

## **DURHAM COUNTY COUNCIL**

At a Meeting of **Highways Committee** held in Committee Room 2, County Hall, Durham on **Tuesday 22 November 2011 at 10.00 am**

**Present:**

**Councillor G Bleasdale in the Chair.**

**Members of the Committee:**

Councillors J Robinson (Vice-Chairman), B Arthur, A Bainbridge, D Burn, N Foster, D Hancock, S Hugill, D Marshall, A Naylor, J Shiell, P Stradling, T Taylor, L Thomson, R Todd, E Tomlinson, J Turnbull, A Wright and R Young

**Apologies:**

Apologies for absence were received from Councillors J Maslin and C Woods

**1 Minutes of the meeting held on 1 November 2011**

The Minutes of the meeting held on 1 November 2011 were agreed as a correct record and signed by the Chairman.

**2 Declarations of interest, if any**

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

**3 Byway Applications in Weardale and Teesdale - Wildlife and Countryside Act 1981 Definitive Map Modification Order Applications**

The Committee considered a joint report of the Corporate Director, Regeneration and Economic Development and the Head of Legal and Democratic Services which sought the reconsideration of a decision to make a Definitive Map Modification Order to add a byway known as Hartop Lane to the Definitive Map and Statement of Public Rights of Way. The report also provided information on applications determined by the Highways Committee on 3 March 2011.

The Senior Rights of Way Officer informed the Committee that since the meeting of the Highways Committee held in March 2011, landowners for four of the six routes had sought an opinion from a leading Counsel. Landowners had been advised to consider issuing interim injunction proceedings to prevent the Council making the necessary orders. Following this development it was agreed that the County Council would not proceed to make the Orders until it had sought its own further advice.

The Committee were informed that advice obtained by the Council recommended the orders be progressed as agreed by the Committee on 3 March 2011, with the exception of Hartop Lane where the Inspector had not previously confirmed the Order for this route such that there is was longer an outstanding application to determine.

The Committee's attention was also drawn to the fact that the threat of an injunction was considered genuine, particularly as the same landowners have previously made applications to the High Court to quash earlier orders. To avoid any application for an interim injunction on an ex parte basis the Orders would not be made before 31 January 2012.

### **Resolved**

That the decision of the Highways Committee of 3 March 2011 to make an order to add a Public Byway to the Definitive Map and Statement of Public Rights of Way for Hartop Lane (Route 3) be withdrawn and that the information provided in terms of the other routes be noted.

## **4 Durham Gate - Speed restrictions and access restrictions**

The Committee considered a report of the Corporate Director, Regeneration and Economic Development which detailed objections received to a formal consultation on the proposed traffic regulation orders controlling speed limits and access restrictions at Durham Gate, Thinford.

The Committee were informed that the development at Durham Gate would generate demand for access from car drivers, public transport users, cyclists and pedestrians. It had been estimated that up to an additional 7,000 car trips per day, 525 pedestrians trips per day and 680 public transport trips per day could be made to the development in addition to the current traffic on the network. The associated increased traffic levels would result in Thinford roundabout being signalised and the central island and approaches reengineered. The Committee were shown a number of slides, detailed in the Appendices to the report, which showed the direction and flow of traffic together with the proposed traffic regulation orders.

The Committee noted the objections of Green Lane Residents Association who had worked with developers, officers of the Council, the Cabinet Portfolio holder and local member with regard to a number of concerns relating to the development. The Business Manager advised the Committee that the residents association had sought to restrict vehicular use of Green Lane by way of a suggested prohibition of entry, except for access, at the junction of Green Lane and Enterprise Way.

The residents association had also objected to the proposed 'No Entry' at Enterprise Way, the restrictions at York Hill Road and the amended speed limit on the grounds that the installation of a bus gate had been omitted from the final development proposals. The residents association had commented that there would be potential for 'rat running' through Green Lane to and from the development and had argued that the restriction on York Hill Road would divert traffic to Green Lane.

Durham Constabulary had objected to two elements of the proposed restrictions on the grounds of enforceability, those being the 'no entry' and the reduction in speed limit of the A167.

The Business Development Manager informed the Committee that the development would naturally see significantly increased activity in the area from vulnerable road users. Pedestrian activity would be accommodated at the signalised roundabout but there would also be increased demand for access to bus stops on the section of carriageway between Thinford and York Hill Road and to fast food outlets and bus stops south of Thinford roundabout for which there would be considerable additional use by pedestrians. The County Council had to safeguard pedestrian manoeuvres which meant that a 40 mph speed limit would be more appropriate.

Councillor Foster, local member and Cabinet Portfolio Holder for Regeneration and Economic Development together with the other local member, Councillor Graham had held joint meetings the local residents association and had provided assurance that the scheme would be kept under review at all times, particularly during the first six months, given the concerns that the group had expressed during the consultation process. The local members also hoped that responsible driving would slow down on a signalled approach.

**Resolved**

That the recommendations contained in the report be approved and that necessary measures be taken to review the operation of the scheme during the first six months and provide an update to the Highways Committee as appropriate.