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Mr Andrew Tweddle LL.B
H.M. Senior Coroner
H.M. Coroners Office
PO Box 282
Bishop Auckland
County Durham
DL14 4FY

6 April 2017

Dear Mr Tweddle

**Coroners (Investigations) Regulations 2013 – Regulation 28
Mr Warren Michael Myers, Deceased**

Thank you for your letter and Regulation 28 report dated 9 February 2017 which Terry Collins, Chief Executive, has asked me to respond to. This was a tragic accident and the Council wishes to express its sincere condolences to the family and friends of Mr Myers.

In accordance with Regulation 28 we have considered whether any improvements can be made to our procedures to prevent future accidents.

I acknowledge that this response was due by 5 April and I apologise for the late response which was due to an oversight.

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 recommendations although it noted that they were not considered to be contributory factors to the accident:

No.	Recommendation	Action
1.	Provide suitable 'Bend ahead' warning signs in-line with the 85 th percentile speeds on approach to the bend in both directions of travel.	Both 'Bend Ahead' warning signs have been increased in size from 600mm high to 750mm high.
2.	The existing chevron plate for w/bound motorists has slipped down the post and is now not clearly visible	The chevron sign has been re-erected and is clearly visible.

Regeneration and Local Services

Durham County Council, Traffic Assets, County Hall, Durham. DH1 5UQ
e-mail: ns.traffic@durham.gov.uk

3.	The appropriately sized chevrons (including appropriate yellow backing) should be provided on the bend to benefit both directions of travel. Clear visibility of the signs should be provided.	The size of the yellow boarder on the chevron signs confirms to TSRGD 1994. The chevron sign is still functional and therefore no requirement to make changes until the chevron needs to be replaced.
4.	Due to the amount of kerb strikes, this bend may benefit from additional engineering measures to warn of the bend and reduce approach speeds in both directions of travel.	An additional chevron sign (TSRGD Diagram 515) has been erected for eastbound traffic, offset to the right of the dropped kerbs/track. Hazard Marker Posts (10 no.) have been installed around the outer radius of the bend at 5 metre spacing.

The photographs detailed below that were taken on 28 February 2017 shows the current road signs layout for eastbound traffic following the implementation of the above recommendations/actions.





Advisory Maximum Speed Sign

We have considered your recommendation of an 'advisory maximum speed sign' for the eastbound direction of travel.

The Council is required to follow the Department for Transport's traffic sign regulations which include the following maximum speed sign (diag. 513.2):



The regulations for this sign state:

"Maximum Speed Advised" is prescribed for use only in combination with the "Loose chippings" sign (Diag. 7009) or the bend warning signs (Diag. 512, 512.1, 512.2 or 513). The sign should be used sparingly, as in general it should be for drivers to judge what speed to adopt. It is not easy to determine a standard safe speed to negotiate a bend; factors which influence this include radius of curvature, camber/super elevation, road surface condition and type of vehicle. The sign may be used where the road layout is such that a driver might be misled, e.g. at an exit from a high-speed road where significant slowing is required before negotiating a sharp bend. It may also be used on high-speed roads where the horizontal design radius cannot be achieved, but a mandatory speed limit is not imposed. It must not be used with mandatory speed limit signs, nor in place of repeater signs."

The above criteria for a "Maximum Speed Advised" sign are not met at this location. However, the traffic sign regulations do include the following "Reduce Speed Now" sign as follows (diag. 511):



The regulations for this sign state:

"An alternative to diagram 513.2 where drivers tend to enter a bend at excessive speed, is to plate the bend warning sign with diagram 511 "Reduce Speed Now" signs."

The above criteria is met for this sign and therefore we will install a "Reduce Speed Now" sign plate below the existing eastbound combined 'bend to the right/horse warning' sign arrangement by the end of May 2017.

I hope the above actions reassure you that we have fully addressed all the recommendations made.

Yours sincerely


Head of Technical Services

Enc. Appendix 1: Site Investigation following Fatal Road Accident Report

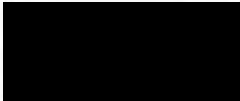
cc

 Corporate Director - Regeneration and Local Services
 Strategic Highways Manager
 Traffic Asset Manager
 Litigation Manager
 Traffic Management Officer, Durham Constabulary

**DURHAM COUNTY COUNCIL (REGENERATION & ECONOMIC DEVELOPMENT)
STRATEGIC TRAFFIC MANAGEMENT
SITE INVESTIGATION FOLLOWING FATAL ROAD ACCIDENT REPORT
M/T/S16/16
(relates to accident record no. M/T/R16/16)**

(CONFIDENTIAL)

INVESTIGATION BY



Durham County Council, Traffic Section.
Durham Constabulary.

Site visited 6th July 2016

ACCIDENT DETAILS

Date/Time

Wednesday 22nd June 2016, 20:49 hrs.

Weather/Conditions

Fine with a dry road surface and good visibility.

Location/Brief Details

Unclassified 42.3 Brusselton Lane, approximately 1200m north of the A68 junction.

Vehicles involved:

Vehicle 1 – Suzuki 850cc motor tricycle.

A group of 7 motorcycles have been travelling together northwards on Brusselton Lane when Vehicle 1 has approached a tight right hand bend, left the carriageway to the nearside and rolled over. The pillion passenger has suffered slight injuries and the rider has died.

Deceased:

49 year old male rider of Vehicle 1.

SITE DESCRIPTION

General

Brusselton Lane, at the accident location, is a single carriageway road subject to a derestricted (60mph) speed limit. The carriageway is approximately 6m wide and follows a general south to north road alignment (on the immediate approach to the right hand bend where the accident occurred).

On approach to the accident location, the western side of the carriageway is flanked by an approximately 1m wide grassed verge with an established hedgerow including small trees at the rear, beyond which are agricultural fields. On the eastern side, Brusselton Lane is again bordered by an approximately 1m wide

grassed verge, with an established hedgerow and small trees to the rear and agricultural fields beyond. A communications mast is located on the inside of the bend, immediately behind the hedgerow on the eastern side of Brusselton Lane.

The carriageway is naturally drained into the aforementioned verges on both sides of the road on approach, and, the inside of the bend at the actual accident site itself. The carriageway is kerbed on the western and then northern side (around the outside of the bend). There is no street lighting provision on this section of Brusselton Lane, however, the accident occurred during the hours of daylight.

Road Geometry

On approach to the accident location, heading northbound (direction of travel of Vehicle 1), the road initially follows a gentle downhill section as it negotiates a slight left hand curvature, before climbing up to the right hand bend where the accident occurred. Brusselton Lane then continues around the 90 degree right hand bend and follows a downhill gradient as it continues eastbound.

Aids to movement and safety

Diagram no's refer to Traffic Signs Regulations & General Directions 2016 (TSRGD)

Brusselton Lane, on the northbound approach to the accident location (direction of travel of Vehicle 1), is marked with a 100mm wide, 6000mm line and 3000mm gap warning line to Diag. 1004.1. This marking continues up to, and beyond, the accident site.

There is a 2800mm high SLOW marking to Diag. 1024 provided in the northbound carriageway on approach to the right hand bend, located approximately 120m south of the accident location. There is also a SLOW marking provided in the opposite direction to the bend, located in the westbound carriageway, at a point approximately 130m east of the accident site.

All road markings are in a reasonable condition.

Significant signs in the vicinity of the accident location consist of a 600mm high 'Right bend ahead' warning sign to Diag. 512 and a 750mm high 'Horses in the road' warning sign to Diag. 550.1. These signs are mounted together on one post and located in the western nearside verge at a point approximately 120m south of the accident location, adjacent to the aforementioned SLOW marking.

The exact same sign assembly (with a mirrored bend ahead direction) is present, in the southern nearside verge at a point approximately 130m east of the accident site. These signs are provided for motorists approaching the bend in the opposite direction.

There is a yellow backed Chevron plate to Diag. 515 provided in the north eastern verge, immediately before the accident location, for northbound motorists warning of the right hand bend. There is a mirrored version of the yellow backed Chevron plate provided for westbound motorists to warn of the left hand band. This sign is located next to the other Chevron sign and angled towards the opposite direction of travel.

Both Chevron plates are in reasonable condition, however, the yellow backing surround appears narrow in comparison to the size of the signs.

The 'Horses in the road' warning signs are in reasonable condition, however, the 'Bend ahead' warning signs are both in poor condition and appear faded or damaged (as shown to the right). The size of these signs would also appear to be too small, based on the anticipated 85th percentile approach speeds to the bend.



Visibility at junctions and bends

Visibility around the bend is obviously restricted due to its 90 degree nature, however, visibility of the bend on both approaches is adequate.

Road works and street works

None present.

Maintenance of highway drainage systems

There is no evidence of any failure of the highway drainage system.

Skidding resistance of the road surface

Generally, the road surface appeared to have an adequate surface texture throughout.

Containment systems (e.g. safety fences, guardrails, barriers)

None present.

The effect of adverse weather (e.g. flood, ice, snow, excessive heat)

No comment to make.

OBSERVATIONS / RECOMMENDATIONS

Although not considered contributory factors of this accident, it is suggested that Durham County Council Technical Services highway maintenance personnel address the following observations through the recommendations provided.

Observations:

- The aforementioned 'Bend ahead' warning signs appear too small for the approach speeds to the bend in both northbound and westbound directions.
- The existing chevron plate provided for westbound motorists (opposite direction of travel to Vehicle 1) has slipped down the posts and is now not clearly visible on approach – see photographs at the end of the report.
- The existing chevron plates to Diag. 515 include a yellow backing board provision to improve conspicuity, however, the yellow border appears to be

very narrow in relation to the sign size – see photographs at the end of the report. Chapter 7 'The Design of Traffic Signs' states that:

"14.19 In the case of the chevron sign shown in diagram 515, the width of the yellow area should not be less than half the horizontal width of the white chevron."

- The kerblines that delineate the outside of the right hand bend displays evidence of several 'kerb strikes' which suggests that this accident is not an isolated event – see photographs at the end of the report.

Recommendations:

- Provide suitable 'Bend ahead' warning signs in-line with the 85th percentile speeds on approach to the bend in both directions of travel.
- The appropriately sized chevrons (including appropriate yellow backing) should be provided on the bend to benefit both directions of travel. Clear visibility of the signs should be provided.
- Due to the amount of kerb strikes, this bend may benefit from additional engineering measures to warn of the bend and reduce approach speeds in both directions of travel.

Originated:

Approved:

Police Traffic Management Officer:

Plan showing the accident location



**Photograph approaching the accident location -
Northbound (Direction of travel of Vehicle 1)**



**Photograph approaching the accident location
in the opposite direction - Westbound**



Photograph showing the immediate approach to the accident location - looking north



Photograph showing Chevron plate that has slipped down posts - looking west



Photograph showing narrow yellow backing board to Chevron plate - looking north



Photographs showing numerous kerb strikes

