



Mr Jeremy Chipperfield
Senior Coroner for County Durham and Darlington
HM Coroner's Office
Fourth Floor
Civic Centre
North Terrace
Crook DL15 9ES

By email
[Redacted]

3rd September 2024

Dear Mr Chipperfield

**Fatal Road Traffic Accident
Saturday 2nd December 2023 – Unclassified 11.3 – Butsfield Lane**

I write regarding the attached correspondence dated 3rd July 2024 relating to the unfortunate fatal accident which took place on the Unclassified Butsfield Lane in Consett, known locally as "Bogle Hole Lane", on 2nd December 2023.

The fatal accident investigation team identified six observations/recommendations. I can confirm following receipt of the fatal accident report council officers took the following actions regarding the observations/recommendations:

- Replace damaged black and white marker post – The post has been replaced;
- Check accuracy of gradient and if required change the existing sign with the "new" gradient – The gradient was checked between 2 known points 120m apart. It is accepted there are some isolated locations between the 2 points where the gradient exceeds 13% but the average gradient is 13%. No further action required/taken;
- Repair existing weight restriction sign – Work completed;
- Consider the provision of an additional salt bin – New additional salt bin provided;

Neighbourhoods and Climate Change



- Consider repairing void “off the carriageway” near to the accident location – Work completed; and
- Determine if the existing timber post and rail fencing surrounding the bridge parapet is sufficient - The bridge parapet (designed with a return) was assessed under IAN 97/07 Parapet Assessments as part of a Principal Bridge Inspection in 2017 and its condition at that time was deemed adequate for containment. As there has been no significant deterioration in the bridge condition these findings remain current. The existing timber post and rail fence is not part of the bridge structure and is in private ownership. No further action required/taken.

In terms of the council’s winter maintenance policy I can confirm.

Gritting Routes

The Council precautionary salts 45% of our highway network as part of our Priority 1 network, with a further 10% being treated in prolonged severe weather as part of our Priority 2 network. This is much higher than many other similar Highway Authorities and shows the Council’s commitment to provide the best winter maintenance service we can in line with available resources.

However, we need to ensure that these limited resources are used where they are most effective. Therefore, we concentrate our resources on strategic roads. Butsfield Lane is not a strategic road, and therefore, like many other rural / residential roads countywide it is not included in our priority treatment network.

Our Winter Service Plan explains the rationale for our priority treatment routes and this is available on our website as follows:

<http://www.durham.gov.uk/winterserviceplan>

Emergency Assistance

Our Winter Service Plan details how we can assist in the event of emergencies and prolonged severe weather.

In summary, routes not on the priority treatment routes will be cleared at the request of the Emergency Services as appropriate.

Prolonged Severe Weather

The public may request for routes not on the priority treatment routes to be cleared by contacting our Customer Services team by one of the following routes:

- Website: <https://doitonline.durham.gov.uk/>
- Telephone: 03000 260000

However, these requests can only be considered once the Priority 1 and Priority 2 routes are cleared and are prioritised subject to available resources.

Salt Bins

In addition to the gritting routes the council provides salt bins placed strategically across the highway network.

The assessment uses a salt bin scoring system for footways and carriageways which considers local factors such as gradients, highway usage, severity and frequency of bends, accident history, etc., in determining whether a request is justified.

As a Council we currently provide over 2,400 salt bins countywide, and we must target our resources where they are most needed and where they can have the greatest impact considering the local factors mentioned above.

Signage

Following receipt of the council's fatal accident report and the concerns highlighted in your report we have also investigated other potential safety features we could facilitate to improve safety on Butsfield Lane for example the introduction of additional signage. However, having reviewed and considered the advice provided in The Traffic Signs Regulations and General Directions 2016 there is not a sign, or combination of signs which would be suitable for this location.

The council takes its responsibility to ensure the highway network is maintained in a safe and serviceable condition all year round and especially during the winter period. This can be evidenced by the importance it places on its winter service. However, on this particular road, having reviewed all options we don't consider improvements to the network can be achieved practically and therefore whilst we accept the death of an individual as a result of weather conditions is a very emotive subject we have come to the very difficult conclusion that no further action is required on Butsfield Lane.

Yours sincerely

[Redacted Signature]

[Redacted Name]

Head of Highways

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[Redacted Name], Strategic Highways Manager