



Highways Committee

Date Thursday 8 October 2015
Time 9.30 am
Venue Committee Room 2, County Hall, Durham

Business

Part A

1. Apologies for Absence
2. Substitute Members
3. Minutes of the meetings held on 5 June and 24 July 2015 (Pages 1 - 12)
4. Declarations of Interest, if any
5. A689 Rose Terrace, Stanhope - Report of Corporate Director, Neighbourhood Services (Pages 13 - 22)
6. C91 Waldrige Village and Waldrige Link Road, Chester le Street - Various Speed Limits - Report of Corporate Director, Neighbourhood Services (Pages 23 - 42)
7. Such other business, as in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration

Colette Longbottom
Head of Legal and Democratic Services

County Hall
Durham
30 September 2015

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

Councillor G Bleasdale (Chairman)
Councillor C Kay (Vice-Chairman)

Councillors J Allen, B Armstrong, D Bell, H Bennett, I Geldard,
O Gunn, D Hall, D Hicks, K Hopper, O Milburn, S Morrison,
R Ormerod, J Robinson, J Rowlandson, P Stradling, J Turnbull,
M Wilkes, R Young and F Tinsley

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DURHAM COUNTY COUNCIL

At a Meeting of **Highways Committee** held in Committee Room 2, County Hall, Durham on **Friday 5 June 2015 at 9.30 a.m.**

Present:

Councillor G Bleasdale in the Chair

Members of the Committee:

Councillors C Kay (Vice-Chairman), D Bell, O Gunn, D Hicks, K Hopper, O Milburn, J Robinson, P Stradling, M Wilkes, R Young and J Gray

1 Apologies for Absence

Apologies for absence were received from Councillors J Allen, B Armstrong, H Bennett, I Geldard, D Hall, S Morrison, R Ormerod, J Rowlandson and J Turnbull.

2 Substitute Members

Councillor J Gray was substituting for Councillor J Turnbull.

3 Minutes

The minutes of the meeting held on 13 March 2015 were agreed as a correct record and signed by the Chair.

4 Declarations of interest

Councillor Wilkes declared a pecuniary interest in Item No. 5 (Unc 12.31 Hustledown Road, South Stanley) as he part owned a property on a neighbouring street.

5 Unc 12.31 Hustledown Road, South Stanley - Speed Cushions

The Committee considered a report of the Corporate Director, Neighbourhood Services regarding representations received to proposed traffic calming measures on Hustledown Road, South Stanley (for copy see file of Minutes).

The Committee were informed that the location had speed related issues and Durham Constabulary had made representations to the County Council in 2014 regarding the amount of high speed traffic using Hustledown Road. They had requested that a more permanent solution be found to the problem as resources would not allow for a constant presence from the police.

The Committee then received a presentation detailing:

- the location of the proposed restrictions;
- an aerial view;
- the location of buildouts;
- a technical drawing of the buildouts, give way; and
- the driving view along the road.

The Strategic Highways Manager informed the Committee that the report stated that local Councillors had not commented on the scheme. However, Councillor Davinson had made some comments on the scheme during the consultation which related to the access to the area by the Fire Brigade. The Strategic Highways Manager confirmed that the Fire Brigade had been consulted on the proposed scheme and didn't raise any issues.

Three representations had been made by one objector relating to the advertising process of the consultation, their dislike of road humps generally which they felt caused damage to vehicles and the costs relating to the installation of road humps which they felt could be better used towards highways maintenance. The Strategic Highways Manager confirmed that the relevant notices were placed on-site as per the statutory consultation period. No properties were directly affected by the section of carriageway. The expenditure for the scheme was being funded from a specific traffic management solutions budget and the traffic calming measures would be installed in accordance with national guidance.

Councillor Wilkes referred to the Council's 20mph policy being introduced at some schools across the County and expressed concern that people using this route would potentially detour through neighbouring streets should the proposals detailed in the report be introduced.

The Strategic Highways Manager informed the Committee that from their experience, it would be unlikely that motorists would consider taking a longer diversionary route to avoid the proposed build-outs and therefore didn't anticipate it having an effect on neighbouring streets, however, the situation would be monitored.

Resolved

- (i) That the recommendation in the report be agreed; and
- (ii) That traffic on neighbouring streets be monitored accordingly, once the scheme had been implemented.

6 Peterlee - Parking and Waiting Restrictions Amendment Order

The Committee considered a report of the Corporate Director, Regeneration and Economic Development regarding parking and waiting restrictions at Peterlee (for copy see file of Minutes)

The Strategic Traffic Manager explained that traffic regulation orders were always under review and Peterlee was an area which had been subject to large areas of change over recent times. A number of amendments affecting existing waiting restrictions proposed for Howletch Primary School, Pennine Drive and Grampian Drive had not received any objections. One objection had been received to changes proposed for Judson Road. The

scheme in this particular area had been devised following a request by a Senior Facility Engineer for Caterpillar, Peterlee who explained that very large vehicles and movements accessing and egressing Judson Road were extremely difficult due to the amount of cars parking on grass verges and either side of the road. A site visit was held with the representative and scheme involving the introduction of 'No Waiting at Any Time' restriction was drawn up.

The Committee heard that there was one objection to the proposal, submitted by an employee from Caterpillar. Whilst the objector accepted the need for the situation to be addressed, he expressed concern that the proposal would affect a local mobile caterer and the nearby 'Learning Centre of Light', particularly if they were to hold any large attendee events.

In response, the Strategic Manager informed the Committee that the restrictions had been plotted accordingly in relation to access and egress to the Caterpillar plant. It was noted that the facility had around 1200 off-road car parking spaces which was deemed sufficient to accommodate vehicles from workers on shift patterns at the plant.

In response to point raised about the Learning Centre of Light, the Committee were informed that the venue had its own access to an off street parking facility and anyone visiting the site could use the car park facilities or park in nearby unrestricted streets.

Suggestions to install fencing and boulders would not be considered as they would be classed as obstructions and would not remedy the issues of accessibility to the Caterpillar plant, and in some cases, could actually worsen the situation.

Councillor Kay felt that the site had more than generous car parking facilities available for all the staff of different shifts and there was no reason for people to park their vehicles which caused difficulty to the large vehicles and vehicle movements, other than for convenience of it being closer to the site entrance.

Resolved

That the recommendation in the report be agreed.

7 Wolsingham - Parking and Waiting Restrictions Order

The Committee considered a report of the Corporate Director, Regeneration and Economic Development regarding a proposed traffic regulation order at the Causeway, Wolsingham (for copy see file of Minutes).

The Causeway had been subject to a seasonal restriction whereby waiting was prohibited between 8am to 6pm from April to September. The seasonal restriction was removed in early 2015 and replaced with a 'no waiting at any time' restriction at bends and access points, essentially to maintain visibility and assist with the provision of passing points for motorists due to the narrow nature of the carriageway. No objections had been received to the proposal at the time. Since the introduction of the newer restrictions, the Council had received representations from some residents who had experienced some problems accessing/egressing their properties, partly due to the initial restrictions being aligned with building features incorrectly identified on the base ordnance survey plans.

Three slight modifications had been proposed opposite the entrances of No. 2 The Causeway and The Tower Mews. It was also proposed to reduce the restriction at the northern end of the Causeway to minimise impact on residents of the eastern side.

The Strategic Manager then summarised the objections detailed in the report. The Committee were informed that a total of four respondents had submitted various objections to the proposals. The objections received stated that the current restrictions were adequate and that further restrictions would reduce parking and cause additional problems. Other objections cited the loss of further parking spaces and the potential for traffic speeds to increase. There had been no recollection of any collisions or accident history in the area.

One objector had expressed concern about a neighbour who had not been resident at her property for a time, due to illness. There was a view expressed that the resident may have mobility issues on her return home and the introduction of the proposed parking restrictions could negatively impact upon the resident.

The Strategic Traffic Manager acknowledged the issue highlighted and explained that attempts to ascertain the facts surrounding the neighbour and their requirements had been unsuccessful. It was felt that this could not be taken into account until such time as the resident returned to their property. The Committee were also informed that the proposed restrictions would allow for pick-up/drop off at the location or if the person held a blue badge, they would be able to park at the location for three hours, providing they were not causing an obstruction.

The Strategic Manager also informed the Committee that one objector who could not be present at the meeting had made further representations about the loss of parking spaces, would increase the speed of vehicles in the Causeway area, disadvantage other residents and there was no need to put in further restrictions for the convenience of others and asked the Council to reconsider the scheme.

Councillor Shuttleworth, one of the local Members who could not be present at the meeting had emailed the Senior Committee Services Officer and asked for his representation to be conveyed to the Committee. Councillor Shuttleworth had not made any previous representations as he believed that the additional measures would not create any issues, given that there had been no objections previously in the area concerned.

Councillor Shuttleworth stated in his representation that 'a number of people had now responded to the proposed scheme, and issues had been raised, at the Causeway, Wolsingham. He asked if the Committee would be minded to carry out a review of the parking arrangements after three months of operation. He had made this request because over one year ago, he had been contacted by someone with severe disability issues, who was concerned about any parking restrictions, and he had been unable to contact them.

Councillor Robinson felt that the suggestion made by Councillor Shuttleworth appeared fair under the circumstances and suggested that the Corporate Director, should consider implementing the proposals as detailed in the report and then reviewed after three months of operation to take into account the representations made by the resident who had been

unable to be contacted. Councillor Stradling seconded the suggestion made by Councillor Robinson.

The Strategic Manager explained that the County Council could review the scheme after three months of operation which would hopefully allow for time to discuss the residents needs of whom Councillor Shuttleworth and one other objector had referred to.

Resolved

That the recommendation contained in the report be agreed and that once the scheme was implemented to review its operation after three months.

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DURHAM COUNTY COUNCIL

At a Special Meeting of **Highways Committee** held in Committee Room 2, County Hall, Durham on **Friday 24 July 2015 at 9.30 a.m.**

Present:

Councillor C Kay in the Chair.

Members of the Committee:

Councillors B Armstrong, D Bell, D Hicks, K Hopper, O Milburn, S Morrison, J Robinson, J Turnbull, M Wilkes and R Young.

1 Apologies for Absence

Apologies for absence were received from Councillors J Allen, G Bleasdale, O Gunn, D Hall, R Ormerod, J Rowlandson and P Stradling.

2 Substitute Members

There were no substitute Members.

4 Declarations of interest, if any

There were no declarations of interest.

5 Definitive Map Modification Order Application to add footpaths to the Definitive Map and Statement relating to Wharton Park, Durham

The Senior Rights of Way Officer informed the Committee that the purpose of the report was to consider and determine an application to add footpaths to the Definitive Map and Statement of Public Rights of Way at Wharton Park, Durham (for copy see file of Minutes).

The Committee were provided with a presentation which detailed the following:

- location plan of the area
- location plan of the proposed footpaths
- photograph of the North Road entrance to Wharton Park
- photograph of the train station entrance to Wharton Park
- photograph of the Framwellgate Peth entrance to Wharton Park
- summary of evidence

(for copy of presentation see file of Minutes).

The Senior Rights of Way Officer advised the Committee that the County Council had been served with notice of an application to register three public footpaths through Wharton Park by Mr P Hayes. The Committee would need to determine whether public

footpaths already existed and if they did, then those footpaths would need to be recorded. The Committee would therefore need to assess all evidence presented before it and test that evidence against legal criteria, in order to determine whether highway rights had been acquired.

The applicant had provided the County Council with evidence of usage of the 3 footpaths one of which was to be removed as part of the restoration proposals for Wharton Park.

Upon receiving the application, the County Council had researched the usage of the proposed paths and had undertaken a consultation exercise.

The Solicitor referred to Document B within the Committee report and explained the legal framework and considerations for modifications to the Definitive Map. She also detailed the history of the land and the purpose for which it is held by the Council.

Members were provided with an overview and assessment of the evidence which had been gathered both by the Council and the applicant. In referring to paragraph 5.3 of the Committee report, the Senior Public Rights of Way Officer advised that the reference to the Durham City Council minutes dated 18 April 1944 should actually read 16 May 1944.

Members were advised that while the Durham City Council minutes did show that the Council had been responsible for the management of the land, they did not encompass the relevant 20 year period of January 1995 to January 2015.

In referring to paragraph 8.5 of the report the Senior Public Rights of Way Officer indicated that the signage in and around the park does not assist in the determination of the application.

The Committee was advised that it should discount the usage of the paths in the old part of the Park as the 1875 Public Health Act already allowed usage 'by right' whereas it is necessary to be satisfied that usage was 'as of right'. In relation to the new part of the Park, it was held very generally for the purpose of public open space and the usage of the section of Path C which ran through the new Park could be construed to be "as of right".

The Strategic Manager, Culture and Sport, was in attendance to present to Committee the objection to the application from Neighbourhood Services.

The service area objected to the application primarily on the basis that it believed the land was already protected for public usage. While it was a public park, it was necessary for the Council to be able to manage access to it. Members were advised that should public rights of way exist through the park, it would be very restrictive. The Council needed to be able to close the park off at times such as when delivering public events and activities or when undertaking works such as tree felling.

The Committee was advised that the restoration works would see the 1859 entrance to the Park to be the main access point. Potentially, path C created a cul-de-sac into the Park, which was of no benefit and was in itself restrictive. It was highlighted that there were alternative routes to the train station other than path C. It was noted that the gate at the start of path A had been subject to being locked at night time.

Mr P Hayes, applicant, addressed the Committee. He highlighted that the Committee needed to determine whether a reasonable case had been made that the paths were public rights of way. He stated that the threshold was not whether it was more likely than not that the paths were public paths, but rather was it a reasonable possibility.

In referring to the Committee report Mr Hayes acknowledged that the recommendation was that it was reasonable for the path in the new Park, however not for the paths in the old Park.

Mr Hayes stated that the report gave only one reason for why the application failed to make a reasonable case for the old Park paths and this was the speculation that the old Park was owned by DCC under the 1875 Public Health Act.

In relation to whether there was any certainty that the speculation was correct, Mr Hayes stated that this was questionable. In the 1932 Conveyance of the old Park to Durham City Council there was no mention of the 1875 Act. The Act was mentioned in an earlier 1914 lease of the land to the Council, but that lease was later extinguished by the 1932 Conveyance. Mr Hayes advised that the fact that the 1875 Act was mentioned in 1914 and then left unmentioned in 1932, made it quite possible that the City Council deliberately left it out.

The Committee was advised that the 1932 conveyance said that if the City Council tried to profit from the land instead of using it as a public park, then half of the profits had to be given to the sellers. Mr Hayes believed that there was evidence against the purchase being based on the 1875 Act, as it explicitly left open the possibility that the land could be used for purposes other than for a park.

Mr Hayes put it that the key point was not that speculation in the report was wrong, but that it was no more than speculation. While it could reasonably be agreed with, it could equally be disagreed with. As such, the speculation could not be cited as the basis for dismissing the application for the paths through the old Park.

Mr Hayes posed the question, if the report was right about the 1875 Act governing the old Park, did it matter. He argued that it did not matter because of the *Barkas* case (*R (on the application of Barkas) v North Yorkshire County Council* and another (2014) UKSC 31 Judgement given on 21 May 2014). Mr Hayes quoted from a letter he had received from the Rights of Way team further to a letter he sent following submission of the application. The letter from the Council used the *Barkas* case to underpin its belief that the use of paths was “by right” rather than “as of right”.

The Applicant advised that having then read the Supreme Court’s judgement on *Barkas*, it was clear that it actually gave unequivocal support for footpaths over publicly owned land by saying that even where an area of land was used for recreation by the public “by right”, when they were to take a pathway through that area they did so “as of right”. Mr Hayes therefore believed the case law was on the side of his application.

In relation to the objection by Neighbourhood Services, Mr Hayes did not believe that path closure for events would not be required very often and if it were required, it would not be too difficult to arrange. He cited that the Regatta was held on a path and there were no issues with closures in that instance.

In conclusion Mr Hayes believed that it was speculative to claim that usage in the old Park was based on the 1875 Act, as the evidence could be interpreted in more than one way. Furthermore, even if that speculation was correct, he argued that it was irrelevant because of the Supreme Court judgement in the Barkas case.

The Solicitor responded to points raised by Mr Hayes as follows:-

- Regatta – The footpaths in that area had a special permission by virtue of an Act which was passed by Parliament in 1984;
- Speculation of the 1875 Act – The Solicitor was very confident this was not speculation. The 1914 lease had been explicit that the Council held the land under the 1875 Act. In order to change the purpose the land would have to be appropriated, there was no evidence that this occurred therefore the 1875 remained relevant.
- The Barkas case did not support Mr Hayes' application in the old park and concluded that if the public already had a statutory right of access then use was 'by right' and not 'as of right'

In response to a query from Councillor B Armstrong, the Senior Rights of Way Officer clarified that if the Committee went with the recommendation to include the section of Path C in the new park to the Definitive Map and Statement, then the Council would be able to close the path temporarily as and when required.

In response to a query from Councillor O Milburn, the Officer advised that the path would not necessarily be publicly maintainable, the inclusion in the Definitive Map and Statement would simply be an acknowledgement of its existence.

Further to a query from Councillor Robinson, the Solicitor clarified her view that no rights of way could be included in the old Park as the rights already existed by virtue of the 1875 Act.

Councillor Robinson found the objection to be irrelevant as the Council would have the power to close the path as and when required. He proposed that the Committee support the Officer recommendations.

Councillor Wilkes advised that he was in support of the application from Mr Hayes. He highlighted that in 1914, the Covenant was for public use and so the seller in 1932 would have been aware of the wishes of her predecessor. The sale allowed the purchaser to do what they wanted with the land in the future. As such the use changed as the point of sale in 1932 to allow the new owners to do what they wished. Indeed the Council would have been within its rights to have sold the land had it wished to do so. Councillor Wilkes therefore argued that the original Act no longer existed. What was relevant was the Act under which the sale was made. He referred to the Highways Act of 1980 and highlighted that those who had used the paths in the last 20 years had done so unhindered.

The Solicitor advised that the Council could purchase land under the relevant Local Government Act at that time, however it then would have to hold the land for a statutory purpose. In relation to the park, the Council took possession of the statutory purpose of public walks and pleasure grounds. There was no record that it changed its purpose,

hence the 1932 Conveyance was silent on the matter as there was no need to reiterate the purpose.

Seconded by Councillor B Armstrong, Councillor J Robinson moved that, based on the evidence presented before the Committee, that a Definitive Map Modification Order be made to add the section of path C in the new park to the Definitive Map and Statement.

Resolved

That a Definitive Map Modification Order be made under the Wildlife and Countryside Act 1981 to add the section of path C in the new park to the Definitive Map and Statement.

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Highways Committee

8th October 2015



**A689 Western Approach to Stanhope
40mph Speed Limit - Update**

Report of Terry Collins, Corporate Director Neighbourhood Services

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

Purpose of the Report

- 1 To update Members on changes to the speed limit on the A689 at the Western Approach to Stanhope, which Committee endorsed on the 21st November 2014.

Background

- 2 Highways Committee endorsed the proposal to introduce a 40mph “buffer zone” in place of a 30mph speed limit on the western approach to Stanhope and associated changes to the speed limit in the vicinity of Horn Hall, as shown on the plan in Appendix 2.
- 3 Officers were asked to update Committee at a future date on the effectiveness of the changed speed limit, following introduction of the 40mph buffer zone.
- 4 The Committee heard a representation from a local resident of ‘Horn Hall’ who expressed concerns that increasing the speed limit to 40mph would have the effect of increasing vehicular speeds outside of his property located on the B6278. A number of additional representations were made, again expressing concern that increasing the speed limit on the A689 would lead to increased vehicular speeds entering and travelling through Stanhope.
- 5 It was explained at Highways Committee that the Police considered that the 30mph speed limit at the western approach to Stanhope, was not credible for the environment and did not comply with DfT guidance. As such, they were experiencing a high level of non-compliance.
- 6 Research undertaken by the Department for Transport and similar projects undertaken by the Council has shown that the introduction of credible speed limits can help to decrease vehicular speeds within built-up areas.
- 7 The 40mph “buffer zone” was introduced in June 2015 and the Council have received no concerns or objections to date.

Speed Surveys

- 8** Traffic speed surveys have been undertaken prior to changing the 30mph speed limit, and again after the 40mph buffer zone was introduced, allowing analysis of the overall effectiveness of the changes.
- 9** These speed surveys were undertaken at two locations on the A689, namely on Allerton Bridge; and outside the Town Hall. Also, at two locations on the B6278, that is outside the Community Hospital; and at the start of the speed limit, as per the plan in Appendix 3. The survey results are tabulated in Appendix 4.
- 10** In summarising the traffic speed surveys from the table in Appendix 4, it can be reported that the 'Mean Average Speed' and the '85th percentile speed' across the four speed survey locations have resulted in reduced speeds. Additionally, whilst accepting the speed limit is now set at 40mph, there has been a significant reduction in the percentage of vehicles travelling at a speed which contravene the posted speed limit. The need for Police intervention has been reduced.

Conclusion

- 11** The traffic speed survey analysis and lack of concerns/objections since introducing the 40mph buffer zone in place of the former 30mph speed limit suggests improved driver compliance and overall credibility of the speed limit.

Background papers

- 12** Correspondence on Office File

Contact: Brian Buckley Tel: 03000 268097

Appendix 1: Implications

Finance – Cllr Anita Savory AAP Neighbourhood Budget

Staffing – None

Risk – None

Equality and Diversity / Public Sector Equality Duty – None

Accommodation – None

Crime and Disorder – None

Human Rights – None

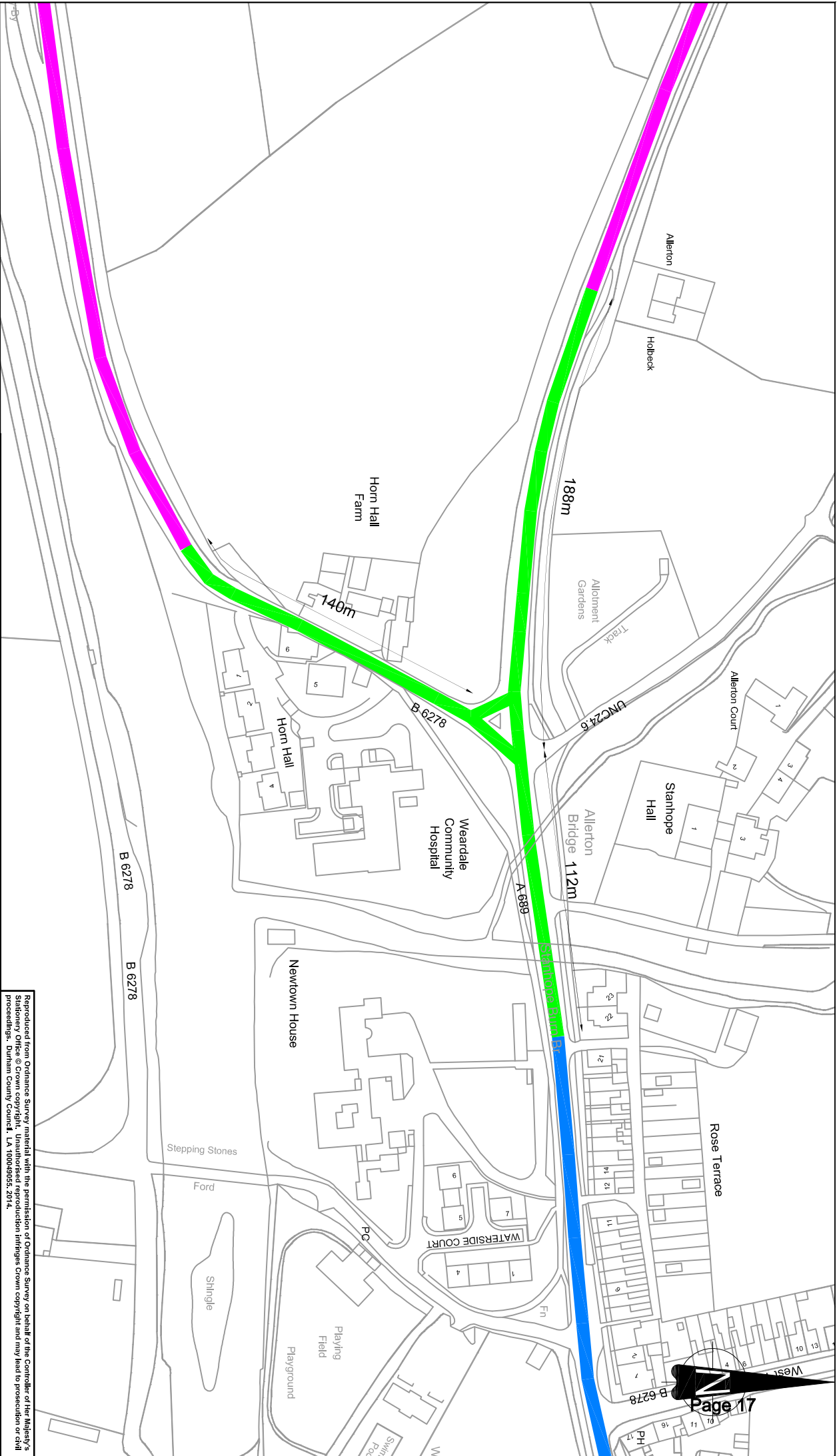
Consultation – Undertaken as part of the original project

Procurement – Works delivered by Highway Services

Disability Issues – None

Legal Implications – The measures are being introduced in accordance with the current legislation.


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Key;

- Existing 30mph Speed Limit
- Now 40mph Speed Limit (previously 30mph)
- Existing De-restricted

| Rev/ Amt | Name | Date | Sign | Description Of Amendments |
|----------|---------|---------|-----------------|---------------------------|
| 0/- | S.Jones | 24/4/14 | <i>S. Jones</i> | |
| | | | | |
| | | | | |
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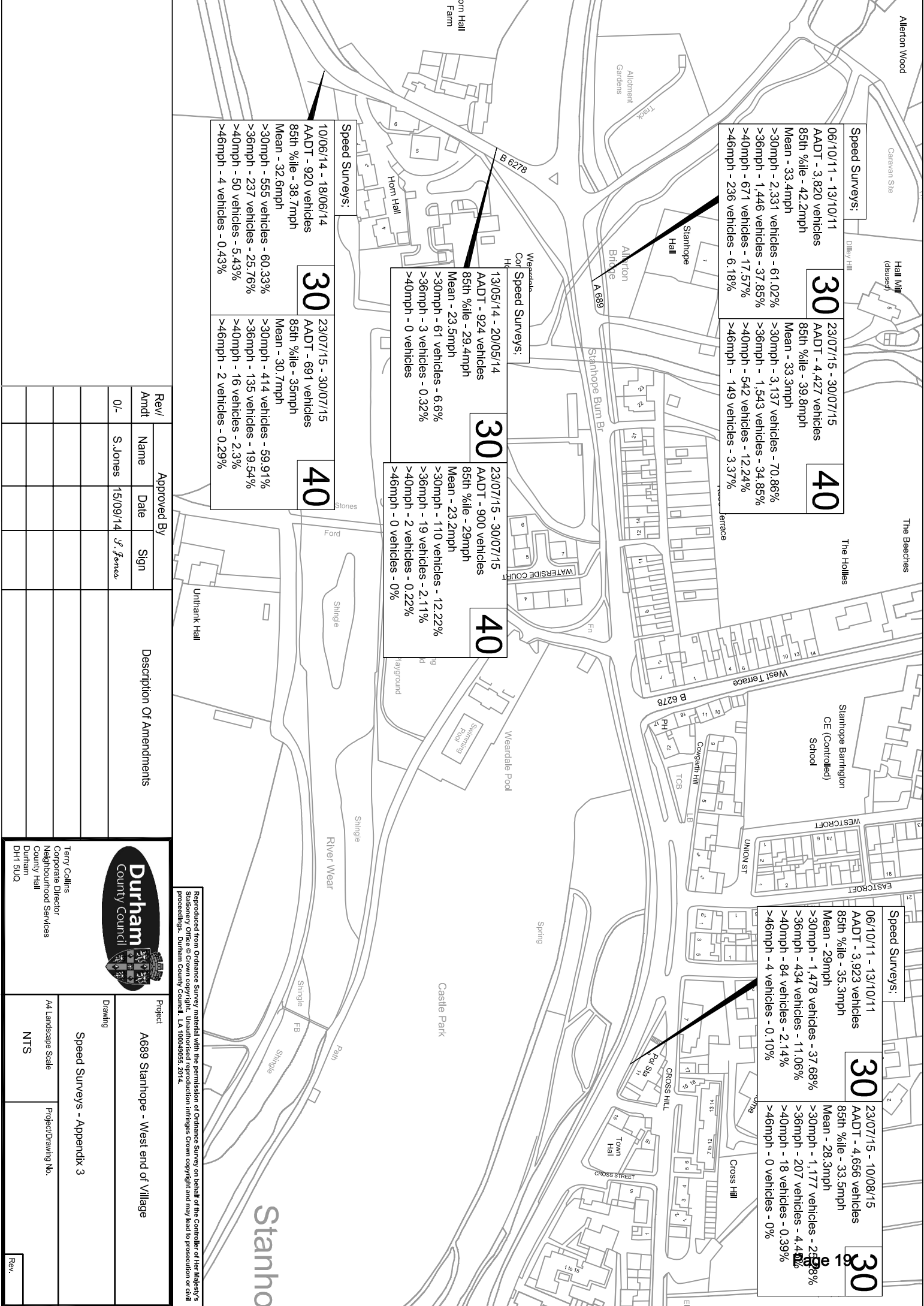
Durham
County Council

Terry Collins
Corporate Director
Neighbourhood Services
County Hall
Durham
DH1 5UQ

| | |
|-------------------------------------|---------------------|
| Project | |
| A689 Stanhope - West end of Village | |
| Drawing | |
| 40mph Speed Limit - Appendix 2 | |
| A4 Landscape Scale | Project/Drawing No. |
| NTS | |
| Rev. | |

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Speed Surveys:

| | | | |
|---|-----------|---|-----------|
| 06/10/11 - 13/10/11 AADT - 3,820 vehicles 85th %ile - 42.2mph Mean - 33.4mph | 30 | 23/07/15 - 30/07/15 AADT - 4,427 vehicles 85th %ile - 39.8mph Mean - 33.3mph | 40 |
| >30mph - 2,331 vehicles - 61.02% | | >30mph - 3,137 vehicles - 70.86% | |
| >36mph - 1,446 vehicles - 37.85% | | >36mph - 1,543 vehicles - 34.85% | |
| >40mph - 671 vehicles - 17.57% | | >40mph - 542 vehicles - 12.24% | |
| >46mph - 236 vehicles - 6.18% | | >46mph - 149 vehicles - 3.37% | |

Speed Surveys:

| | | | |
|---|-----------|---|-----------|
| 13/05/14 - 20/05/14 AADT - 924 vehicles 85th %ile - 29.4mph Mean - 23.5mph | 30 | 23/07/15 - 30/07/15 AADT - 900 vehicles 85th %ile - 29mph Mean - 23.2mph | 40 |
| >30mph - 61 vehicles - 6.6% | | >30mph - 110 vehicles - 12.22% | |
| >36mph - 3 vehicles - 0.32% | | >36mph - 19 vehicles - 2.11% | |
| >40mph - 0 vehicles | | >40mph - 2 vehicles - 0.22% | |
| >46mph - 0 vehicles | | >46mph - 0 vehicles - 0% | |


Speed Surveys:

| | | | |
|---|-----------|---|-----------|
| 10/06/14 - 18/06/14 AADT - 920 vehicles 85th %ile - 38.7mph Mean - 32.6mph | 30 | 23/07/15 - 30/07/15 AADT - 691 vehicles 85th %ile - 35mph Mean - 30.7mph | 40 |
| >30mph - 555 vehicles - 60.33% | | >30mph - 414 vehicles - 59.91% | |
| >36mph - 237 vehicles - 25.76% | | >36mph - 135 vehicles - 19.54% | |
| >40mph - 50 vehicles - 5.43% | | >40mph - 16 vehicles - 2.3% | |
| >46mph - 4 vehicles - 0.43% | | >46mph - 2 vehicles - 0.29% | |

Speed Surveys:

| | | | |
|---|-----------|---|-----------|
| 06/10/11 - 13/10/11 AADT - 3,923 vehicles 85th %ile - 35.3mph Mean - 29mph | 30 | 23/07/15 - 10/08/15 AADT - 4,656 vehicles 85th %ile - 33.5mph Mean - 28.3mph | 30 |
| >30mph - 1,478 vehicles - 37.68% | | >30mph - 1,177 vehicles - 25.29% | |
| >36mph - 434 vehicles - 11.06% | | >36mph - 207 vehicles - 4.45% | |
| >40mph - 84 vehicles - 2.14% | | >40mph - 18 vehicles - 0.39% | |
| >46mph - 4 vehicles - 0.10% | | >46mph - 0 vehicles - 0% | |

| Rev/ | Amt | Name | Date | Sign | Description Of Amendments |
|------|-----|---------|----------|----------|---------------------------|
| 0/- | | S.Jones | 15/09/14 | S. Jones | |



Durham
County Council

Terry Collins
Corporate Director
Neighbourhood Services
County Hall
Durham
DH1 5UQ

Project: **A689 Stanhope - West end of Village**

Drawing: **Speed Surveys - Appendix 3**

AA Landscape Scale

NTS

Project/Drawing No.

Rev.

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Appendix 4

| A689 Allerton Bridge | Before (when limit was 30mph) | After (following change to 40mph) | Difference |
|--|--------------------------------------|--|-------------------|
| 85 th percentile speed | 42.2mph | 39.8mph | - 2.4mph |
| Mean average speed | 33.4mph | 33.3mph | - 0.1mph |
| Percentage of motorists within prosecution bracket | 37.85% | 3.37% | - 34.48% |

| A689 Town Hall | Before (when limit was 30mph) | After (following change to 40mph) | Difference |
|--|--------------------------------------|--|-------------------|
| 85 th percentile speed | 35.3mph | 33.5mph | - 1.8mph |
| Mean average speed | 29mph | 28.3mph | - 0.7mph |
| Percentage of motorists within prosecution bracket | 11.06% | 4.45% | - 6.61% |

| B6278 The Community Hospital | Before (when limit was 30mph) | After (following change to 40mph) | Difference |
|--|--------------------------------------|--|-------------------|
| 85 th percentile speed | 29.4mph | 29mph | - 0.4mph |
| Mean average speed | 23.5mph | 23.2mph | - 0.3mph |
| Percentage of motorists within prosecution bracket | 0.32% | 0 | - 0.32% |

| B6278 Start of Speed Limit | Before (When limit was 30mph) | After (following change to 40mph) | Difference |
|--|--------------------------------------|--|-------------------|
| 85 th percentile speed | 38.7mph | 35mph | - 3.7mph |
| Mean average speed | 32.6mph | 30.7mph | - 1.9mph |
| Percentage of motorists within prosecution bracket | 25.76% | 0.29% | - 25.47% |

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Highways Committee

8th October 2015



**C91 Waldrige Village and Waldrige
Link Road, Chester le Street
Various Speed Limits**

**Report of Terry Collins, Corporate Director Neighbourhood
Services**

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

Purpose of the Report

- 1 To advise committee of representations and objections received in respect of proposed changes to speed limits around Waldrige Village and Waldrige Link Road.

Background

- 2 Speeding on the C91 road through Waldrige Village has been raised as a concern by Waldrige Parish Council and residents of Waldrige Village.
- 3 In January 2015, local ward Councillors K. Henig and K. Davidson approached the Council and Durham Constabulary requesting a reduced speed limit from 40mph to 30mph through Waldrige Village.
- 4 Having reviewed the speed limits in the area linked to the C91 Waldrige Village request, Durham Constabulary raised concerns regarding the nearby Waldrige Link Road. This road is subject to a 40mph speed limit over most of its length, with a section of 30mph speed limit at the northern end of the road, from its junction with Embleton Drive to the roundabout junction with the C91 Waldrige Road. See Appendix 2 & 3.
- 5 Within the 30mph section of Waldrige Link Road there is a lack of immediate roadside frontage property development, with open fields on the west side and the back of Waldrige Park Estate on the east side of the road. Speed surveys that have been undertaken indicate motorists are ignoring the 30mph speed limit, which suggests the road is not self-explaining to motorists as a built-up area. Therefore the 30mph speed limit lacks credibility.
- 6 Durham Constabulary have offered their support for a 30mph speed limit through Waldrige Village but have requested that the current 30mph speed limit on Waldrige Link Road be changed to a 40mph speed limit along its entire length, from the A167 to the roundabout junction of the C91 Waldrige Road. This is necessary to ensure the overall credibility of the posted speed limits in the area are both meaningful to motorists and consistently applied to suit the environment and character of the road network.

- 7** Durham Constabulary have carried out speed enforcement campaigns on Waldrige Link Road utilising Community Speed Watch and the Road Policing Unit including the deployment of the Police Safety Camera Van. These campaigns have identified that traffic speeds on the 30mph section of Waldrige Link Road continue to be an enforcement problem.
- 8** Traffic speed surveys have also been undertaken by the Council within both the 30mph speed limit and 40mph speed limit sections of Waldrige Link Road. These results show motorists are perceiving the environment of the current 30mph section of Waldrige Link Road as being a 40mph speed limit, which suggests a 40mph speed limit as a more suitable speed limit for the entire length of Waldrige Link Road. A location plan showing the location of the speed surveys and a summary of the results is attached in Appendix 6.
- 9** The speed limit review which has taken into consideration Waldrige Village, the C91 Waldrige Road and the Waldrige Link Road has been completed in accordance with current best practice guidance produced by the Department for Transport (DfT), known as Circular 01/2013 'Setting Local Speed Limits'.
- 10** DfT circular 01/2013 states speed limits should be evidence-led and self-explaining and seeks to reinforce the driver's assessment of what is a safe speed to travel. Speed limits should encourage self-compliance and should be seen by drivers as the maximum rather than a target speed.
- 11** When considering reducing the speed limit through Waldrige Village to 30mph, DfT Traffic Advisory Leaflet 01/04 prescribes good practice for achieving lower speed limits in villages. It suggests a definition of what constitutes a village environment, for the purpose of applying a village speed limit of 30 mph. The guidance gives the definition of a village as having 20 or more houses fronting the road (on one or both sides of the road).
- 12** Research and experience gained nationally and also at other locations within the County has proven that the installation of speed limits which are credible and consistent with the environment through which the motorist is travelling results in improved driver compliance with the speed limit.
- 13** In addition to changing the speed limit through Waldrige Village and Waldrige Link Road, the local ward Councillors have made a further suggestion to introduce and fund 20mph speed limit zones on both Meadow Drive and Waldrige Park Estate linked to the Council's Cabinet decision in December 2014 associated with the review of the Council's Policy on 20mph Speed Limits and Zones. See Appendix 4 & 5.
- 14** The Cabinet decision sets out to implement part-time 20mph speed limits on main/distributor roads in the vicinity of 33 schools that were identified as having child accident rates of twice the average. Hermitage Academy located in the immediate vicinity of Meadow Drive and Waldrige Park Estate and the C91 Waldrige Road was one of the 33 schools identified for this programme of works.
- 15** In accordance with the Council's Cabinet decision, Meadow Drive and Waldrige Park Estate rests within the 600metre radius area of influence of Hermitage Academy, used at that time to assess accident statistics. Subject

to funding being secured from sources other than the funding set aside for delivery of the Schools 20mph Speed Limit project, consideration could be given towards introducing 20mph zones on a demand-led basis.

- 16 DfT circular 01/2013 states that '20mph zones are designed to be "self-enforcing" due to traffic calming measures which are necessary to complement the change in the speed limit. Speed humps, chicanes, road narrowing, and other measures are typically used to both physically and visually reinforce reduced speeds'.
- 17 Both Meadow Drive and Waldrige Park Estate have existing traffic calming measures in the form of speed humps and speed cushions, which are designed to keep traffic flow to a design speed of 20mph to 25mph. The introduction of a 20mph zone by simply erecting additional traffic signs at the entrances to both housing estates makes for a cost effective measure where the potential exists to further influence a reduction in traffic speed and therefore possibly improve overall road safety. The inclusion of the 20mph zone is considered cost effective due to its combination with the other measures proposed in the adjacent area.

Proposals

- 18 It is proposed to make a Traffic Regulation Order to introduce a 30mph speed limit through Waldrige Village; to make Waldrige Link Road a 40mph speed limit over its entire length; and to introduce a 20mph Zone on Meadow Drive and Waldrige Park Estates.
- 19 The proposal would include the introduction of a gateway feature at Waldrige Village at the transition point between the current 40mph speed limit on Waldrige Road and the new 30mph speed limit upon entering Waldrige Village.
- 20 On sections of road where the speed limit is 40mph, the Department for Transport allows the use of speed limit "repeater" signs and road markings which act as useful reminders for motorists to moderate their speeds. Repeater signs cannot be used on roads that are subject to a 30mph speed limit when a system of street lighting is present. The use of repeater signs and road markings will be provided on Waldrige Link Road.

Consultation

- 21 Consultation on the proposals was undertaken between 3rd June 2015 and 3rd July 2015 to gauge the initial views of stakeholders and statutory bodies.
- 22 As part of the consultation exercise, public notices were placed throughout the area between 9th June 2015 and 3rd July 2015 detailing the proposals.
- 23 A total of 25 responses were received, of the 25 responses, 14 were in favour of the proposals whilst 11 were against. A further letter was sent to those who were opposed, clarifying the issues they raised, and as it stands, based on the proposal put forward, 19 are in favour of the proposals and 6 remain opposed to the proposal.

- 24 Statutory consultation as part of the legal Traffic Regulation Order making process was carried out between 2nd July 2015 and the 24th July 2015, which included advertising the Traffic Regulation Order through the use of public notices on-site and in the local press.
- 25 The statutory consultation resulted in receipt of 1 formal objection (duplicating the previous representation) and 5 emails of support. These figures are included within paragraph 23 above.

Objections and Responses

- 26 Objection 1 & Representation 1

(1 respondent stated this reason)

The Waldrige Link Road – The 30mph speed limit should be extended to 10metres south of the bungalow. Increasing the speed limit to 40mph is likely to increase the speed at which motorists travel. A speed limit change from 40mph to a 20mph zone on the side roads is too great. There have been 2 serious accidents in the past 8-9 months.

Response: The section of 30mph speed limit on the link road lacks credibility and is not in accordance with the guidance set by the Department for Transport. By extending the speed limit to a point 10m south of the bungalow would increase the overall length of the 30mph section of speed limit by approximately 300m which wouldn't be supported by Durham Constabulary or by the Council.

It is not considered that the proposal will result in an increase in vehicle speeds as 83% of vehicles already exceed the 30mph speed limit due to the lack of credibility of the existing posted limit.

Introducing a credible speed limit increases the likelihood of greater compliance. Speed surveys undertaken by Durham Constabulary and the Council have shown that the majority of motorists are driving on this stretch of Waldrige Link Road as if the road was signed as a continuation of the 40mph speed limit.

It is recommended by the DfT that speed limits should be established according to the mean speed of free flowing traffic. This means the limit should be set at or above the level at which the majority of people are driving. Numerous studies have shown that the mean and 85th percentile speeds are key factors in determining the setting of a speed limit. In the case of Waldrige Link Road the mean speed is 36.9mph and the 85th percentile speed is 43.5mph, which would suggest a 40mph speed limit is appropriate.

A speed limit change from 40mph to 20mph would be too great on a straight carriageway. In this case, as the 20mph zone commences on the side roads, the vast majority of motorists will be travelling at low speed as a result of the junction turning manoeuvre from the main road. Speed surveys on both Embleton Drive and Falstone Drive side roads show the 'mean average speed' recorded as 21mph. This mean speed is below the DfT criteria of

24mph for permanent zones and the roads feature existing traffic calming measures.

A check on the 'personal injury' accident database which we share with Durham Constabulary has shown one accident within the past 4 years. This incident occurred in September 2013 at the roundabout, being typical of many roundabout accidents where a driver has failed to give way.

Drivers should, as recommended by the Highway Code 'read the road ahead' and travel to the conditions that prevail, remembering that a speed limit is a maximum and not a target speed.

27 Representation 2

(1 respondent stated this reason)

The Waldrige Link Road - The increasing of the speed limit is going to encourage motorists to travel at greater speeds.

Response: The section of 30mph speed limit on the link road lacks credibility and is not in accordance with the guidance set by the Department for Transport.

It is not considered that the proposal will result in an increase in vehicle speeds as 83% of vehicles already exceed the 30mph speed limit due to the lack of credibility of the existing posted limit.

Introducing a credible speed limit increases the likelihood of greater compliance. Speed surveys undertaken by Durham Constabulary and the Council have shown that the majority of motorists are driving on this stretch of Waldrige Link Road as if the road was signed as a continuation of the 40mph speed limit.

It is recommended by the DfT that speed limits should be established according to the mean speed of free flowing traffic. This means the limit should be set at or above the level at which the majority of people are driving. Numerous studies have shown that the mean and 85th percentile speeds are key factors in determining the setting of a speed limit. In the case of Waldrige Link Road the mean speed is 36.9mph and the 85th percentile speed is 43.5mph, which would suggest a 40mph speed limit is appropriate.

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. In the case of Waldrige Link Road the environment is mainly rural with open fields on the west side, with two junctions on the east side of the road. In addition, property development is set well back from the road and is generally behind fences and vegetation creating an 'open' rural feel to the road. As such, the imposition of a 40mph speed limit is the most suitable speed limit for this location which hopefully will result in a reduction in "top-end" excess speed.

28 Representation 3

(4 respondents stated these reasons)

20mph Zone – there is no need to penalise residents of the local area any further by decreasing the speed limit on the Waldrige Park Estate, whereas the nearby Garden Farm Estate remains untouched, the existing traffic calming measures keep the traffic moving slowly and there is no need to enforce a lower speed limit.

Response: Residents of Waldrige Park Estate are not being penalised by the introduction of a 20mph zone. This estate is already traffic calmed using speed cushions to achieve a design speed of 20mph to 25mph. The introduction of 20mph zones, are designed to be "self-enforcing" due to traffic calming measures that are in place. As such, motorists will already be travelling at low speeds because of the traffic calming.

The introduction of a 20mph zone will involve the erection of additional traffic signs at the entrances to Waldrige Park Estate making for a cost effective measure where the potential exists to further influence a reduction in traffic speed and possibly improve overall road safety. The adjoining Garden Farm Estate is not traffic calmed therefore the introduction of a 20mph zone cannot be considered in this area.

Traffic speed surveys have been undertaken within the Waldrige Park Estate concentrating on the distributor roads namely Warkworth Drive, Embleton Drive and Falstone Drive. The range of 'mean average speeds' is recorded as follows:

- *Warkworth Drive is between 20.6mph and 21.6mph.*
- *Embleton Drive is between 21mph and 21.5mph.*
- *Falstone Drive is between 18.6 and 21.1mph.*

These figures show that traffic speeds on Waldrige Park Estate are self-enforcing, by the presence of the traffic calming measures. The introduction of the 20mph zone may help to influence lower speeds and will not necessarily result in extra enforcement by the Police beyond current routine patrols.

Supporters

29 Representation 4

(1 respondent stated this reason)

Fully supports the proposed speed limit changes especially in reducing the speed limit to 20mph within Meadow Drive and increasing the speed limit to 40mph on the Waldrige Link Road.

30 Representation 5

(11 respondents stated this reason)

In full support of the proposed 20mph zone on the Waldrige Park Estate.

31 Representation 6

(2 respondents stated this reason)

Are wholly in favour of reducing the speed limit on the Waldrige Park Estate, and has been campaigning for over 2 years to reduce the speeds in the residential estate in order to provide a safer environment for children to play. Should the 20mph speed not be introduced in Waldrige Park Estate, the respondents would not want to see the speed limit increased to 40mph on Waldrige Link Road.

32 Representation 7

(2 respondents stated this reason)

Is in full support of increasing the speed limit on Waldrige Link Road, as the respondents could never understand why this road is a 30mph speed limit.

33 Representation 8

(3 respondents stated this reason)

In support of the proposals, especially in reducing the speed limit through Waldrige Village and increasing the speed limit to 40mph on Waldrige Link Road as the respondents can see no justification as to why the northern section of Waldrige Link Road is 30mph.

Statutory Consultation Representations

34 Statutory consultation as part of the legal Traffic Regulation Order making process was carried out between 2nd July 2015 and the 24th July 2015, which included advertising the Traffic Regulation Order through the use of public notices on-site and in the local press.

35 Durham Constabulary has offered their full support to the various speed limit changes. However, they would relinquish their support should the proposal to create a 40mph speed limit over the entire length of Waldrige Link Road be withdrawn. A 40mph speed limit is necessary to ensure the overall credibility of the posted speed limits in the area, to ensure that they are both meaningful to motorists and consistently applied to suit the environment and character of the road network.

36 The North East Ambulance Service responded to the consultation giving their support to the proposal.

37 Waldrige Parish Council responded to the consultation offering support.

Local Member Consultation

38 Local Ward Councillors Katherine Henig and Keith Davidson have promoted the proposal at the outset and offer their support.

Recommendations and reasons

- 39** It is RECOMMENDED that the Committee endorse the proposal having considered the objection and representations, and to proceed with the implementation of the speed limit changes as per the plans in Appendices 2 to 5.
- 41** The proposal will assist in providing credible speed limits whilst addressing community concerns regarding vehicle speed.

Background papers

- 42** Correspondence on Office File.

Contact: Brian Buckley Tel: 03000 268097

Appendix 1: Implications

Finance – Cllrs Katherine Henig and Keith Davidson AAP Neighbourhood Budget

Staffing – None

Risk – None

Equality and Diversity / Public Sector Equality Duty – None

Accommodation – None

Crime and Disorder – None

Human Rights – None

Consultation – As described in the report

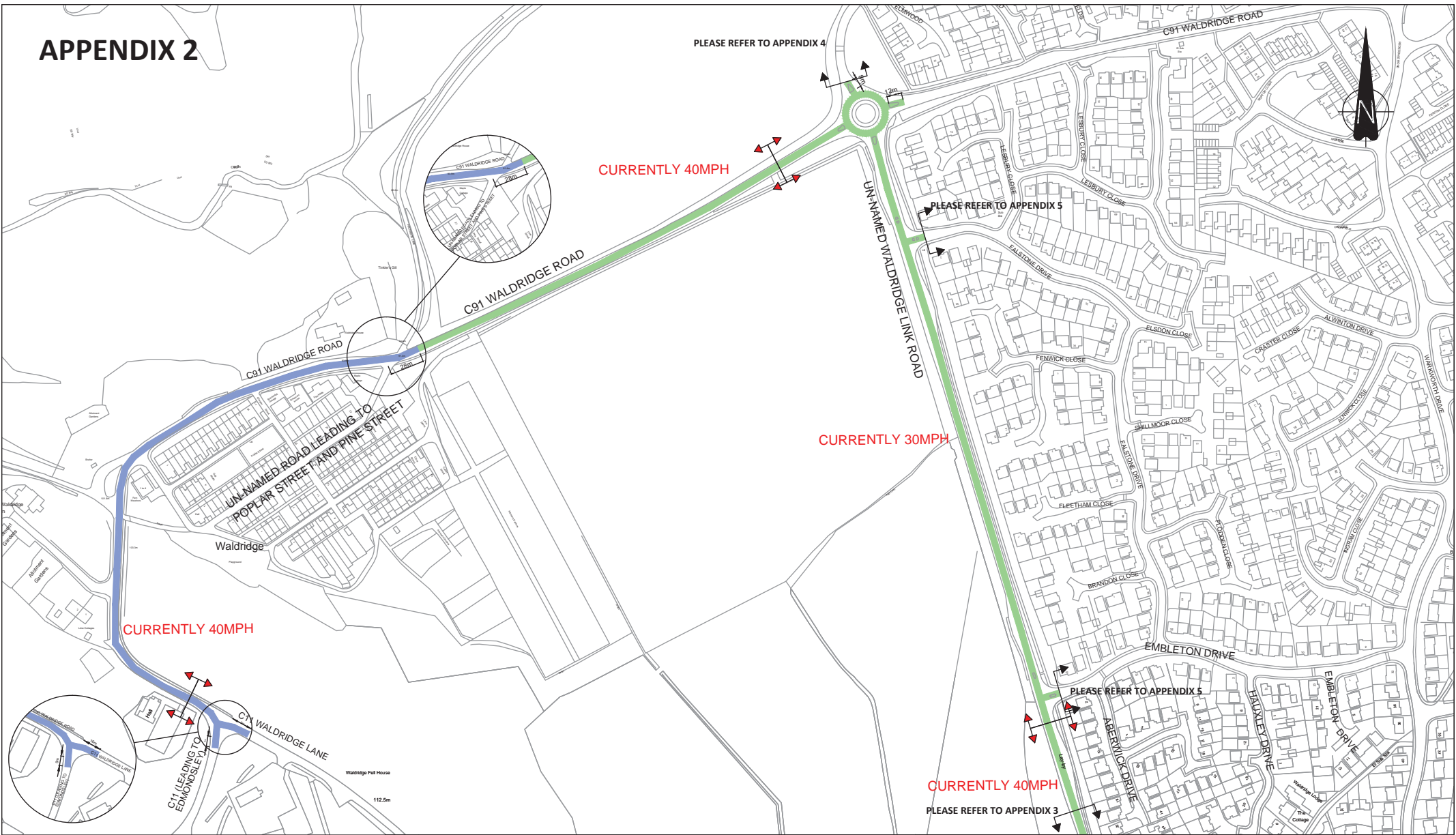
Procurement – Works to be delivered by Highway Services

Disability Issues – None

Legal Implications – The measures are being introduced in accordance with the current legislation

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APPENDIX 2



Key;
█ 30mph Speed Limit
█ 40mph Speed Limit

| Rev/ Amdt | Approved By | | | Description Of Amendments |
|--------------|-------------|--------|-----------------|---------------------------|
| | Name | Date | Sign | |
| 0/- | S.Jones | Feb 15 | <i>S. Jones</i> | |
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Terry Collins
 Corporate Director
 Neighbourhood Services
 County Hall
 Durham
 DH1 5UQ

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| Project | |
| THE COUNTY COUNCIL OF DURHAM (C91 WALDRIDGE VILLAGE AND CHESTER LE STREET SOUTH WEST AREA) (VARIOUS SPEED LIMITS) (ORDER 2015) APPENDIX 2 | |
| A3 Landscape Scale | Project/Drawing No. |
| NTS | |
| | Rev. |

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APPENDIX 3

PLEASE REFER TO APPENDIX 2



| Rev/ Amdt | Approved By | | | Description Of Amendments |
|-----------|-------------|--------|-----------------|---------------------------|
| | Name | Date | Sign | |
| 0/- | S.Jones | Feb 15 | <i>S. Jones</i> | |
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Key;
 40mph Speed Limit

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Durham
County Council

Terry Collins
Corporate Director
Neighbourhood Services
County Hall
Durham
DH1 5UQ

Project

THE COUNTY COUNCIL OF DURHAM
 (C91 WALDRIGE VILLAGE AND CHESTER LE STREET SOUTH WEST AREA)
 (VARIOUS SPEED LIMITS) (ORDER 2015)
 APPENDIX 3

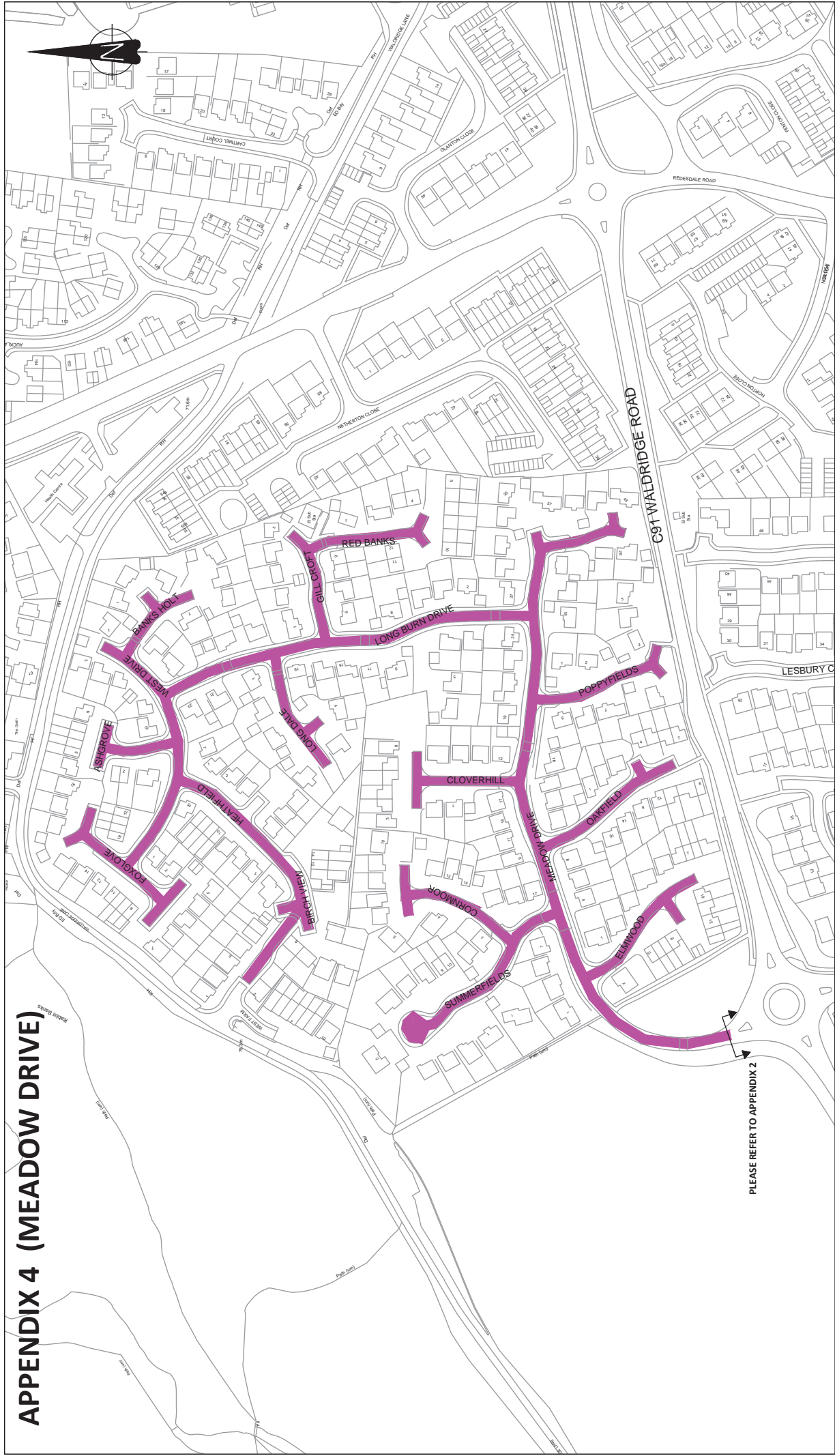
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APPENDIX 4 (MEADOW DRIVE)





Terry Collins
Corporate Director
Neighbourhood Services
County Hall
Durham
DH1 5UQ

Project

THE COUNTY COUNCIL OF DURHAM
(C91 WALDRIDGE VILLAGE AND CHESTER LE STREET SOUTH WEST AREA)
(VARIOUS SPEED LIMITS) (ORDER 2015)
APPENDIX 4

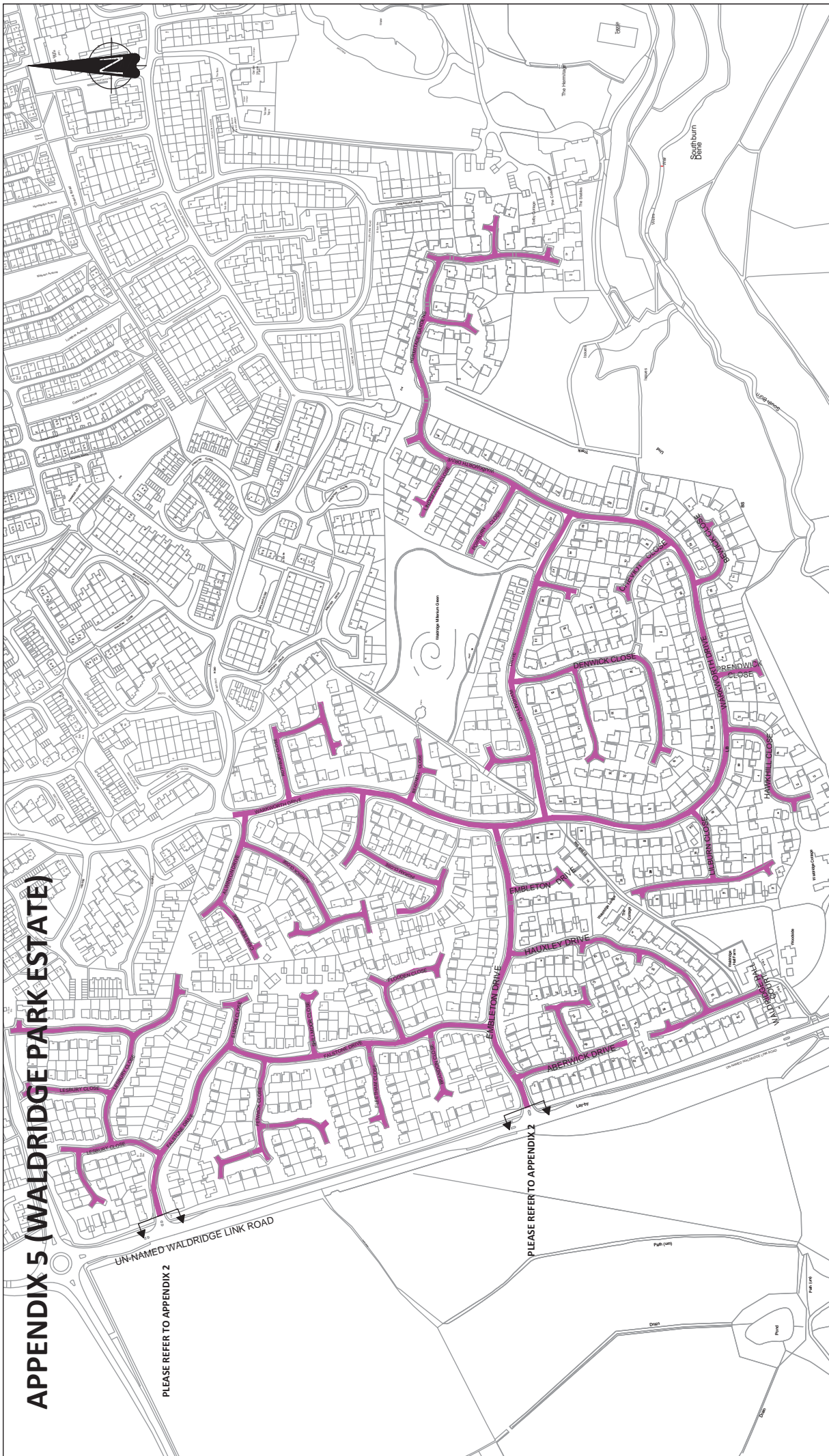
A3 Landscape Scale
NTS

Project/Drawing No.

| Rev/Amnd | Name | Date | Sign | Description Of Amendments |
|----------|---------|--------|-----------------|---------------------------|
| 0/- | S.Jones | Feb 15 | <i>S. Jones</i> | |
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APPENDIX 5 (WALDRIDGE PARK ESTATE)

UN-NAMED WALDRIDGE LINK ROAD

PLEASE REFER TO APPENDIX 2

PLEASE REFER TO APPENDIX 2

Key: 20mph Zone

Page 39

Durham County Council

Terry Collins
Corporate Director
Neighbourhood Services
County Hall
Durham
DH1 5UQ

THE COUNTY COUNCIL OF DURHAM
(C91 WALDRIDGE VILLAGE AND CHESTER LE STREET SOUTH WEST AREA)
(VARIOUS SPEED LIMITS) (ORDER 2015)
APPENDIX 5

| Rev/Amnd | Name | Date | Sign | Description Of Amendments |
|----------|---------|--------|--------------------|---------------------------|
| 0/- | S.Jones | Feb 15 | <i>[Signature]</i> | |
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Approved By

Name

Date

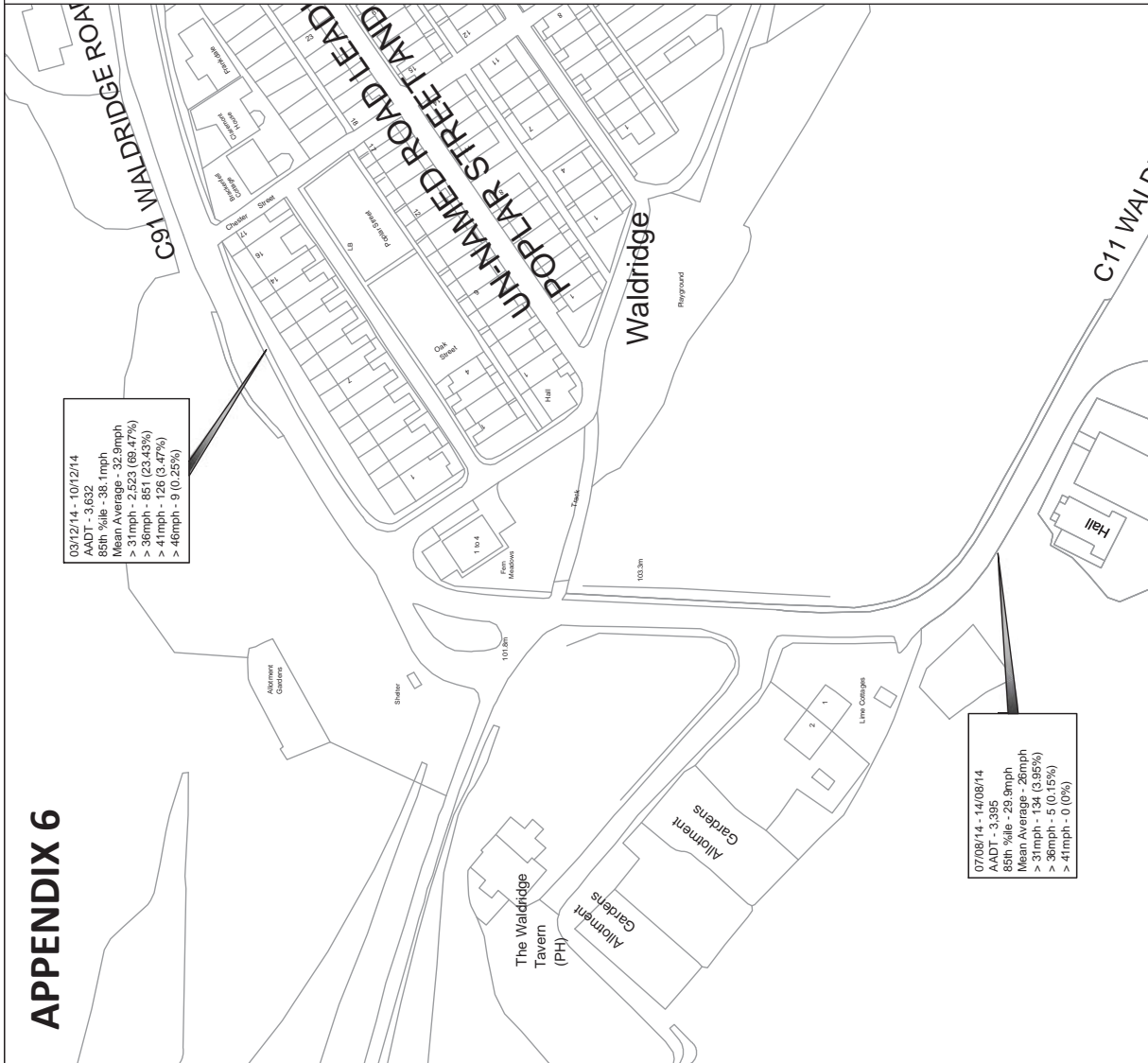
Sign

Description Of Amendments

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APPENDIX 6



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Durham
 County Council

Terry Collins
 Corporate Director
 Neighbourhood Services
 County Hall
 Durham
 DH1 5UQ

Project: C91 Waldridge Road, Waldridge
 Drawing: Speed Survey Summaries - Appendix 6
 A3 Landscape Scale
 NTS
 Project/Drawing No.
 Rev.

| Rev/Amtd | Name | Date | Sign | Description Of Amendments |
|----------|---------|--------|----------------|---------------------------|
| 0/- | S.Jones | Dec 14 | <i>S.Jones</i> | |
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