



ENVIRONMENT AND SUSTAINABILITY SCRUTINY COMMITTEE – 25TH OCTOBER 2022

**SUBJECT: NOTICE OF MOTION – RE-EVALUATE THE CABINET
DECISION OF THE 9TH FEBRUARY 2022 – B4251 YNYSDDU
TO WYLLIE HIGHWAY IMPROVEMENT**

**REPORT BY: CORPORATE DIRECTOR EDUCATION AND CORPORATE
SERVICES**

1. PURPOSE OF REPORT

- 1.1 The Environment and Sustainability Scrutiny Committee is asked to consider the Notice of Motion as set out in paragraph 5.1 of the report and make an appropriate recommendation to Cabinet. In accordance with Rule 11(3) of the Constitution.

2. SUMMARY

- 2.1 A Notice of Motion has been received from Councillors J. Reed and J. Jones and is supported by Councillors K. Etheridge, A. Farina-Childs, B Owen, and N. Dix.
- 2.2 The Notice of Motion meets the criteria set out in the Council's Constitution and in accordance with the Council's Rules of Procedure is now referred to the Environment and Sustainability Scrutiny Committee for consideration, prior to its consideration by Cabinet.

3. RECOMMENDATION

- 3.1 The Environment and Sustainability Scrutiny Committee are asked to consider the Notice of Motion as outlined in paragraph 5.1 and make an appropriate recommendation to Cabinet.

4. REASONS FOR THE RECOMMENDATION

- 4.1 In accordance with the Council's Constitution.

5. THE REPORT

- 5.1 **Notice of Motion**

Councillors J. Reed and J. Jones in their notice of motion request that the Cabinet decision taken in on the 9th February 2022 in relation to the B4251 Ynysddu to Wyllie Highway Improvement be re-evaluated for the reasons detailed below: -

1. The Amey Consulting Safety Report was dated 18/03/2020 and did not go to the Council's Cabinet for approval.
2. The Amey report did not recommend any fencing but the Cabinet Report in February 2022, did recommend a chain link fence.
3. The report by Amey suggested remedies but Cabinet seemed to focus on a chain link fence, which was not recommended, and other safety features were ignored.
4. Cabinet voted for a concrete chain link fence, but that decision was overruled, without going back to Cabinet to authorise a different type of fence to the one voted on.
5. The Amey report recommended a re-assessment of night lighting, but this was not done. It was not mentioned in the Cabinet report.
6. The Amey report recommended solid line central reservation marks not to overtake on bends. Again, not mentioned in the Cabinet Report and we believe this to be a safety issue.
7. We believe the accidents statistics need to look at all accidents as potential serious accidents.
8. We believe there are other roads within Caerphilly Borough who have VRS barriers, and we wish to make a direct comparison as this is not being consistent and rational.
9. We feel that consistent meaningful consultation did not take place with the community and stakeholders.
10. We request that an independent re-evaluation of the safety of the Wyllie Bends be undertaken to address the points listed above.

5.2 Officers have provided the following information in relation to the Notice of Motion: -

An independent safety report was commissioned and was undertaken by AMEY consulting for the section of highway between Ynysddu and Switchgear following the fatal accident in October 2019. All the report recommendations have been considered and implemented as necessary following a review of the report findings. It should be noted that these are technical details that are dealt with by the relevant qualified technical officers and managers within the Highway service on a day to day basis.

The safety report recommended a number of interventions. All recommendations from the safety report were considered and implemented where necessary and the resultant actions are listed below:

- **Carriageway surface** – Generally in good condition. Two areas of depressions noted and **resurfacing works were undertaken in Sept 2020 to rectify these as recommended.**

- **Kerbing** – Varying upstands but the majority were in good condition. Some unevenness noted but kerbs still aligned which still delineate the edge of carriageway so is not considered a hazard. Some vegetation clearance was also required on a small 25m section **this was completed at that time**.
- **Road markings** – Gateway features, central hatching and bus stop markings were all in good condition and well maintained.
- **Road studs** – Installed throughout the national speed limit area were all in good condition. It was noted two number were missing **which were replaced following receipt of the safety report**.
- **Signage** - There are various road traffic signs throughout the study area. All signs and reflective bollards were in good condition. Routine cleaning and vegetation clearance was recommended. **This clearance was undertaken while additional recommended signage was installed in 2020 as recommended by the report**.
- **Street lighting** – Street lights were upgraded to LED's in 2019 and were all in good condition. This road has been subject to part night lighting between the hours of midnight and 5.30am since 2010. A review of the street lighting was suggested within the report. **An officer review was undertaken and as the speed limit was proposed to be reduced to 40mph as recommended within the report any alteration to the street lighting part night lighting regime was not deemed necessary. This road is similar to many other roads within the borough where part night lighting has operated since 2010.**
- **Carriageway falls and drainage** – As an existing aged road, drainage is likely to be substandard when compared to new guidance. However, a drainage survey was conducted on a wet day with intermittent rainfall during which the drainage appeared to be working as intended. There were several instances of minor ponding against the kerb line, but no major areas extending across the running lanes. Two gullies appeared to be blocked and **routine maintenance addressed these concerns at that time**.
- **Bus stops** – Bus stops are located at the most appropriate locations along the road length, however, there are some issues whereby cars have to overtake stationary buses if they stop for passengers. **The reduction of the speed limit to 40mph has reduced the risk associated with this activity and it is no different to the multitude of other bus stops around the borough and country.**
- **Existing safety fence (VRS)** – There is approximately 20m of safety fence on the south bound approach to the river bridge. The end terminal does not comply with current standards. **As the speed of the road was reduced to 40mph the end terminal requirement meets the required standards for a road with this speed limit.**

In addition to the above a chain link boundary fence was also installed following consultation undertaken by senior officers with the local members along with the family of the female who unfortunately passed away. Due to a material supply issues

an officer delegated decision was taken in consultation with the Cabinet Member to change the posts from concrete to metal. This change was in line with highway design standards and is an approved material for such highway boundary fences. The safety report also made reference to a review of street lighting should the speed limit remain unchanged. The speed limit was reduced to 40mph as recommended within the report. Given the decision to reduce the speed limit to 40mph there was further discussion at senior officer level on whether permanent street lighting should be considered, however, this was not supported as a review of police accident reports did not identify that the lack of street lighting had any direct influence on the accidents that have occurred on this road. Most of the accidents have occurred either during daylight hours or whilst the street lighting has been switched on. Highway design standards do not specify the need for streetlighting on 40 mph roads.

In terms of the categorisation and reporting of accidents, all personal injury accident reports are received via the police. The categorisation of accidents is not a CCBC protocol but is instead a national standard that the authority cannot change. Between 2014 and the undertaking of the safety review (March 2020) there had been 9 reportable accidents on this section of highway which is in excess of one mile in length. All details of previous reportable accidents were made available to the safety consultant. There were no cluster sites on this stretch of road that were identified as the accidents on this road have occurred at various sections of the highway and at various times of day and night (mainly during daylight or street lighting operational hours). There appears to be no correlation between the accidents that have occurred on this section of highway.

The road also has a central hatched area, which serves to deter overtaking, increase separation of opposing traffic flows and reduce lane widths. This is a standard highway specification detail and considered appropriate for this section of highway. Every road within Caerphilly is different and constructed at different times when highway standards were possibly not in place. The safety report stated that:

“The stretch of road within the study area is a well-established route, it is not expected to conform to current standards. Motorists are obligated to “take the road as they find it”, which means they should drive at an appropriate speed for the conditions. However, motorists may differ significantly in their interpretation of the conditions”.

Following review of the safety report the most beneficial intervention identified was to reduce the speed limit of the road to 40mph as recommended by the safety consultant. Comparisons to other roads are not meaningful as each has its own unique characteristics that need consideration. The authority also has a Vehicle Restraint Policy which is used to determine if a Vehicle Restraint System (VRS) is required. The Provision of Road Restraint Systems on Local Authority Roads (PRRSLA) offers appropriate guidance to Local Authorities on the provision of Road Restraint Systems and this did not recommend a VRS as it only scored as a medium priority as detailed within the cabinet report.

The safety report further highlights that:

“In the PRRSLA guidance the installation of VRS can itself cause a hazard; this is because it is designed and tested to be impacted at a certain angle at a certain speed. The use on particularly tight radii can cause the impact angle to be far too steep which will then become a hazard in itself to the occupier of an errant vehicle.”

This is a very relevant comment as this road comprises a number of tight radii bends. It is clear from the safety report that the most beneficial intervention was to reduce the speed to 40mph. This was actioned in 2020 along with the other interventions highlighted above as recommended by the independent safety report.

6. ASSUMPTIONS

- 6.1 As a notice of motion is a procedural matter and must be dealt with in accordance with Council's Constitution, no assumptions have been made.

7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT

- 7.1 This report does not require an Integrated Impact Assessment as it relates to a procedural matter under the Council's Constitution.
- 7.2 The procedural rules regarding a Notice of Motion are contained within Council's Constitution as adopted in May 2002. The Council's Constitution sets out the framework for the decision-making roles and responsibilities.
- 7.3 However the outcome of the Notice of Motion and any subsequent reports arising from it may require an Integrated Impact Assessment.

8. FINANCIAL IMPLICATIONS

- 8.1 There are no financial implications associated with this report.

9. PERSONNEL IMPLICATIONS

- 9.1 There are no personnel implications associated with this report.

10. CONSULTATIONS

- 10.1 There has been no consultation undertaken.

11. STATUTORY POWER

- 11.1 Local Government Act 2000

Author: Emma Sullivan (Senior Committee Services Officer)

Appendices: Appendix 1 Signed copy of Notice of Motion.