setting Local Speed Limits
The County Durham and Darlington Speed Management Strategy 2006-2011

Contact: Lee Mowbray

Telephone: (01388) 602028

Appendix 1: Implications

1 Finance

The scheme is being funded using the LTP2 'Speed Management' budget

2 Staffing - None**3 Equality and Diversity - None****4 Accommodation - None****5 Crime and Disorder - None****6 Human Rights - None****7 Consultation**

Consultation undertaken in accordance with the Road Traffic Regulation Act 1984.

8 Procurement - None**9 Disability Discrimination Act - None****10 Legal Implications - None**

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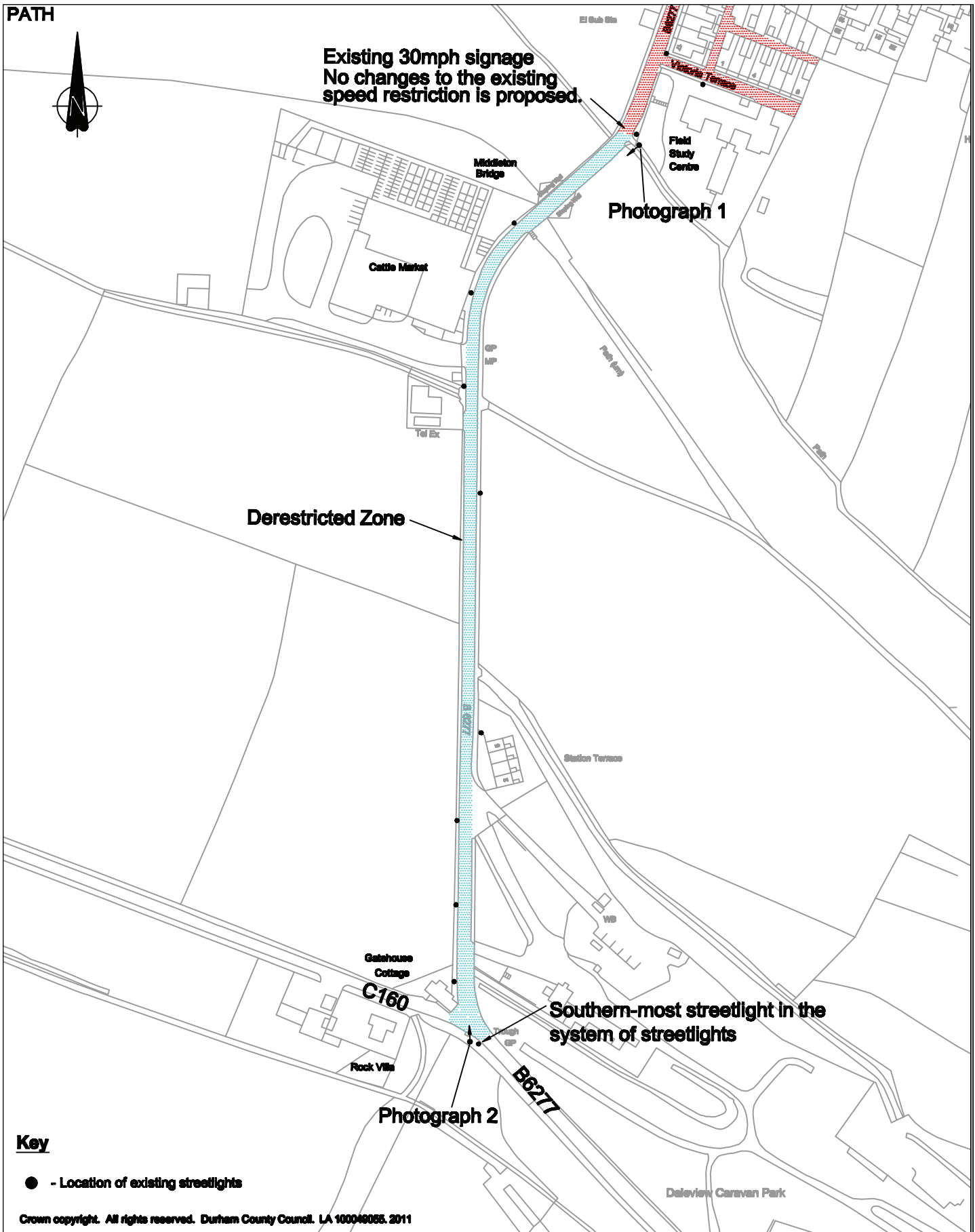


Appendix 2: Route Map for the B6277

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Existing 30mph signage
No changes to the existing
speed restriction is proposed.



Key

- - Location of existing streetlights

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Rev/ Amdt	Approved By			Description Of Amendments
	Name	Date	Sign	

Durham
County Council

Southern Area Office

Tony Collins
Corporate Director
Neighbourhood Services
County Hall
Durham
DH1 1SU

Project
B6277 Speed Limit Review

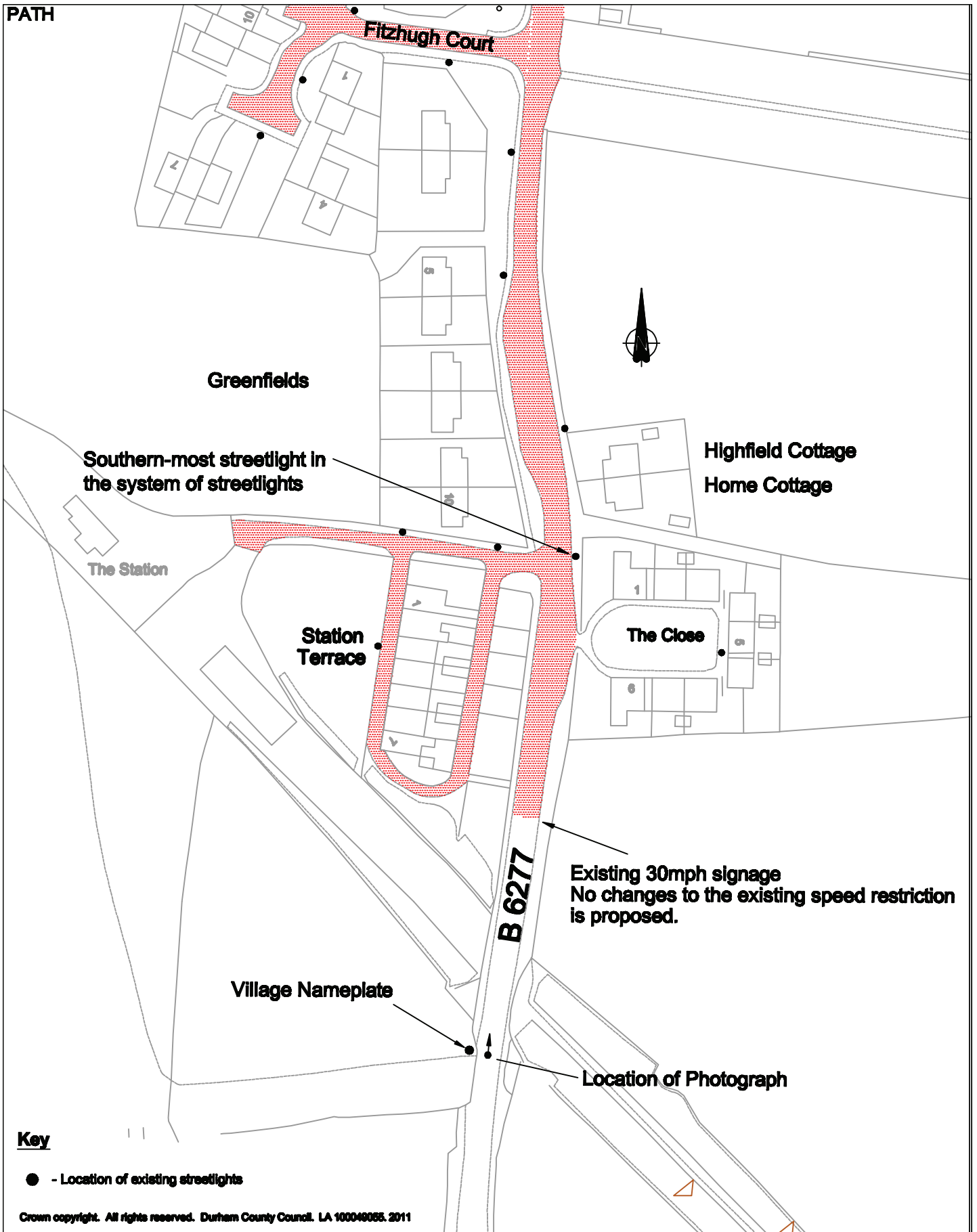
Drawing
Objection to proposed speed limits in Middleton-in-Teesdale - B6277

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1:2500

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Rev.

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Key

● - Location of existing streetlights

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Rev/ Amdt	Approved By			Description Of Amendments
	Name	Date	Sign	



Southern Area Office
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 County Hall
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Project
B6277 Speed Limit Review

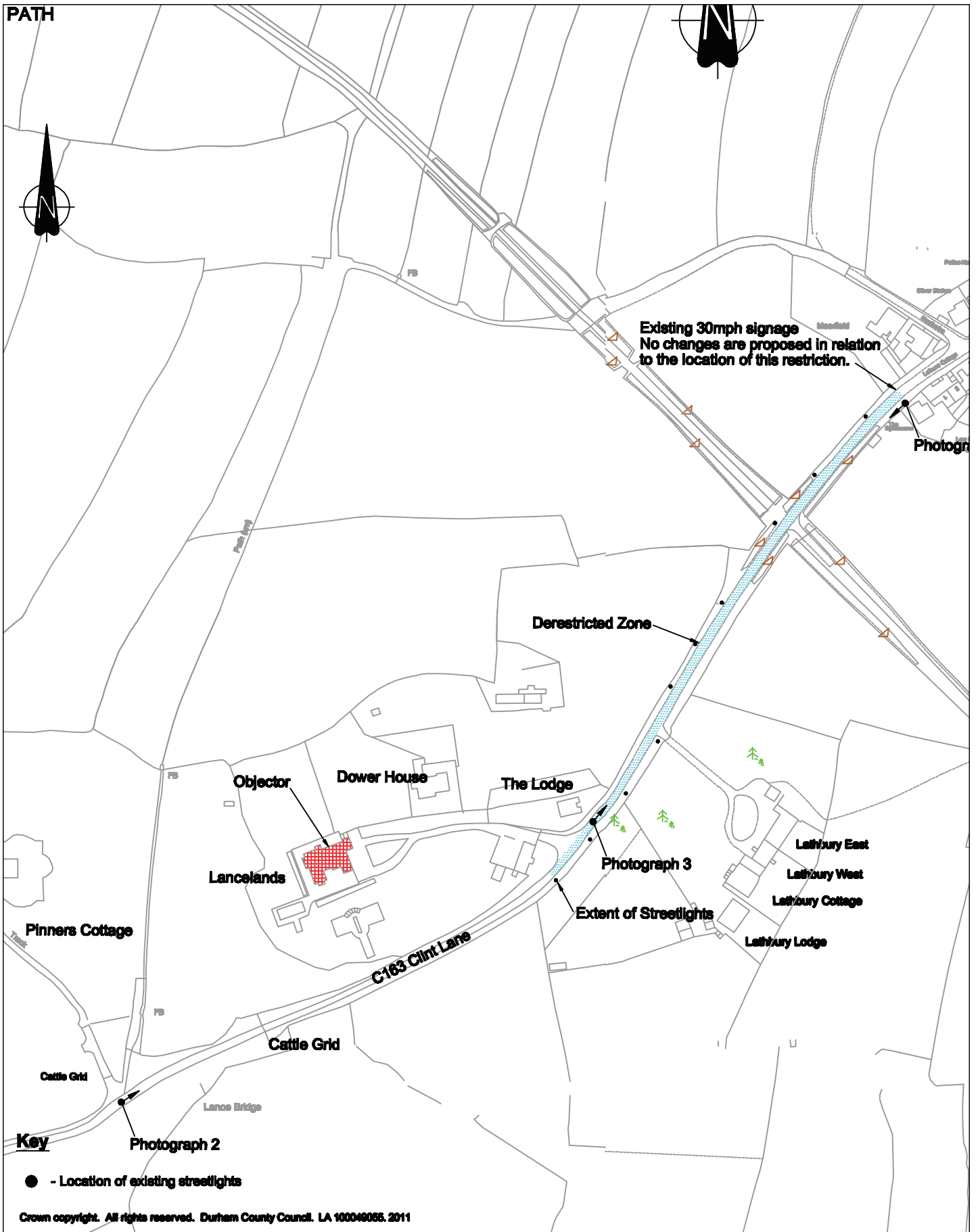
Drawing
Objections / Representations to proposed speed limits in Cotherstone - B6277 nr Fitzhugh Court

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Key
 ● - Location of existing streetlights

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Rev/ Amdt	Approved By			Description Of Amendments
	Name	Date	Sign	

 Durham County Council Southern Area Office Terry Collins Corporate Director Neighbourhood Services County Hall Durham DH1 1UQ	Project B6277 Speed Limit Review
	Drawing Objection to proposed speed limits in Cotherstone - Lancelands
Scale 1:2500	Project/Drawing No. Rev.

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