

## **DURHAM COUNTY COUNCIL**

At a Meeting of **Highways Committee** held in Committee Room 2, County Hall, Durham on **Wednesday 20 November 2019 at 9.30 a.m.**

**Present:**

**Councillor S Morrison in the Chair**

**Members of the Committee:**

Councillors D Bell, G Bleasdale, J Considine, S Dunn, A Reed (substitute for P Sexton), J Rowlandson, J Shuttleworth, K Thompson, J Turnbull and M Wilson

**Also Present:**

Councillors L Maddison.

### **1 Apologies**

Apologies for absence were received from Councillors S Hugill, C Kay, O Milburn, R Ormerod, P Sexton and A Simpson

### **2 Substitute Members**

Councillor A Reed was substituting for Councillor P Sexton.

### **3 Declarations of Interest**

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

### **4 C95 Whitworth Road, Spennymoor - 40mph Speed Limit TRO**

The Committee considered a report of the Corporate Director of Regeneration and Economic Development regarding a proposal to extend an existing 40mph speed limit which commenced near to the entrance to Page Grove, Spennymoor and continued in a north westerly direction to the Auckland Walk crossing, extended beyond the entrance to the Burton Woods development to a point passed Newtown. This would reduce the speed limit of that section of the C95 from 60mph to 40mph (for copy of report and presentation see file of Minutes).

The Strategic Highways Manager informed the Committee that the commencement of the proposed 40mph restriction north west of Newtown, would see the creation a gateway feature which would consist of a 40 roundel, 'dragons teeth', 'Slow' markings and a red hatched surface treatment. New chevron signs with yellow

borders to emphasise a bend in the carriageway had already been installed. 40mph repeater signs would also be installed along the extent of the 40mph speed limit. The Committee were informed that the proposals would assist in maintaining lower speeds through Newtown, passed the entrance to the Burton Wood development and towards the existing 30mph restriction near Page Grove.

Traffic surveys had been undertaken at several locations on the C95 Whitworth Road over a typical 7-day deployment period. The survey data analysed by both Durham County Council Traffic Engineers and Durham Constabulary Traffic Management Officers had both verified that the proposed extension of the 40mph speed limit satisfied the Department for Transport's national guidance and best practice on the setting of local speed limits.

The Committee were informed that two formal objections had been received. The objections were detailed on pages 7 and 8 of report and summarised for the Committee. A response had been provided in response to each objection. The Police had also provided a response in relation to the statutory consultation which was fully detailed in the report.

The Committee then heard from Councillor L Maddison, one of the local councillors for the area. Councillor Maddison explained that the C95 Whitworth Road was narrow and had a number of sharp bends, overhanging trees, hedgerows and narrow footpaths which were in a poor condition. The area was a popular walking and cycling route with links to the Auckland Way and had a number of bridleways along its route. Whitworth Park Hotel also encouraged tourists to the area which would undoubtedly increase with the planned Pilgrim's Walk in 2020 and its association to Whitworth Church, also located on the busy road. The nearby new housing developments on Whitworth Park and beyond meant that there were a lot more cars, tourist buses, HGVs and pedestrians using the road as a link via Brancepeth to Durham and beyond.

Councillor Maddison explained that she had witnessed the volume of traffic on the road having stood for 12 minutes on a dangerous corner at Newtown. During this time Councillor Maddison had recorded at least 14 cars and four HGVs coming around the blind bend of the road (from Spennymoor) on the wrong side of the road. Councillor Maddison had taken photographs to substantiate her observations. She had conducted her survey on a mild, sunny day with perceived good road conditions. The nature of the road with several sharp bends would suggest that it would be difficult to travel at high speed. It was witnessed how dangerous it became with sharp breaking observed when HGV's and cars met at the Newtown bend meeting up with traffic coming from the opposite direction from Page Bank. The signs promised over two years ago to alert drivers to the nature of the dangerous bend and speed control had not, to this day, been installed.

Councillor Maddison was of the view that if the photographs on pages 26 and 27 of the report had been taken from a different angle it would have been clear to the

Committee that residents in Newtown had to make a quick judgement on the safety of entering or exiting their properties onto this road. The corner was completely blind. This road was dangerous and a speed limit of 30 mph between the Whitworth Park Estate, Newtown and Whitworth Hall would be more appropriate and acceptable for the road conditions and for safety.

The narrowness of the road made it extremely difficult for two HGVs to pass and more recently a HGV and bus became stuck on the Newtown bend; there was photographic evidence of this. Councillor Maddison highlighted that the photograph on page 21 of the report showed a vehicle in the middle of this narrow road.

There had been at least 13 recorded accidents in recent years around the bends at Newtown with overturned vehicles, some ploughing into residents' fences and walls, causing significant damage. There had also been the potential of life being endangered and serious injury. On one such occasion a wall that was demolished prevented a swerving car from going into a resident's living room. Hedgerows in the near vicinity still bore the aftereffects of damage due to vehicles careering into them having taken the bends too quickly. Some of the reported accidents involved written off of cars and property damage rather than personal injury meaning there were few accident statistics recorded by the police.

One resident had informed Councillor Maddison that she was on 'permanent standby' day and night to close off the road, at risk to her own safety, such were the number of accidents and overturned vehicles on the road through Newtown which had also necessitated call outs to all of the emergency services.

The County Council had a walking and cycling strategy and for this route in particular there were a number of bridleways including the Auckland Way and proposed Pilgrim's Walk. Walkers and cyclists regularly used the route and with the extra publicity the route was likely to become even more attractive to visitors unfamiliar with the area.

The photograph on page 26 of the presentation gave an example of the narrowness of the footpath due to undergrowth, overgrown hedges and overhanging tree branches. The condition of the paths were not good causing some walkers and moped users to use the road itself.

In conclusion Councillor Maddison wished for the Committee to:

- consider a 30 mph limit along Whitworth Road from the Whitworth Park School 20 mph limit up to Whitworth Church and Whitworth Hall Hotel;
- install the promised chevrons, dangerous bend and speed control signs as soon as possible at Newtown.
- cut back undergrowth and density of hedges and trees to allow safe walking; and

- defer a decision on a RTO for 40mph and consider a site visit before making any decision on a road traffic order along this road.

Councillor Maddison offered one final thought to the Committee of what price could be put on safety?

The Strategic Highways Manager informed the Committee that the maintenance issues referred to by Councillor Maddison should be addressed and the Council's Clean and Green Team could undertake works in the area regarding the reported matters of overgrown verges and trees. The collision rate was anecdotal and the reported accident rate did not indicate a high collision rate. The Police had remarked that poor driving behaviour and inappropriate speeds were the most common problems. The Strategic Highways Manager explained that the features outlined in the report, the 40mph speed limit, gateway feature, speed limit repeater signs would ensure better driving compliance overall.

The Committee then heard from an objector to the scheme. The objector explained that there had been around 12 incidents over a period of three years which had ranged from vehicles being embedded into hedges, overturned vehicles and displaced fences. Referring to an incident which occurred on Christmas Day in 2018. Residents had been witnessed rolling cars back onto their wheels. Residents were almost acting as the first emergency service at the scene of a crash, having to attempt to stop traffic on a blind bend to prevent further accidents. The road was dark, with no street lighting. All such factors combined, made for an extremely emotional and traumatic experience for all concerned. The objector was dismayed that both the County Council and Police had made suggestions that the collision data not recorded as being insignificant was incorrect. There had been 12-13 collisions whereby vehicles had been embedded into hedges. It was a dark road, with no street lighting and was an incredibly emotional and traumatic issue. People were living in fear of lives. For the police to say that the other accident data was insignificant was hugely insensitive and incorrect. Important data was going under the radar. All crimes were recorded so why were all collisions not?

Councillor Dunn commented that he was disappointed that residents were living in fear of their lives for a highways safety matter and was amazed that 'injury or fatal injury' only statistics were recorded by the Police and County Council. Councillor Dunn felt that non-injury related incidents should be recorded by both the Police and County Council. Councillor Dunn referred to a similar situation in the village he represented and explained that the reduction from a 60mph speed limit to a 40mph should be welcomed, but asked the Strategic Highways Manager what regulations were being referred to that prohibited the speed limit being reduced further, to a 30 mph limit.

In response the Strategic Highways Manager informed the Committee that all of the survey work undertaken was done so by experienced highways officers and the police and from the data available it was felt that a 30mph was not warranted. The

85th percentile speed was a speed at which 85% of traffic travelled along the road under free flow conditions, this figure stood at an average of 38mph.

The Strategic Traffic Manager referred to response number two to the objection whereby *“research had shown that the safest group of vehicles are travelling at or below the 85th to 90th percentiles. Above the 90th percentile we tend to find drivers exceeding safe limits and their accident risk increases as a consequence”*.

In the case of C95 Whitworth Road, the recent accidents that had occurred fit within the remaining 15% above the 85th percentile. This led to engineering recommendations that speed limits should normally be set at around the 85<sup>th</sup> and because of this, the recommended safe road speed for C95 Whitworth Road was 40mph hence the reason it had been proposed.

In response to a question from Councillor K Thompson, the Strategic Highways Manager informed the Committee that gateways, signage and chevron boards would all be part of the package and felt that the measures outlined together with the proposal was the correct engineering solution. The 40mph limit had been extended into Newtown and unfortunately, a 30mph limit would be unenforceable by the Police.

Councillor K Thompson felt that it was frustrating that unless someone had been seriously injured then the true reflection of incidents and the causes were not being used as part of the decision making process.

Councillor J Shuttleworth felt that the photographs provided by way of the presentation were misleading and referred to a historical speed limit change made at Brancepeth Village which did not meet Department for Transport guidance, but was still put in place.

The Strategic Highways Manager clarified to the Committee that in terms of accident records there had been two reported accidents, the most recent being Christmas Day 2018 and one further out of the area concerned near to the Burton Woods development in 2014.

Councillor J Considine queried if the Committee were minded to recommend refusal of the traffic regulation order, would the limit remain at 60mph.

The Legal Adviser confirmed that it was not possible for the Committee to suggest an alternative proposal of the introduction of 30mph limit, therefore the options available to them were to either accept the proposal for the 40mph speed limit, reject it or defer any decision to allow the Committee to visit the site.

Councillor J Turnbull explained that he had travelled the route 3-4 times per week for around 35 years and suggested that the whole road needed to be looked at. The route was now used heavily by Heavy Goods Vehicles, buses and an ever-

increasing number of cars. Councillor Turnbull felt that the road was simply not wide enough and it was not unusual to observe tyre marks in verges along the roadside, broken and bent fences from road traffic collisions. Councillor Turnbull also noted that there was a building prior to Newtown which taxis accessed and egressed on a regular basis with real difficulty.

The Strategic Highways Manager explained that the view from the Police was that they would support a 40mph limit along the entire length of road in question, however, they would not support 30mph due to the fact that 60% of vehicles travelling would be non-compliant meaning that the police couldn't enforce the speed limit or dedicate resources to do so, a view which was shared by Highways Officers.

Following further clarification by the Legal Advisor if the Committee were minded to refuse the recommendation, then the final decision would be made by the Corporate Director of Regeneration and Local Services as to whether the speed limit remained at 60mph through Newtown or amended to 40mph. The development at Burton Woods would continue to be implemented with the speed limit agreed by way of the planning condition.

Councillor Turnbull recommended that a decision be deferred to visit the site. Seconded by Councillor D Bell. Upon a vote being taken it was resolved

**Resolved**

That any decision relating to the matter be deferred and that arrangements be made for the Highways Committee to visit the site.