

Your ref:

Our ref:

Contact:

Corporate Director – Business &
Environmental Services
County Hall
Northallerton
North Yorkshire, DL7 8AH

Date: 13 January 2017

Dear Mr Heath

Thomas Wallace (deceased)

I write in response to your Regulation 28: Report to Prevent Future Death, dated 22 December 2016, and following the inquest into the untimely death of Mr Thomas Wallace on 23 April 2016.

We have reviewed your report, and the matters of concern that you raised regarding:

1. The layout of the junction affords an extremely restricted view of traffic on the A682.
2. The solid wall running alongside the A682, contributes to the restricted view of traffic on the A682.
3. The signage on the A682 regarding the junction with the lane down to Knowles Cottages is very limited.
4. There is a staggered junction sign where there appears to be a cross roads.
5. The national speed limit signs placed immediately after the junction are visible in advance of being able to see the junction.

Our response to your concerns falls into two main parts: improving the visibility from the lane leading to Knowles Cottages and; the signage and road markings approaching and surrounding the junction.

.../continued

Mr J Heath
Assistant Coroner
Office of the Senior Coroner
21 Grammar School Lane
Northallerton
North Yorkshire
DL6 1DF

In answer to your specific concerns:

- 1. The layout of the junction affords an extremely restricted view of traffic on the A682 and:**
- 2. The solid wall running alongside the A682, contributes to the restricted view of traffic on the A682.**

A Fatal Collision Inspection was undertaken by the Traffic Engineering Team of North Yorkshire County Council (NYCC) following the death of Mr Wallace. This inspection identified that the poor visibility was a contributory factor in the collision. As a result, NYCC as Highway Authority committed to engage with the land owner with a view to holding an informal/advisory discussion with them on how to improve the access for their tenants. Subsequent to this report being completed and approved, it was discovered that while the cottages and access road are owned by a charitable trust, the surrounding land belongs to a private landowner.

NYCC have committed to work with the landowner to improve junction visibility. Since the collision, NYCC have contacted the landowner twice, but she has so far refused to engage with NYCC.

Since the inquest, and receipt of the Regulation 28 Report, NYCC have been working to consider the options for improving the visibility from the junction, if the landowner will not work with us voluntarily. As a result of these discussions it has been decided to write to the landowner one more time requesting that she work with us voluntarily, if not we plan to serve a notice under Section 79 of the Highways Act 1980, requiring the landowner to make improvements to the visibility of the junction, and this possibility will be made clear in the aforementioned letter. The costs of these works can be recovered by the landowner from the authority. These improvement works will address concerns 1 and 2 of your report.

- 3. The signage on the A682 regarding the junction with the lane down to Knowles Cottages is very limited.**

The County Council is of the opinion that the signage on approach to the junction of the A682 and the lane to Knowles Cottages is adequate, considering the location of the junction within a 30 mph speed limit, where side roads, are not usually signed. In response to previous concerns from the residents of Knowles Cottages extra signage and road markings have been provided in the form of the "Staggered Junction" signs (see concern 4 below), countdown markings and "SLOW" markings on approach to the 30mph limit. There are no appropriate signs specified in the Traffic Signs Regulations and General Directions 2016 to highlight the existence of the lane to Knowles Cottages beyond those that are already in place. We are though exploring whether some of the current signage and road markings should be reviewed on both approaches, to increase awareness and conspicuity of the junction to Knowles Cottages.

- 4. There is a staggered junction sign where there appears to be a cross roads.**

It is the view of the County Council that the "Staggered Junction" warning signs are appropriate. The signs are in place to warn of the junctions with the lane to Knowles Cottages to the north of the railway bridge, and that to Mill Farm, located to the south of the bridge. National guidance allows for staggered junction signs to be used where the distance between junctions are no

more than 120 metres, the distance in this case is 100 metres. We do not feel that it would be appropriate to replace the signage with a crossroads warning sign, as the access opposite that to Knowles Cottages is a gate into a farmer's field, not a road open to the public. As there is no legal signage to show a crossroads and another side road in close proximity, or vice versa, it is felt that the staggered junction warning sign is the safest and best legal option.

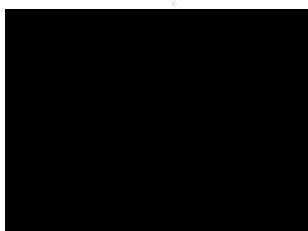
5. The national speed limit signs placed immediately after the junction are visible in advance of being able to see the junction.

We acknowledge that the national speed limit signs are visible prior to the junction coming into sight when travelling from Long Preston. The question of extending the 30mph limit further to the south has previously been considered by NYCC, following concerns from local residents. This extension does not however meet Department for Transport criteria, and would not be supported by the Police. This is because there is no development south of the junction with Knowles Cottages. The experience of the County Council from other examples of speed limit extensions such as this is that they have very little effect on motorists' speed and compliance with the limit, and if the council was to make the changes without police support, there would be little chance of robust enforcement. Nevertheless, NYCC will investigate whether any changes – such as the height of the signs – can be made to the sign assemblies, to make them less visible prior to the junction with Knowles Cottages.

In summary, the County Council is doing what it can to improve junction conspicuity within the constraints laid down in national guidance, and are looking to review the adequacy of the existing signage. In addition, we are actively pursuing all avenues, including the possibility for taking enforcement action in order to improve visibility at the Knowles Cottages junction.

I will ensure that you receive updates regarding the progress of the work that the County Council has committed to in the above letter.

Yours sincerely



Corporate Director – Business and Environmental Services