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Coroner's Officer  
HM Coroners' Court  
Phoenix Centre  
LC/p Stephen Shaw Way  
Heywood  
OL10 1LR  
28 July 2017

**Highways and Engineering**  
Traffic Section, Floor 1  
Henshaw House, Cheapside  
Oldham OL1 1NY  
Switchboard: 0161 770 3000  
Fax: 0161 770 3411  
Your Ref:  
Our Ref: GDS /710

Dear Ms Turner

**Re: REGULATION 28: REPORT TO PREVENT FUTURE DEATHS:  
Oldham Council's Responses to the Coroner's concerns:**

Thank you for your recent communication with regards to **Regulation 28** and the concerns you have raised following the fatal Road Traffic Collision on the A669 Middleton Road, Chadderton Oldham. Please be assured that Oldham Council takes Road Safety very seriously and is constantly committed to reducing the number of people killed or injured on its highways.

Since the start of the new millennium we have seen a steady improvement in Road Safety across the Borough for many categories of road user. This trend culminated in 2016 with the annual number of Road Traffic Collisions (RTC's) in Oldham falling to 229 which is an all-time low.

I am encouraged to point out that within this data there is evidence of significant reductions in the number of pedestrians injured on roads during the hours of darkness where there is an operational street lighting system. This is demonstrated in our recent Road Safety figures as summarised in the table below:

Year	Total Number RTC's	Number of Pedestrian Collisions in Oldham along roads with street lighting
2000	886	70
2005	717	51
2010	403	33
2015	273	15

It is also worth noting that both the road markings and carriageway were in excellent condition at the time of the collision.

With regards to your specific concerns I have responded to each one in turn, overleaf:

[www.unitypartnership.com](http://www.unitypartnership.com)

### **Concern 1**

***The evidence was that the size and position of the illuminated advertising board at the site of the collision obstructs pedestrians' view of the road and drivers' view of pedestrians. The concern is to ensure that road safety is fully considered when decisions are made about the size, position and location of illuminated advertising boards on public highways.***

The placement of advertising on the highway is controlled by "The Town and Country Planning (Control of Advertisements) (England) Regulations 2007"

Under the current Planning process, an Application for Advertisement Consent is required by Oldham to display a freestanding sign of the type under discussion. Oldham considers any such application against its visual appearance, impact on amenity and any detrimental influence it may have on highway (road) safety.

With regard to the impact of the particular advertising sign on Middleton Road, its location does not restrict visibility at the nearby junction of Milne Street, and is set far enough back from the kerb edge to allow vehicles to travel along Middleton Road safely. There are existing controlled pedestrian crossings nearby and I do not consider that the siting of the sign would adversely impact on pedestrians using these crossings

Incidentally, the existing sign is set back 500mm from the kerb edge to provide what is termed the "*dynamic envelope*" designed such that it is unlikely to be struck by wing mirrors or overhanging vehicles; consequently, this space also allows some intervisibility between pedestrians and drivers should a decision be made to cross at this point.

To restrict the level of visual contrast that occurs when the sign is illuminated whilst empty, under our current powers it would be impossible to control when an advert was removed and difficult to monitor whether the empty sign was illuminated or not. Planning conditions are not generally attached to control the continued illumination because of the difficulties that would be encountered in trying to enforce this.

However, in light of your findings, I feel it would be prudent for Oldham to attach a Condition to future applications that restricts illumination of the units when they are empty.

## **Concern 2**

***The overhanging tree canopies at the site of the collision compounded the visibility issues which led to his death. The evidence suggested that there is a nexus between a reduction in the tree lopping in the Greater Manchester area and an increase in road traffic collisions. The concern is that if this continues, it may lead to further fatalities.***

Oldham Council currently manages its Street Lighting network under a PFI Contract with the neighbouring Borough of Rochdale in what is termed the Community Lighting Partnership (CLP). Our Contract is with the CLP where the appointed Sub-Contractor E-on carries out all the day to day operations to align with the project's Output Specification.

The street lighting on the A669 Middleton Road (from its junction with A663 Broadway to B6048 Featherstall Road) has previously been assessed in relation to its lighting classification and associated compliance with British Standard 5489 -1: 2003. The conflict areas, including road junctions, the signalised pedestrian crossings near Melbourne Street and the Zebra crossing near to Victoria Street were all been included in the assessment.

In June 2017 a visual site survey was also carried out to check the siting of street lighting columns in relation to other street furniture and assets including trees. This operation identified that the lantern on column 47 was one that may suffer from excessive tree canopy foliage growth during the spring and summer months of the year. A copy of this Report is attached.

As part of the PFI agreement contract described above, the detrimental effect that overgrown tree canopies have on lanterns is monitored through a combination of routine maintenance and night time inspection regimes. Where trimming and pruning is required the work is programmed to be carried out as soon as reasonably practicable.

In light of the concerns that you have raised the Council will ensure the tree pruning program continues as efficiently as possible and is committed to reviewing the process and will implement practical improvements where appropriate.

However, the recent survey has confirmed that the lighting level along this section of the A669 Middleton Road is compliant with the British Standard. It is worth noting that the levels achieve ME 2 classification which is in fact a higher standard than is required for a road of this category; on roads such as this, a lighting classification of ME 3 would be acceptable. Furthermore, by positioning the street lighting columns at the main crossing points we are able to provide good negative contrast at key locations where conflicts occur.

I hope that the above information has helped to address the two concerns that you have raised.

Should you have any queries about this letter, the matter is being dealt with by my colleague  
| [REDACTED], who may be contacted on [REDACTED]  
[REDACTED]

Yours sincerely

[REDACTED]

[REDACTED]

Head of Highways and Engineering  
Unity partnership  
Direct line: 0161 770 3000

[REDACTED]

Doc Ref: