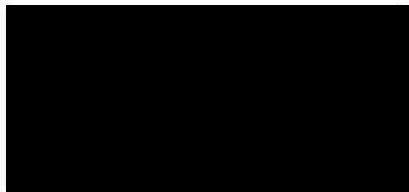


Contact:  
Direct Tel:  
email:  
Your ref:  
Our ref:



Mr Jeremy Chipperfield  
HM Senior Coroner for County Durham and Darlington  
HM Corners Office  
PO Box 282  
Bishop Auckland  
County Durham, DL14 4FY

21 January 2020

Dear Mr Chipperfield

**Re: Regulation 28 – Mr David Steward Moore (Inquest 27th November 2019)**

Thank you for your letter and Regulation 28 report dated 5<sup>th</sup> December 2019. This was a tragic accident and the Council wishes to express its sincere condolences to the family and friends of Mr Moore.

In accordance with Regulation 28 we have considered whether any improvements can be made to the section of A693 road to prevent future accidents.

**Site Investigation Following Fatal Accident Report**

The Council has an Accident Investigation and Prevention team and one of their roles is to investigate every fatal accident in conjunction with Durham Constabulary's Traffic Management Unit. Please find attached a copy of the report at Appendix 1. These reports are undertaken to help identify any defects or improvements to the highway infrastructure.

The report made the following observations / recommendations although it noted that they were not considered contributory factors in the accident.

No.	Observation / Recommendation	Action
1.	No warning sign is provided for westbound road users for the pedestrian crossing immediately east of the accident location. As this crossing appears similar to the crossing further west (for which signs are provided) the provision of warning signs should be considered.	An additional warning sign indicating that pedestrian may be crossing will be considered for introduction west of the accident location as part of future highway maintenance work.

**Regeneration and Local Services**

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2.	<p>The location of the existing pedestrian crossing should be assessed and, if still deemed appropriate, then dropped kerbs on the north side of the A693 should be provided to mirror those already in place on the south side.</p>	<p>The existing pedestrian crossing facility, which is located west of Park Nook Farm access road junction remains appropriately located. Dropped kerbs on the northern side of the carriageway will be provided to mirror those on the south side of the carriageway as part of future highway maintenance.</p>
3.	<p>The informal pedestrian route on the south side, which has been created through the trees to provide a more direct route to cross the A693, should be appropriately 'stopped up' to prevent pedestrians being led to an inappropriate location from where to cross.</p>	<p>The informal pedestrian route on the south side, appears to represent the desire route for pedestrians gaining access and egress from No Place and travelling west to East Stanley. The formalisation of the route or otherwise stopping up of it has been passed to Paul Watson, Highway Assets Manager for consideration.</p>
4.	<p>Given the A693 in this location is a wide single 2 + 1 lane carriageway (two lanes westbound &amp; one lane eastbound), guidance would suggest that simple priority junctions should not be provided on a road of this type without the appropriate turning facilities. The access road leading to Park Nook Farm is considered a simple junction and as turning facilities are not currently provided, measures should be considered in order to provide appropriate access.</p>	<p>The A693 Stanley to Chester-le-Street improvement scheme was constructed in the 1970s and would have been designed using the standards of the day, being "Roads In Rural Areas"; this has been superseded by the Design Manual for Roads and Bridges (DMRB). There is no requirement in DMRB for the provisions of DMRB to be retrofitted to roads not designed to the current day standards.</p> <p>There is no history of accidents occurring at this private (unadopted) access road which serves one farm, a number of agricultural fields and is also a bridleway.</p> <p>The provision of a Protected Right Turn (PRT) facility at this private access would require the entire removal of the climbing lane as the length from the roundabout to the PRT would be sub-standard. TD70 requires the desirable minimum length of overtaking lane to be 800 metres which may be relaxed to 600 metres – the introduction of a PRT would limit the length of the climbing lane to less than 500 metres. It should be noted that a PRT is not permitted on a 2+1 road within the length of overtaking lane.</p>

		<p>Should the climbing lane be removed, the width of road would need to be reduced by road markings to limit the possibility of motorists attempting overtakes; double white lines would only be permitted on one side of the hatching. This would still provide a large area of carriageway covered by hatching, over which it is possible to drive if a motorist considers it safe to do so. This increases the potential for some motorists to attempt overtakes by utilising this road space.</p> <p>The gradient of the road varies between approximately 1 in 14 and 1 in 10 therefore, the loss of the climbing lane could be significant given the volume of HGVs and other traffic using this road.</p> <p>It is considered that the removal of the climbing lane could lead to a greater risk taking resulting from motorists going for overtakes when not permitted, when they are faced with slow moving vehicles. Therefore, given the good previous accident history of this junction it is not considered practicable to change the current layout.</p>
5.	With reference to the previous point, the junction ahead warning sign provided for approaching road users appears small given the 60mph speed limit. If the junction is to remain to operate as it does currently, a larger sign should be provided.	The junction ahead warning sign provided for approaching road users will be considered for replacement with a larger sign as part of future highway maintenance work.
6.	The sign plates which are rotated on the same assembly (road narrows ahead & pedestrians crossing warning signs) should be rotated to face oncoming westbound traffic.	Information from the attached report (Appendix 1) relating to the sign plates which are rotated on the same assembly (road narrows ahead & pedestrians crossing warning signs) have been passed to Paul Anderson, Highway Inspection Manager for action.

All actions from the above have been progressed.

In responding to the 'Matters of Concern' that you raise we would comment as follows:

The A693 is a principal road through the County which is primarily rural in nature and follows the topography of the land through which it passes. The road bisects many Public Footpaths, Bridleways and footways linking communities. Along the route there are sections of the road which have systems of street lighting where there are areas of conflict such as at junctions and roundabouts. However, the street lighting does not cover all pedestrian or bridleway crossing points. The non-provision of street lighting along the route was considered and examined through a robust Risk Assessment process between 2013 and 2015, with this location being assessed in 2013.

An integral part of the assessment process is the consideration of the previous accident history along the section of road and the circumstances relating to any accidents which have occurred. There were no previous accidents over the 10 years prior to the assessment in 2013 relating to periods of darkness.

There are a significant number of locations across the road network in the County where there are footpaths crossing de-restricted roads without the provision of street lighting. Many of these locations are on roads where vehicle speeds can be at the higher levels and most do not have warning signage provided. Many also do not benefit from the ample visibility available at this location. From an analysis of accident records, there is not a trend of pedestrian accidents occurring at these locations during the hours of darkness.

The visibility available at the accident location far exceeds the minimum requirements indicated in the current Highway Design Standards. The Design Standards require 215m of forward visibility which is substantially more than the Stopping Distance given by Rule 126 of the Highway Code which is 73m for a 60mph (100kph) road. The minimum visibility for a pedestrian at this location differs depending upon the side of road they are stood, to the east this is greater than 300m and to the west greater than 400m. Given that a vehicle has right of way on a carriageway, this distance should be more than necessary for a pedestrian to view an approaching vehicle and decide whether or not to cross.

Having checked the accident database for the location of the accident subject to your inquest, we have noted that there have been no previous incidents involving pedestrians. The check was done for both daylight incidents and ones during the hours of darkness. This indicates that there is not a history of incidents at this location.

Design Standards and Regulations do not permit the introduction of a formalised crossing such as a Zebra or Puffin Crossing at this location. The Department for Transport advice indicating that such a crossing could be dangerous. It would not be practicable to introduce a subway at this location due to the topography. However, even the presence of a subway does not remove the possibility of an accident occurring. This is evidenced by a relatively recent incident a few miles east on this road, where a pedestrian chose to cross the road rather than use the subway which ran beneath his chosen crossing point.

Where there is an element of human interaction with the highway and its users, it is not practicable or possible to introduce engineering measures to ensure that an accident will not re-occur. Unfortunately, this may be due to any one or more of many indeterminate scenarios such as a poor decision made in judging and timing when it is safe to cross. Unlike most locations, this crossing point does benefit from warning signage to advise approaching motorists. These signs are manufactured from a highly reflective material which makes the sign face visible even if the vehicle is being operated on dipped-beam headlights.

Therefore, there is always a case of the individual being responsible for their actions, whether that is in the manner in which they drive or choice of opportunity to cross a road.

Whilst it was not considered appropriate to introduce a system of street lights or further engineering measures at this location, it was noted during the accident investigation that the size of the signage could be increased. An order for the replacement of the signs was subsequently made and they have since been changed.

Our condolences go to Mr Moore's family and friends on their tragic loss. I hope the above goes some way towards offering a considered response to your correspondence.

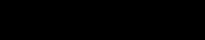
If you would like to discuss further please contact David Battensby, Traffic Asset Senior Engineer, on telephone number 03000 263681 or by email at [david.battensby@durham.gov.uk](mailto:david.battensby@durham.gov.uk)

Yours sincerely



**Corporate Director – Regeneration and Local Services**

Enc  
Appendix 1

Copies to  
 Strategic Highways Manager  
 Traffic Asset and Streetworks Manager  
 y, Traffic Asset Senior Engineer  
 Service Support Officer