

## Highways Committee

20 November 2017

**C10a Leadgate Road, Leadgate  
40mph Speed Limit**



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### **Report of Ian Thompson, Corporate Director Regeneration and Local Services**

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

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

- 1 To consider representations and objections received in respect of a proposed Traffic Regulation Order (TRO) to effect changes to speed limits on the C10a western approach to Leadgate and to make a recommendation to the Corporate Director of Regeneration and Local Services to guide the exercise of his delegated powers as to whether such TRO should be made.

#### **Background**

- 2 The C10a from the Villa Real roundabout at the intersection of Leadgate and Consett bypasses, was a narrow road linking the A691/A692 to the settlement of Leadgate. Part way along the road it passed over a narrow weak bridge crossing a disused railway line forming what is now part of the Coast to Coast (C2C) cycle route. The road was subject to a 30mph speed limit by virtue of it having a system of street lights.
- 3 The former 30mph speed limit was self-evident and self-enforcing due to the overall road layout and traffic signals which were operational over the bridge deck. The bridge was also subject of a weak bridge weight restriction.
- 4 Due to the deteriorating condition of the bridge, it was necessary to demolish the bridge and the road was subsequently regraded and realigned to remove the two tight bends which were either side of the bridge. As part of the new road scheme, a crossing and central island have been provided to facilitate users of the C2C cycle route.
- 5 Since re-opening in December 2016, the Police have received a significant number of complaints concerning speeding in the area which has resulted in periods of targeted Police enforcement. The general consensus from the Police and motorists is that the new road layout does not warrant the current 30mph speed limit which is reflected in the 32 complaints received between January and August 2017.
- 6 The 30mph speed limit is not considered to be 'self-evident' to drivers on the new road layout with its wide carriageway, the removal of the traffic signals and the lack of property frontage development. As such, drivers are confused

with the open aspect of the road layout and are proceeding to use the road as if it was subject to a higher speed limit. This higher speed is often carried far into the built-up area of Leadgate before the motorist becomes aware of the need to adjust their speed to the posted 30mph speed limit being typical of residential / commercial built-up areas.

- 7 Guidance from the Department for Transport (DfT) suggests that a speed limit which lacks credibility results in a significant proportion of motorists ignoring the limit and driving at higher speeds, which can often lead to greater risk taking. In addition, the imposition of non-credible lower limits can raise residents' expectations that the speeds of vehicles will be reduced. However, this is seldom achieved in practice. This creates annoyance for both residents and motorists and leads to unfair criticism of the police who have to enforce the speed limit.
- 8 Speed surveys have been undertaken by the Council on the road at two locations, 1) mid-way along the new road, and 2) near to the zebra crossing on Front Street as per the plan in Appendix 3, a summary of which is offered below:

<b>Criteria</b>	<b>Mid-way along new road</b>	<b>Near Zebra Crossing</b>	<b>Difference between the Sites</b>
85 <sup>th</sup> percentile speed	37.8mph	29.8mph	8mph
Mean average speed	33.2mph	25.9mph	7.3mph
Percentage of vehicles travelling above 30mph	76.97%	20.05%	56.92%
Percentage of vehicles travelling above 36mph, thus triggering Police intervention.	35.33%	4.29%	31.04%

- 9 In January 2017, Durham Constabulary made representation to the Council asking for a review of the speed limit on the new road layout. They believed the current 30mph speed limit was set unrealistically low and was not a credible speed limit, leading to a lack of driver compliance and suggesting a 40mph "buffer zone" should be considered to reduce traffic speeds on the new section of road.
- 10 A speed limit review has been completed jointly with Durham Constabulary in accordance with current best practice guidance produced by the Department for Transport (DfT), known as Circular 01/2013 – 'Setting Local Speed Limits'.
- 11 DfT circular 01/2013 states "speed limits should be evidence-led and self-explaining and seek 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.

- 12 Additionally, DfT Traffic Advisory Leaflet 01/04 advises on best 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 as having 20 or more houses fronting the road (preferably on both sides of the road). The section of road in question has no frontage property development.
- 13 Research and experience gained at other locations within the County has proven that the installation of speed limits which are credible with the environment through which the motorist is travelling results in improved driver compliance with the speed limit.
- 14 The review recommended the new section of road should be subject to the implementation of a 40mph speed limit. A 30mph speed limit would then be relocated to encompass the C2C crossing point and the zebra crossing and the commercial / residential Front Street area of Leadgate to help improve speed limit compliance.
- 15 The review also took into consideration the current 30mph speed limit around the A691 / A692 roundabouts and identified that the speed limit terminal points should ideally be relocated to more appropriate and prominent locations. This is in accordance with the DfT guidance and will help to remind motorists of the 30mph speed limit on the approaches to what would be the built-up areas with direct property frontage.
- 16 Consideration has been given towards leaving the current speed limit arrangement but this would not address the concerns raised by the local residents regarding speeding in the area and continued enforcement would prove to be resource intensive for the Police. Additionally, as per the DfT's guidance, and speed survey information, the current arrangement could be considered as being unfair to motorists who risk being prosecuted for transgressing the 30mph speed limit, when they are clearly perceiving the new road layout as being more appropriate for a higher speed limit.

## **Proposals**

- 17 Following considered discussions with Durham Constabulary, it is proposed to increase the speed limit on the new road layout from 30mph to 40mph, and to recommence the 30mph speed limit at a point near to the pedestrian refuge island which serves to accommodate the C2C cycle route crossing point. The introduction of a 30mph speed limit at this point leading into the settlement of Leadgate and being located in advance of both the C2C crossing point and the zebra crossing will be less confusing and much more likely to be observed by motorists.
- 18 The proposal for a 40mph speed limit will permit 'gateway features' to be created upon approaching the C2C crossing point / zebra crossing. Additionally, the introduction of a 40mph speed limit allows the Council to introduce 40mph "repeater" sign plates along the new section of road as a reminder to motorists, where otherwise in 30mph speed limit areas the use of repeater signs is not permitted when a system of street lighting is present.

- 19 The Council proposes to make a Traffic Regulation Order to introduce a 40mph speed limit on the C10a commencing prior to the A691 / A692 roundabouts, and to introduce a 30mph speed limit to encompass the C2C and zebra crossing facilities at the western end of Leadgate, as per the plan in Appendix 2.
- 20 The proposal would include the construction of a traffic island in advance of the C2C crossing where a gateway feature would be created at the transition point between the new 40mph speed limit and the new 30mph speed limit upon entering Leadgate.

## **Consultation**

- 21 On the 7<sup>th</sup> February 2017 a meeting was held with three of the four elected ward members, a representative from Durham Constabulary and Council Highway Engineers. During the meeting various issues were raised by the ward members and it was agreed that the issue concerning speeding on the C10a was not going to resolve itself and that the consultation exercise to amend the speed limit should commence.
- 22 An informal consultation on the proposals was undertaken between 28<sup>th</sup> March 2017 and 28<sup>th</sup> April 2017 to gauge the views of the residents.
- 23 As part of the consultation exercise, a detailed letter, plans and response cards were delivered to 75 properties along the route that would be directly affected by the proposal.
- 24 A total of 12 responses were received. Of the 12 responses, 5 were in favour of the proposals and 7 were against. A further letter was sent to those who were opposed, clarifying the issues that were raised, and none of these residents have made any further comments on the proposal and have effectively withdrawn their objection.
- 25 The statutory consultation as part of the legal Traffic Regulation Order making process was carried out between 17<sup>th</sup> August 2017 and the 7<sup>th</sup> September 2017, which included advertising the Traffic Regulation Order through the use of public notices on-site and in the local press.
- 26 The statutory consultation resulted in receipt of 1 formal objection (duplicated three times from the same household) from a household at Eden Vale Mews.
- 27 A further letter of objection from another household at Eden Vale Mews was dated and received one week after the advertised closure date and hasn't been accepted as an objection. However, it will be represented within this report.

## **Objections and Responses**

- 28 Objection 1

"I feel that an increase of speed limit would encourage drivers to speed along the whole section including Front Street as they do at present, also due to their been an unmanned zebra crossing at the end of the proposed speed limit I think it's an accident waiting to happen.

I feel that the speed limit should be limited to 20mph across the whole section from the Villa Real Roundabout and up through the village (Front Street) due to the primary school bring in close proximity, and the Sustrans cycle track running alongside, when trying to cross the road at the zebra crossing you take your life in your own hands as it is hit and miss whether the drivers stop in order for you to cross safely, this crossing should be changed to a pelican crossing if the proposal goes ahead.”

(The objector has also provided CCTV footage of a vehicle overtaking another vehicle on the zebra crossing).

*Response: When setting speed limits it is important to assess each road on its own characteristics, and it must give the motorists a clear impression as to why that particular speed limit is the most appropriate.*

*Research undertaken by the DfT 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.*

*It is not considered that the proposal will result in an increase in vehicle speeds as 77% of motorists already exceed the 30mph speed limit due to the lack of credibility of the existing posted 30mph speed limit.*

*Introducing a credible speed limit increases the likelihood of greater compliance. Speed surveys undertaken by the Council have shown that the majority of motorists are driving on this stretch of the C10a as if it is a 40mph speed limit.*

*The school crossing patrol which operated on the zebra crossing was disestablished on the 13<sup>th</sup> November 2015, and there are currently no plans to convert the existing zebra crossing into a light controlled crossing.*

*The CCTV footage shows a van overtaking a car approaching the zebra crossing. The Highway Code paragraph 191 states ‘you must not overtake the moving vehicle near the crossing or the vehicle which has stopped to give way to pedestrians’. Other than enforcement, there is little that can be done to prevent acts of careless driving, the provision of the additional traffic island may assist along with drivers being less frustrated by the current non-credible speed limit.*

*Durham County Council in February 2016 updated its policy on 20mph speed limits in line with the Department for Transport guidance, and mandatory 20mph speed limits can be summarised as;*

- *20 mph Speed Limits – These involve 20 mph traffic signs only. They are suitable for residential estate roads and side streets, where the nature of the road tends to result in naturally low average speeds of less than 24 mph.*
- *20 mph Speed Limit Zone - These involve 20 mph traffic signs plus traffic calming measures to ensure that the 20 mph limit is self-enforcing. In order that drivers are aware of the zones, traffic signs must be erected at every entrance/exit to the zone.*

*Unfortunately the C10a does not satisfy the above criteria for a mandatory 20mph speed limit and therefore this suggestion cannot be supported.*

**29** Representation 1 (objection received after closing date)

“Since the new road has opened, I have been in contact with the Police on regular occasions as drivers cannot stick to the 30mph never mind 40mph. To increase the limit would simply invite drivers to increase speed rather than cure the problem. The new road is constantly abused by drivers who have no concept of 30mph and this must be sorted out before thinking of altering the limit as proposed.

Also, the zebra crossing is a risk as I have been passed twice by vehicles going too fast to stop while using it, the money would be better spent providing a pelican crossing with lights, bearing in mind its main use is for the school.”

*Response: The majority of drivers adopt a speed at which they feel comfortable based upon the environment in which they are driving. The DfT advises that the speed limit should be set based upon the road environment and evidenced data. The proposal accords with this approach and also permits the introduction of a speed limit gateway approaching the C2C crossing point.*

*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 with the speed limit, and this will not necessarily result in vehicular speeds increasing.*

*The Committee may recall on the 21<sup>st</sup> November 2014 they endorsed a proposal to increase the speed limit from 30mph to 40mph on the A689 at the western end of Stanhope, this was also met with initial objections that increasing the speed limit would increase speed.*

*On the 8<sup>th</sup> October 2015 the Committee were provided with a progress update for the A689 at Stanhope which showed that the ‘Mean Average’ and the ‘85<sup>th</sup> Percentile’ speeds had decreased across all of the survey locations. Whilst accepting this speed limit is now set at 40mph, there has been a significant reduction in the percentage of vehicles travelling at speeds which contravene the posted speed limit. The need for Police intervention has also been reduced.*

*The response to Objection 1 provides comments on the issue of vehicles overtaking at the zebra crossing.*

### **Statutory Consultation Representations**

**30** The statutory consultation as part of the legal Traffic Regulation Order making process was carried out between 17<sup>th</sup> August 2017 and the 7<sup>th</sup> September 2017, which included advertising the proposed Traffic Regulation Order through the use of public notices on-site and in the local press.

- 31 Durham Constabulary who initially brought this matter to the Council's attention has offered their full support to the speed limit changes.

### **Local Member Consultation**

- 32 Local Ward Members Alan Shield, Watts Stelling, Alex Watson, and Owen Temple were initially consulted and a joint meeting with the Police held on 7<sup>th</sup> February (Cllr Stelling was unavailable). During the meeting various issues were raised by the Ward Members, but concluded that the issue concerning speeding on the C10a was not going to resolve itself and that the consultation exercise to amend the speed limits should be undertaken.

The Local Ward Members have since been formally consulted as part of the statutory consultation process, to which we have received two objections, and one suggestion.

- 33 Objection 2 – Councillor Owen Temple

“You will remember that I expressed reservations at the initial meeting, and similar reservations have since been expressed to me by residents of both Villa Real Bungalows and Newbell Court.”

*Response: An informal consultation on the proposals was undertaken with the residents of Villa Real Bungalows between 28<sup>th</sup> March 2017 and 28<sup>th</sup> April 2017 to gauge the initial views of the residents. Newbell Court did not form part of the initial consultation of 75 properties as it is not directly affected by the proposed speed limit changes.*

*The informal consultation as per paragraph 23 of this report which included the properties of Villa Real Bungalows resulted in 7 responses opposing the proposals for various reasons. The Council wrote back to the respondents providing comments on the issues which they were raising resulting in the withdrawal of the objections.*

- 34 Objection 3 – Councillor Alex Watson

“My objection is the 40 mph speed limit that embraces the roundabouts that they should be restricted to 30mph speed limit.”

*Response: Across the County and indeed nationally there are many roundabouts where the speed limit is in excess of 30mph, a number of which are on roads which are subject to the national speed limit, an example of roundabouts with a 40mph speed limit can be found on the A690/A691 between Gilesgate through Durham City past County Hall to the A167 at Sniperley. Notwithstanding the speed limit, roundabouts are designed to DfT standards and as such they are designed to introduce deflection to the path of a vehicle negotiating the roundabout. This deflection is designed to force drivers to reduce their speed to be able to negotiate the feature and thereby negating the need for a speed limit.*

*All motorists should drive to the prevailing conditions and although the proposal is to increase the speed limit from 30mph to 40mph, it should not result in motorists attempting to negotiate the roundabout at 40mph. The*

*change in speed limit does allow the positioning of terminal points at more appropriate locations correlating to the road environment, which accords with the DfT circular.*

**35** Suggestion 1 – Councillor Watts Stelling

“My suggestions is to leave the speed limits as they are and to install a vehicular activated sign as these slow vehicles down.”

*Response: The DfT recommends that vehicle activated signs should be considered only when there is an accident problem associated with excess speed that has not been satisfactorily remedied by other measures such as education, encouragement, engineering and enforcement.*

*The Transport Research Laboratory (TRL) research has shown that the effect of vehicular activated signs on vehicle speeds reduces as the ‘novelty’ effect wears off and drivers become complacent with their operation. The research has shown that this novelty factor lasted for a three-week period, after which time the speeds tendered to increase to pre-existing levels.*

*The use of the vehicular activated sign in this scenario is not considered to be a long term solution, especially at locations where a speed limit lacks credibility due to the road layout.*

**Recommendations and reasons**

**36** Under part 3A of the Council’s Constitution, the final decision on whether to make a TRO is delegated to the Corporate Director of Regeneration and Local Services, having regard guidance form the Committee.

**37** Accordingly, it is recommended that, having considered the objections and representations, the Committee recommend to the Corporate Director of Regeneration and Local Services that a Traffic Regulation Order be made to introduce a 40mph speed limit on the C10a commencing prior to the A691 / A692 roundabouts, and to introduce a 30mph speed limit to encompass the C2C and zebra crossing facilities at the western end of Leadgate, as per the plan in Appendix 2.

**38** The proposal will provide self-evident and self-enforcing speed limits and assist in addressing community concerns regarding vehicle speed.

**Background papers**

**39** Correspondence on Office File.

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## **Appendix 1: Implications**

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**Finance** – the Villa Real Bridge Re-alignment Project is funding this scheme

**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