



## Highways Committee

**Date** Monday 6 September 2021  
**Time** 9.30 am  
**Venue** Council Chamber, County Hall, Durham

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### Business

#### Part A

1. Apologies for Absence
2. Substitute Members
3. Declarations of Interest, if any
4. Minutes of the meeting held on 16 April 2021 (Pages 3 - 6)
5. Tursdale - Prohibition of Motor Vehicles Traffic Regulation Order 2021 - Report of Corporate Director of Regeneration, Economy and Growth (Pages 7 - 24)
6. Annfield Plain - Parking and Waiting Restrictions Order 2021 - Report of Corporate Director of Regeneration, Economy and Growth (Pages 25 - 38)
7. 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  
26 August 2021

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

Councillor R Ormerod (Chair)  
Councillor D Boyes (Vice-Chair)

Councillors A Bell, T Duffy, C Kay, K Earley, J Higgins, C Hood,  
J Howey, G Hutchinson, R Manchester, B Moist, D Oliver,  
I Roberts, M Roberts, K Robson, A Simpson, A Sterling,  
F Tinsley, M Wilson and D Wood

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**Contact: Jill Errington/  
Jackie Graham**

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**Tel: 03000 269 703/ 704**

## DURHAM COUNTY COUNCIL

At a Meeting of **Highways Committee** held remotely via Microsoft Teams on **Friday 16 April 2021 at 9.30 am**

**Present:**

**Councillor C Kay in the Chair**

**Members of the Committee:**

Councillors D Bell, J Considine, S Dunn, S Morrison (Vice-Chair), A Simpson and J Turnbull

Prior to the commencement of the meeting, the Chair noted the death of His Royal Highness Prince Philip, Duke of Edinburgh. The Committee observed a minute's silence as a mark of respect.

### **Apologies for Absence**

Apologies for absence were received from Councillors D Hicks, K Hopper, K Liddell, O Milburn and J Shuttleworth.

### **2 Substitute Members**

There were no substitute Members.

### **3 Minutes**

The minutes of the meeting held on 29 March 2021 were confirmed as a correct record and would be signed by the Chair.

### **4 Declarations of Interest**

There were no declarations of interest in relation to any items of business on the agenda.

### **5 Proposed diversion of Public Footpaths No.s 1, 7, and 9 Cornsay Parish**

The Committee considered a joint report of the Corporate Director of Neighbourhoods and Climate Change and Head of Legal and Democratic Services regarding the proposed diversions of sections of Public Footpaths No.s 1, 7, and 9 Cornsay Parish by public path order (Highways Act 1980 Section 119) at Cornsay House Farm, Cornsay Colliery (for copy of report and presentation see file of minutes).

The Senior Rights of Way Officer informed the Committee that the request for diversion of Public Footpaths No.s. 1, 7, and 9 Cornsay Parish had been received from the owners of Cornsay House Farm. The diversion is sought in the interests of the landowner who wished to improve safety and security to their holding and proposed alternative public footpath routes.

Consultations on the proposed diversion resulted in an objection from the British Horse Society. Their objection was on the basis that the proposed diversions would not be convenient to the public as proposed routes would be much longer and steeper to climb.

The Senior Rights of Way Officer provided a detailed presentation showing photographs and plans of existing and proposed footpath routes and included aerial photographs of the site.

In summary, the Senior Rights of Way Officers acknowledged that the proposals would be in the landowner's interests and would improve the safety and security of the property, however, the proposed paths would be substantially more inconvenient to users due to increased distance and elevation, circuitous nature, and the increased number of access structures, which would make it less enjoyable to users. The relevant tests set out in Section 119 of the Highways Act 1980 had not been satisfactorily met and requested that the application be refused.

The Committee were advised of the relevant legal framework for which the statutory provision was contained in Section 119 of the Highways Act 1980.

The Committee then heard from a representative speaking on behalf of the applicant who explained that the proposals would provide more enjoyable footpath routes for the public and convenient access with a reduced number of stiles and gates. He noted that the only objection to the proposals was from the British Horse Society and advised that the proposal does align with an objective of the British Horse Society which is to promote and secure the provision, protection and preservation of rights of way and of access for ridden and driven horses over public roads, highways, footpaths, bridleways, carriageways, public paths and other land. However, the application related to a footpath that ridden and driven horses cannot use, therefore he found it difficult to give weight to the objection and noted that the Ramblers Association did not make any objections to the proposals.

Clarification was given to a comment in the report in that the farmhouse does serve the working farm and this area was integral to the operation of the farm with footpath 9 dividing the farmhouse from the farm buildings. The new intended route would spread the increase in elevation across a longer area and ditch crossings would be levelled and would reduce the number of gates and stiles to accommodate easier access. The diversion to footpath 1 would reduce contact with footpath users and heavy farmyard machinery and traffic which is the main vehicle access route to the farm.

It was acknowledged that the proposal would make footpath routes longer, however this would provide increased access to the countryside and would provide pleasure and exercise for the general public while mitigating potential conflicts of the farm operation and addressing health and safety concerns.

The applicants representative concluded that the proposed diversion plan meets the tests set out in Section 119 of the Highways Act 1980 as it was in the interest of the owner and occupier of the land and in the interest of the public by providing a more enjoyable, less restrictive footpath network which is safer for the user and the landowner and requested that Members approve the proposal.

The County Council's Legal Advisor explained that weight afforded to an objection is a matter for members and should not be reduced because the objection is from an equestrian organisation rather than a pedestrian organisation. He suggested that the identity of the objection is not something that weight be afforded to.

Councillor Dunn referred to the map on page 37 of the report and highlighted his concerns in relation to the proposed diversions. He felt that the proposed diversion for footpath 1 was excessive and the existing footpath did not present difficulties for the operation of the farm. The proposed diversion to footpath 7 would be a reasonable addition to the footpath network as he could see benefits for both the farm and the public rights of way. His main concern was in relation to footpath 9. He understood that the route would have the most impact on the farm, however he felt that the proposed diversion could have been more creative to not impact the farm but still provide reasonable rights of way for walkers and riders.

**Moved** by Councillor Dunn and **Seconded** by Councillor Morrison

**Resolved:**

That the application to make an Order to divert Footpaths No.s 1, 7, and 9 Cornsay Parish under Section 119 of the Highways Act 1980 be refused.

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6 September 2021

Tursdale



**Prohibition of Motor Vehicles Traffic  
Regulation Order 2021**

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**Report of Corporate Management Team**

**Amy Harhoff Corporate Director of Regeneration, Economy & Growth**

**Councillor Elizabeth Scott Cabinet Portfolio Holder for  
Regeneration, Economy & Growth**

**Electoral division(s) affected:**

Coxhoe

**1 Purpose of the Report**

- 1.1 In accordance with the Council's Constitution, Members are asked to decide in principle only which will then guide the Corporate Director of Regeneration & Economic Development in the exercise of delegated decision making. The final decision is therefore one for the Corporate Director, under delegated powers.
- 1.2 To advise Members of objections received to the consultation regarding the introduction of a traffic regulation order in Tursdale.
- 1.3 To request that members consider the objections made during the informal and formal consultation period.

**2 Executive Summary**

- 2.1 Within Civil parking Enforcement operational guidance, the County Council are committed to regularly reviewing traffic regulation orders to ensure that the restrictions held within them are relevant and appropriate.
- 2.2 The County Council are proposing to introduce a prohibition of motor vehicles restriction on the access road / layby to the east of the A688, approximately 40m north of Tursdale village.

The restriction will run between its northern junction with the A688, in an easterly then southerly direction to its junction with Ramsey Street. A total distance of approximately 75 metres.

There was one objection received to this proposal.

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

#### **3.1 Committee is recommended to:**

Endorse the proposal in principle to proceed with the implementation of the Tursdale Prohibition of Motor Vehicles Traffic Regulation Order with the final decision to be made by the Corporate Director under delegated powers.

### **4 Background**

- 4.1 A large Amazon distribution complex is based on Integra 61 which is located adjacent to the A688, approximately 500m north of Tursdale. A high number of HGV vehicles use this site and at present they regularly wait over for prolonged periods in a length of carriageway immediately to the north of Tursdale. As well as being used for parking this length of carriageway is also used as an additional entry / exit point for the village.
- 4.2 On occasions, this area can become very busy with several large vehicles parked up at a time. This has led to complaints from local residents regarding anti-social behaviour from the drivers of these vehicles. The manner of how the vehicles park has also led to road safety concerns for vehicles entering and exiting this location.
- 4.3 It is therefore proposed that a 'prohibition of motor vehicles' restriction be introduced to control traffic at this location. Lockable swing gates are to be provided at either end of the affected stretch of carriageway with keys being held by authorised personnel. A signage scheme is proposed for the A688 to highlight these changes to passing road users. In addition to this, some kerbing amendments are proposed for the existing alternative entrance to Tursdale to ease access at this point
- 4.2 The initial consultation exercise was undertaken with statutory consultees and directly affected frontages between 26/2/21-19/3/21 & 25/3/21 – 12/4/21. The proposals were supported by the County Councillors and Durham Constabulary. No objections were received at this point.
- 4.3 It was agreed to progress with the Traffic Regulation Order (TRO) and move to the formal consultation stage.

4.4 The proposals were advertised formally on site, online and in the local press between 24<sup>th</sup> June 2021 – 15<sup>th</sup> July 2021. One objection was received at this point.

## **5 Objections**

### *5.1 Objection 1*

Objector 1 is a heavy goods vehicle driver who was parked in the area of concern overnight and read the public notice. They make several points in their objection which are summarised below :

- They consider the slip road / layby to be far enough from the nearest properties so that the impact of the HGVs is minimal. They also note that none of the properties directly front onto the area in concern.
- They note that areas where long distance drivers can stop are vital and that the County Council should be enhancing these locations and not removing them.
- Bins are present in this location and the objector did not notice an issue with littering.
- HGV parking within service stations is often expensive and the objector notes that they consider the security measures in place at such locations to be poor. They feel that parking in a well lit layby adjacent to a busy road is beneficial for the safety of themselves and their cargo.
- They note that the area of concern has a range of road markings in place and consider that if vehicles park accordingly there should be limited issues with regards road safety and obstruction issues.
- They suggest that toilet facilities could be provided by the County Council at this location which would benefit both the lorry drivers and the local residents.

### *5.2 Response*

The request to restrict access to this area originated from the residents of Tursdale village and is supported by the local County Councillors. The residents use this road as pedestrians for recreational purposes and as motorists to enter the village. They have shared stories and

photographs with Councillors and officers which support their concerns regarding anti social behaviour and road safety.

Since the Amazon facility opened nearby, the residents state that the volume of Heavy Goods Vehicles (HGVs) using the slip road / layby has increased dramatically. Whilst the properties do not directly look over the area, they note that it is close enough to their properties to have a detrimental effect on their quality of life.

It is important that HGV drivers have convenient rest facilities across the county and there are such amenities available at the Bowburn services less than a mile away. The website for the services indicates that it costs £25 per night per HGV but included in this is a £10 voucher which can be spent on food and drink within the services.

Anti social behaviour centring on littering and using the surrounding vegetation as a toilet has been highlighted as a major concern by residents. Photographic evidence of such occurrences have been shared with officers at previous meetings about this location. Such behaviour is obviously upsetting for the residents and is an obvious health and safety hazard to passing pedestrians.

Concern has also been expressed about the manner of parking within the area. The carriageway has numerous advisory keep clear and zig zag markings present which have previously been introduced to try and control parking at this location. Whilst they do appear to have some effect, there are occasions when the area is busy that parking becomes less organised. This can lead to vehicles parking causing obstructions or a road safety hazard. The most concerning of these scenarios occurs when vehicles are parked near the northern entrance into the area.

It is recommended to endorse the proposed prohibition of motor vehicles restrictions as per the consultation proposals.

## **6 Conclusion**

- 6.1 Having considered the evidence of anti social behaviour, obstructive / inconsiderate parking and the objections to the proposals, Officers remain of the view that it is necessary to introduce the proposals in order to address the identified concerns. Accordingly, it is recommended that Members agree in principle to endorse the proposal to proceed with the implementation of the TurSDale Prohibition of Motor Vehicles Traffic Regulation Order, with the final decision to be made by the Corporate Director under delegated powers.

## **7 Background papers**

7.1 Correspondence and documentation in Traffic Office File:

L:\TRAFPROJ\06REGULATIONDESIGN&IMPLEMENTATION\Settlement\Bo  
wburn,Shincliffe&HighShincliffe\MajorProjects\TursdaleLayby

### **Author(s)**

[Lee Mowbray]

Tel: 03000 263693

[Dave Wafer]

Tel: 03000 263577

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## **Appendix 1: Implications**

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### **Legal Implications**

All orders have been advertised by the County Council as highway authority and will be made in accordance with legislative requirements.

### **Finance**

LTP Budget.

### **Consultation**

Is in accordance with with relevant statutory requirements.

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

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

### **Climate Change**

This TRO will allow for effective management of traffic to reduce congestion, reducing the overall amount of CO2 emissions.

### **Human Rights**

Any interference with human rights is considered to be necessary in accordance with the law and proportionate in order to address highway safety issues.

### **Crime and Disorder**

This TRO will allow effective management of traffic to reduce congestion and improve road safety.

### **Staffing**

Carried out by Strategic Traffic.

### **Accommodation**

No impact.

### **Risk**

Not Applicable.

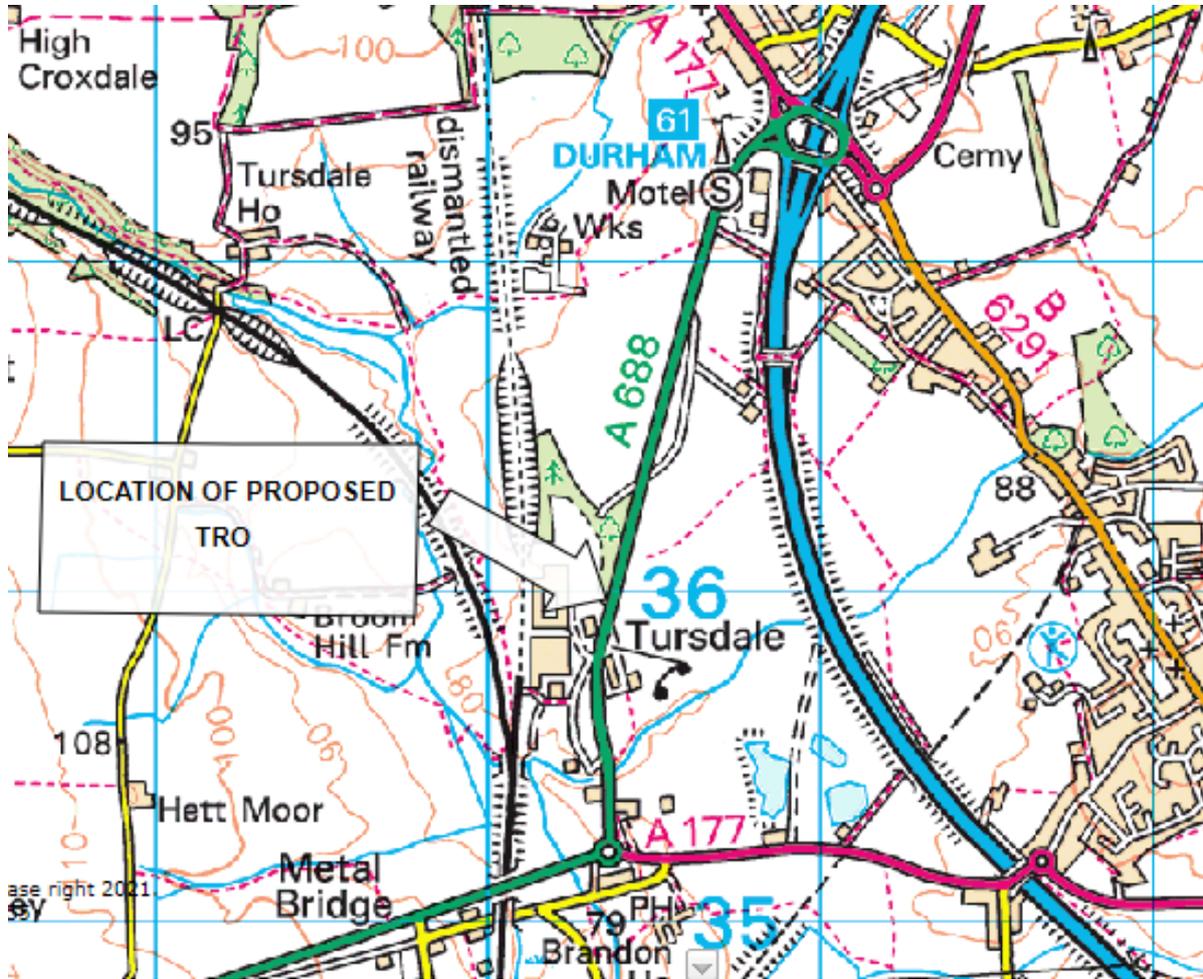
### **Procurement**

Operations, DCC.

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## Appendix 2: Location of Proposals

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Tursdale  
Prohibition of Motor Vehicles  
Order 2021

Highways Committee  
6<sup>th</sup> September 2021



# Proposals

The purpose of the Traffic Regulation Order is to introduce a 'prohibition of motor vehicles' restriction on the access road / layby to the east of the A688, approximately 40m north of Tursdale village.

One objection was received to this proposed change

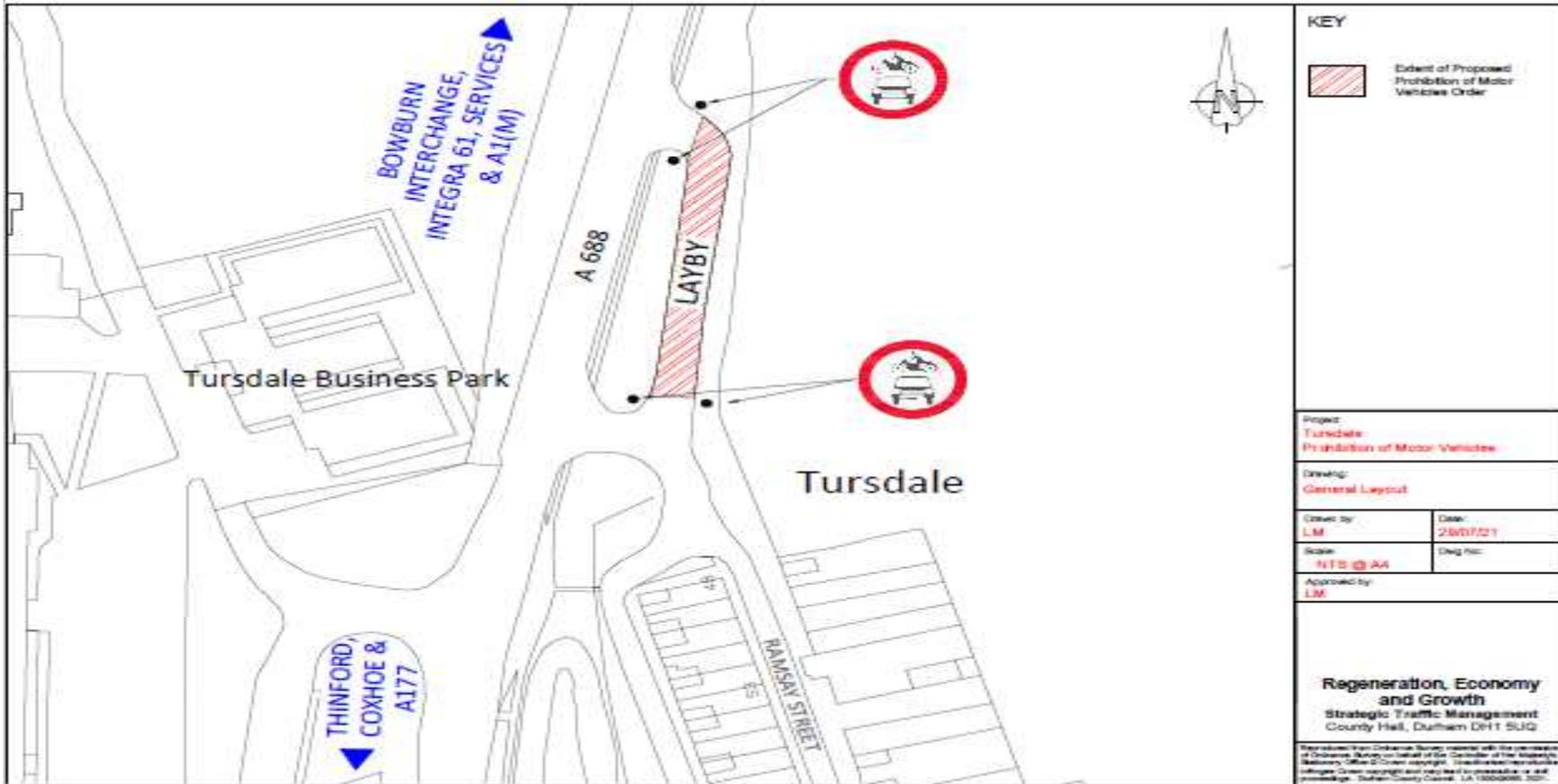
# Location Plan - Tursdale



# Location Plan (Satellite View)



# Proposal



<b>KEY</b>	
	Extent of Proposed Prohibition of Motor Vehicles Order
Project: <b>Tursdale Prohibition of Motor Vehicles</b>	
Drawing: <b>General Layout</b>	
Drawn by: <b>LM</b>	Date: <b>28/07/21</b>
Scale: <b>1:15 @ A4</b>	Drawn by: <b></b>
Approved by: <b>LM</b>	
<p><b>Regeneration, Economy and Growth</b>  <b>Strategic Traffic Management</b>          County Hall, Durham DH1 1SU</p> <p><small>This document is the copyright property of Durham County Council and shall remain the property of Durham County Council. It is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Durham County Council. LA 15000000, 2021.</small></p>	



# Photographs



# Photographs



# Photographs



# Photographs



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6 September 2021

Annfield Plain

Parking & Waiting Restrictions Order  
2021



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## Report of Corporate Management Team

**Amy Harhoff Corporate Director of Regeneration, Economy & Growth**

**Councillor Elizabeth Scott, Cabinet Portfolio Holder for Regeneration, Economy and Growth.**

### **Electoral division(s) affected:**

Annfield Plain

#### **1 Purpose of the Report**

- 1.1 To advise Members of objections received to the consultation concerning changes to the Traffic Regulation Order (TRO) in Annfield Plain.
- 1.2 To request that members consider the objections made during the informal and formal consultation period.
- 1.3 In accordance with the Council's Constitution, Members are asked to decide in principle only which will then guide the Corporate Director of Regeneration, Economy and Growth in the exercise of delegated decision making. The final decision is therefore one for the Corporate Director, under delegated powers.

#### **2 Executive Summary**

- 2.1 Within Civil parking Enforcement operational guidance, the County Council are committed to regularly reviewing Traffic Regulation Orders to ensure that the restrictions held within them are relevant and appropriate.
- 2.2 The County Council are proposing to introduce restrictions on:

## **2.3 West Road**

To introduce 'no waiting at any time' restrictions on both sides of the carriageway for the nearby businesses and residents.

To change a small section of existing 'no waiting at any time' to 'School Keep Clear' markings outside of the entrance to Greencroft Community School. To formalise the current lining in this location.

The proposals are to address obstructive parking, to improve accessibility and visibility for both road users and pedestrians.

One objection was received from a local business owner during the informal consultation.

## **3 Recommendation(s)**

3.1 Committee is recommended to:

Endorse the proposal in principle to proceed with the implementation of the Annfield Plain Parking and Waiting Restrictions Order 2021. With the final decision to be made by the Corporate Director under delegated powers.

## **4 Background**

4.1 Several requests have been received from local residents to address ongoing obstructive parking, visibility and safety issues on West Road, Annfield Plain.

4.2 The area of concern is a busy section of carriageway providing access to several businesses, a school and residential addresses. There have been reports of vehicles parking along the footway and in some cases fully off the carriageway (on the footway) outside of the businesses on West Road. This has led to concerns with access, visibility and safety issues for pedestrians, forcing wheelchair and push chair users onto the carriageway.

4.3 The existing restrictions do not fully cover this section of carriageway and footway. The proposals will resolve this issue and improve pedestrian safety, visibility and access. Its therefore proposed to introduce 'no waiting at any time' restrictions in this location.

4.4 It is also proposed to convert a small section currently 'no waiting at any time' to 'School Keep Clear' markings outside of the entrance to Greencroft Community School. This is included to formalise the markings as they currently exist on the ground.

- 4.5 The initial consultation exercise was undertaken with statutory consultees and directly affected frontages between December 2020 and January 2021 with comments requesting amendments along with an objection from a local business owner.
- 4.6 Amendments were drafted, and proposals were reconsulted with statutory consultees and directly affected frontages (14/05/21-31/05/21) with all responses received in favour of the proposals.
- 4.7 No further correspondence was received from the initial objector or no response indicating that they were willing to withdraw their objection either.
- 4.8 It was agreed to progress with the Traffic Regulation Order (TRO) and move to the formal consultation stage.
- 4.9 The proposals were advertised formally on site, online and in the local press (15/07/21-05/08/21). No further objections were received at this point. Majority of responses were favourable with 1 objection from a local business owner in relation to the proposed double yellow lines near their business.

## **5 Objections**

### *5.1 Objection 1*

Objector 1 is a local business owner who states that the double yellow lines will affect their business and strain them in these hard times.

### *5.2 Response*

The proposed restrictions have been requested by local residents and are supported by local members. Site visits and photographic evidence have proven that the area is currently subjected to obstructive parking which reduces visibility and impedes access for road users whilst obstructing the footway for pedestrians.

## **6 Conclusion**

- 6.1 Having considered the evidence of obstructive and inconsiderate parking and the objection to the proposals, Officers remain of the view that it is necessary to introduce the proposals in order to address the identified highway safety issues. Accordingly, it is recommended that Members agree in principle to endorse the proposal to proceed with the implementation of the Annfield Plain: Waiting and Parking Restrictions Order 2021, with the final decision to be made by the Corporate Director under delegated powers.

## **7 Background papers**

### **7.1 Correspondence and documentation in Traffic Office File:**

L:\TRAFPROJ\06 REGULATION DESIGN &  
IMPLEMENTATION\Settlement\Annfield Plain, Dipton, Harelaw & Kyo\Traffic  
Regulation Orders (Parking Restrictions)\Amendment 2021

#### **Author(s)**

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## **Appendix 1: Implications**

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### **Legal Implications**

All orders have been advertised by the County Council as highway authority and will be made in accordance with legislative requirements.

### **Finance**

LTP Budget.

### **Consultation**

Is in accordance with SI:2489.

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

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

### **Climate Change**

This TRO will allow for effective management of traffic to reduce congestion, reducing the overall amount of CO2 emissions.

### **Human Rights**

Any interference with human rights is considered to be necessary in accordance with the law and proportionate in order to address highway safety issues.

### **Crime and Disorder**

This TRO will allow effective management of traffic to reduce congestion and improve road safety.

### **Staffing**

Carried out by Strategic Traffic.

### **Accommodation**

No impact.

### **Risk**

Not Applicable.

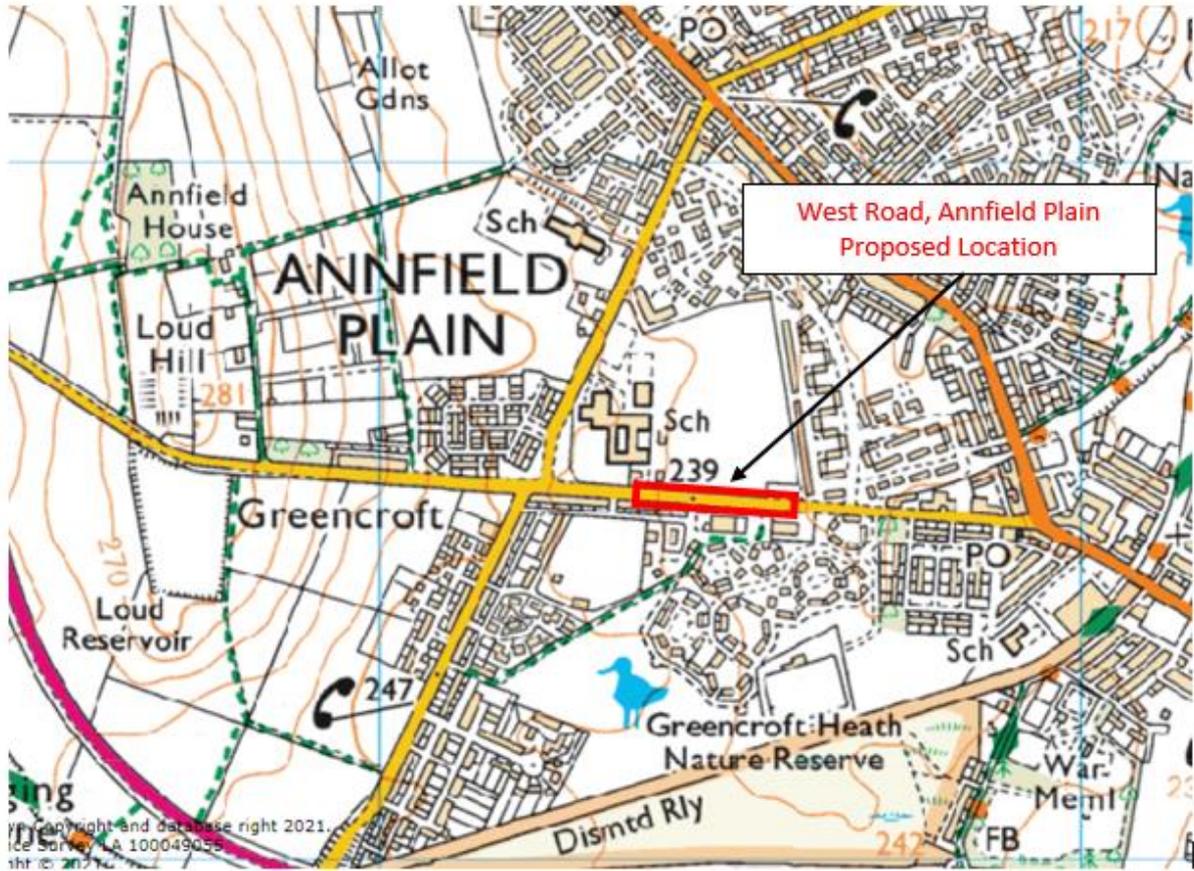
### **Procurement**

Operations, DCC.

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## Appendix 2: Location of Proposals

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# Annfield Plain Parking & Waiting Restrictions Order 2021

Highways Committee  
6<sup>th</sup> September 2021



# Proposals & Objection

The purpose of the Traffic Regulation Order (TRO) for Annfield Plain is to introduce restrictions in the following locations:

## **West Road (Double yellow lines):**

To introduce 'no waiting at any time' restrictions due to requests from local residents concerned with obstructive parking, access and visibility issues in this location.

One objection was received from a local business owner.

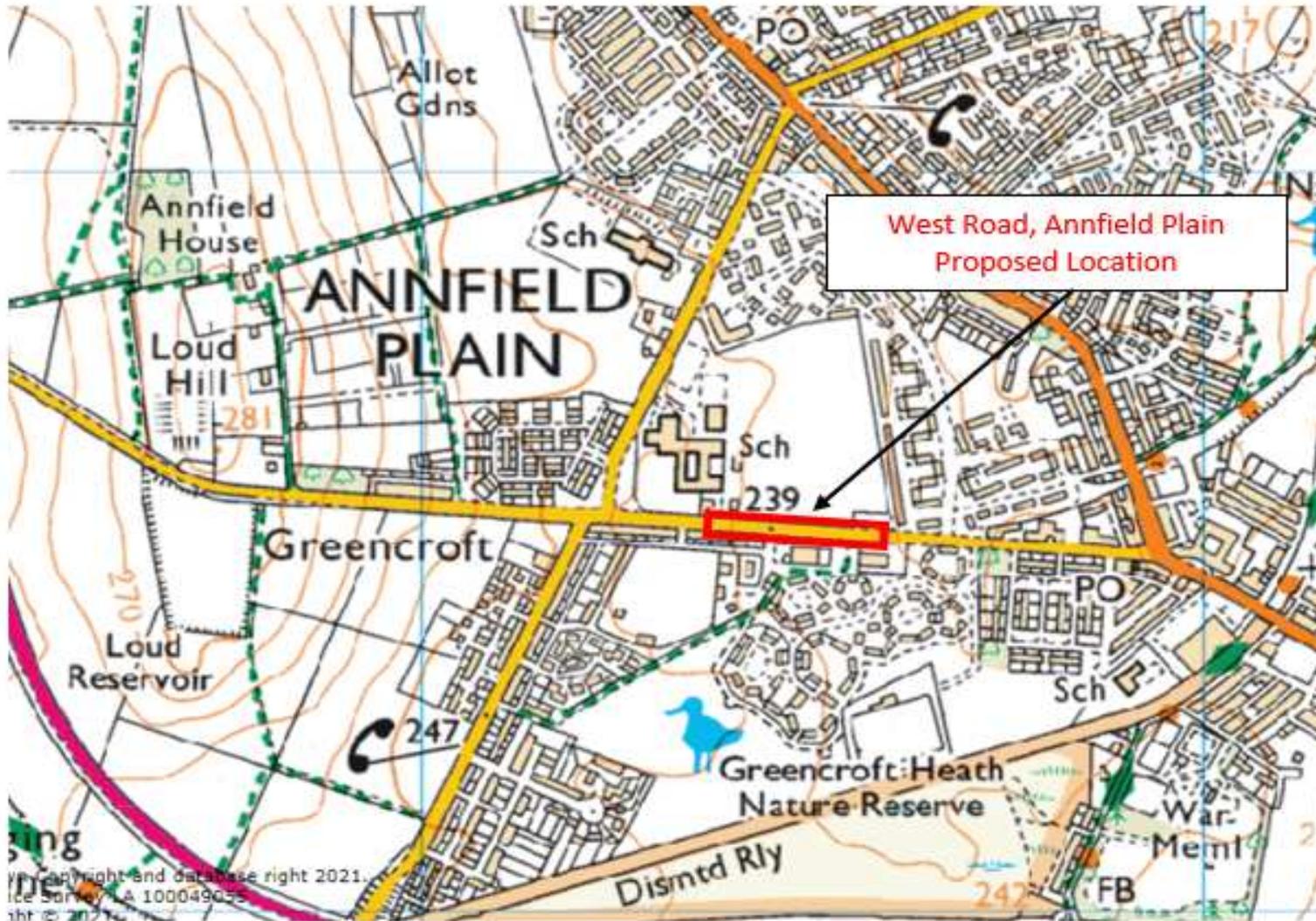
## **Objection**

Local business owner states "Double yellow lines will affect their business and strain them in these hard times".

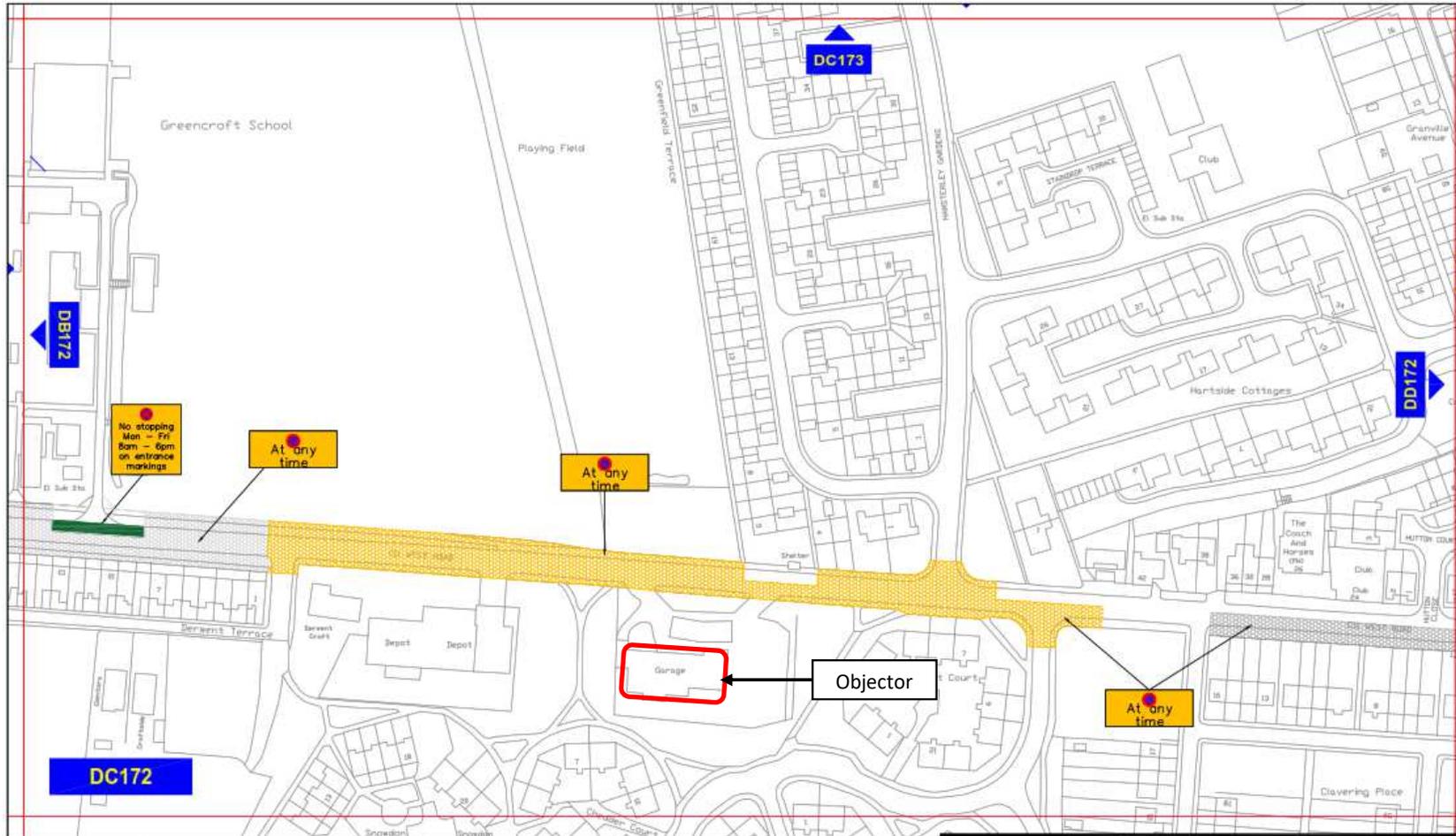
## **Response**

The proposed restrictions have been requested by local residents and are supported by local members. Site visits and photographic evidence have proven that the area is currently subjected to obstructive parking which reduces visibility and impedes access for road users whilst obstructing the footway for pedestrians.

# Location Plan – Annfield Plain



# West Road – Proposals & Objector



**Key to Types of Restriction**

- Proposed No Waiting At Any Time
- Proposed No Stopping (School 'Keep clear' marking)
- Existing No Waiting At Any Time

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**Durham**  
County Council

Corporate Director  
Regeneration, Economy  
and Growth

Strategic Traffic Management

County Hall, Durham DH1 5UQ

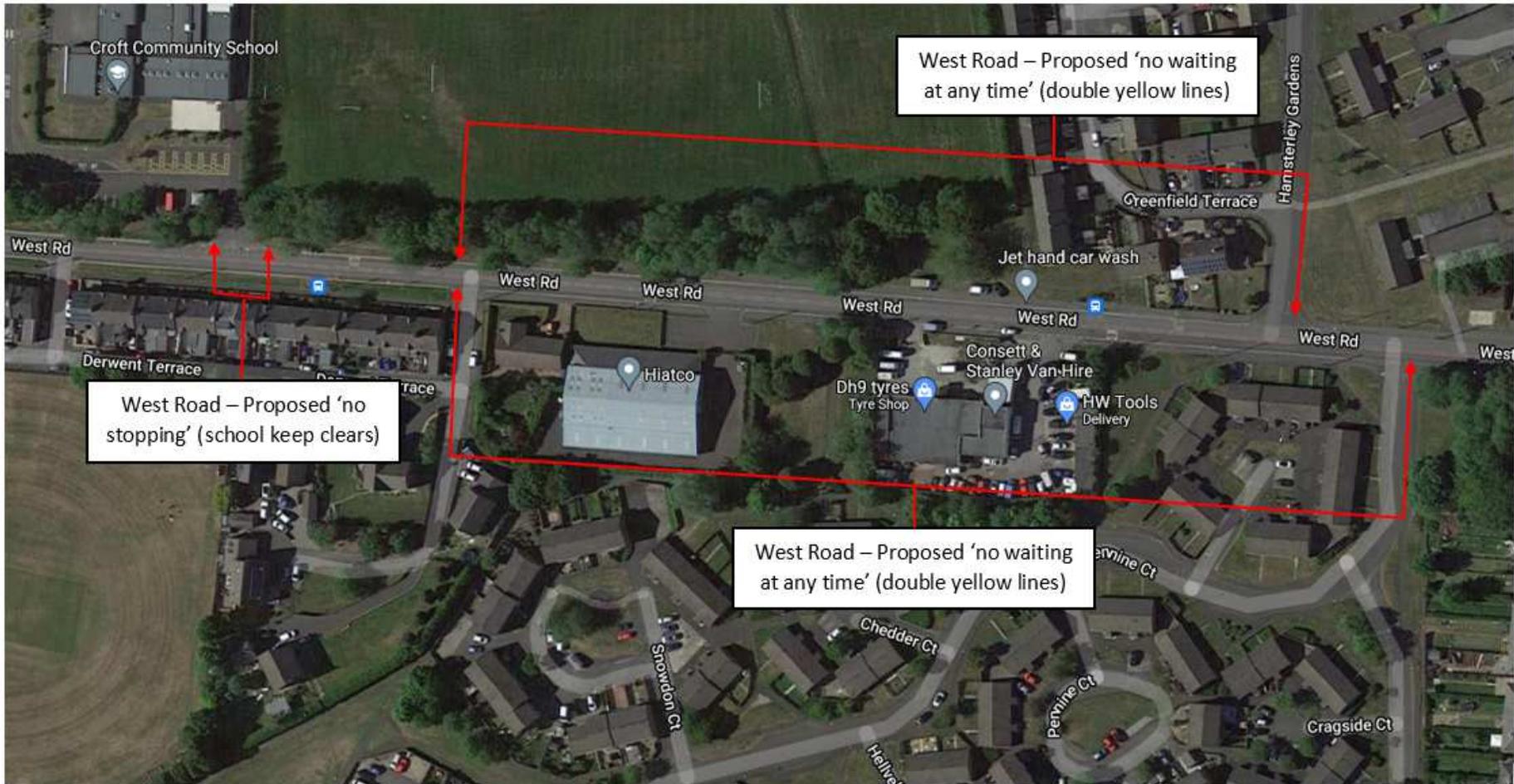
THE COUNTY COUNCIL OF DURHAM  
ANNFIELD PLAIN, DIPTON, KYO and  
HARELAW

**PROPOSED**

	Scale:	1:1250 @ A3	
	Date:	June 21	
	Drawn by:	P. Broxton	Signature:
	Date Sealed:		Map Scheduler:



# West Road – Proposals



# West Road – Photographic Evidence



# West Road – Photographic Evidence



- Reduced footway and carriageway clearance.
- Moving vehicles having to cross central hatching with red coloured infill due to parked vehicles.
- Reduced visibility at access points.

Photographs have been provided by local residents

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