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Your ref: N/A
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Ms Karen L Dilks
HM Senior Coroner
Coroners Court
Civic Centre
Barras Bridge
Newcastle Upon Tyne
NE1 8PS

24 MAY 2016

23rd May 2016

Dear Ms Dilks

Steven Nicholson (Deceased) - Regulation 28 Report

Thank you for your letter and report dated 7th April 2016. This was a tragic accident and we wish to express our sincere condolences to Steven Nicholson's family and friends.

We have considered your report carefully and our response is as follows:

Absence of Street Lighting

The Council provides street lighting in accordance with our Street Lighting Policy which was approved by our Cabinet on 20th November 2013 following extensive public consultation. The majority of consultation responses were supportive of the updated policy. Please find link to the report:

<http://democracy.durham.gov.uk/ieListDocuments.aspx?CId=154&MId=7294&Ver=4>

The policy is aligned with British Standards and street lighting provision is based on Environmental Zones. This rural slip road falls under Environmental Zone E2 - Area of Low District Brightness. The policy states:

"On roads between villages and settlements in Zone E2 areas, lighting will only be provided where there is a known night-time road safety problem that cannot be controlled by other methods such as improvements to the carriageway delineation by reflective road studs, carriageway markings and improved signing."

The Inquest confirmed that highway flooding had occurred at this location although we were not aware of any issues prior to this incident.

Neighbourhood Services

Durham County Council, County Hall, Durham DH1 5UQ
Main Telephone (03000) 260 0000

In accordance with our Street Lighting Policy and best road safety practice we consider that measures to mitigate the risk of future flooding at this location are more appropriate and effective than the installation of street lighting which would only help to illuminate any remaining flooding issue in the hours of darkness.

Therefore, we are implementing a scheme to improve the highway drainage at this location by replacing the existing side entry gullies with more effective open top gullies. We expect the works to be complete by the end of July 2016.

Absence of Flood Warning Signs


The Inquest confirmed that highway flooding had occurred at this location although we were not aware of any issues prior to this incident. If we had received reports of flooding we would have deployed temporary flood warning signs in line with our standard procedures.

The investigations and works we have done since the incident to remove the blockages in the drainage system have significantly reduced the risk of flooding going forward. Nevertheless, I have arranged for temporary flood warning signs to be deployed until the above highway drainage improvement works are complete.

Flood warning signs are prescribed in the Department for Transport's traffic sign regulations for temporary use only to warn of occasional hazards. They should be retained only for so long as the hazard continues to exist or is expected to recur in the near future. There is no provision in the Department for Transport's traffic sign regulations, which we are obliged to follow, for the installation of permanent flood warning signs. Therefore we do not propose to install permanent flood warning signs.

I hope that this response reassures you that we have considered your report carefully and are taking appropriate action.

Yours sincerely




Head of Technical Services

cc , Strategic Highways Manager
, Highway Inspection & Maintenance Manager
, Highway Services Manager
, Corporate Director - Neighbourhood Services
, Litigation Manager