

# West Bank Winster



**An accident  
waiting to happen?**

## **West Bank, Winster**

Is a steep and in places narrow hill with no footpaths and, often, a number of parked vehicles. It has an average gradient of 1:6 but in places is steeper than that.

This hill is plagued by heavy vehicles, often using it as a shortcut to or from Darley Dale to save the trouble of following the correct route via Pickory Corner/A6. As a result there have been a number of incidents where property and vehicles have been damaged by HGVs and where considerable disruption has been caused.

Residents have been calling for action to reduce this menace since at least 1988. A 3 ton weight restriction was placed on West bank in 1973 and updated in 1988. These were largely ignored by vehicles. Subsequently both the police and Derbyshire County Council decided the 3 ton limit was "unenforceable".

*"The normal means of addressing this problem is by means of a 7.5 tonne restriction (except for access). 3.5 tonne gross weight restrictions are extremely rare (I am not aware of any similar restriction in the county) and would require special dispensation from the Department for Transport."*

*D Skinner, Derbyshire Constabulary. 13 Dec 2006*

*"The dilemma is however that the existing 3 tonne limits are, I can assure you, unenforceable and local heavy goods vehicle drivers obviously know about this and will continue to abuse the restriction until an enforceable limit is provided."*

*Simon Tranter, DCC, 25 May 2006*

A proper weight restriction of 3.5t was established for West Bank by DCC in July 2008. This is enforceable. However, the road signs concerned are not easily seen by drivers at either end of West Bank. To date no prosecutions have resulted from any of the above measures.

Currently, when an HGV can be reported, the data is sent to Trading Standards whose remit is to send the offender notification that they have contravened the Restriction Order. It is not known how many such notifications have been sent, and only occasionally is there feedback which indicates a driver or company has taken notice. Again, there do not seem to have been any prosecutions.

The data table below shows details of reports actually made to Bakewell Police. NOTE: The numbers recorded only amount to about 1 in every 6 or 8 vehicles actually contravening the Restriction.

On that basis of the average 90 or so vehicles reported there will have been between 500 and 600 HGVs during a year breaking the law.

Another problem is that of non-GB drivers (especially Poland/Bulgaria etc) relying on Sat-Nav. These huge vehicles cause major problems and considerable safety hazards. They are not recorded in the table below due to the problems associated with making any enforcement/insurance claim. However, these foreign HGVs account for approximately another 10% of the HGVs noted above.

Traffic Data			West Bank, Winster. + Main St, Winster										
2010			2011			2012			2013				
	uphill	down	Main St 7.5t+	up	down	Main St 7.5t+	uphill	down	Main St 7.5t+	uphill	down	Main St 7.5t+	
JAN				8	1	2		2	1		4	3	
FEB				3	1	1		6			4	3	1
MARCH				4	1	5	4	4	2		1	2	1
APRIL				6	4	1	5	6					
MAY				6	2		6	3					
JUNE				10	3	2	1	2					
JULY				4	5		3	3					
AUGUST	2			6	4	2	2	3	1				
SEPT	4	2	2	5	3	4	6	7	2				
OCT		4	3	2	6	3	4	3					
NOV	2	2		5	4	2	6	3	2				
DEC	1	4		1	3		4	1	1				
TOTALS	9	12	5	60	37	22	41	43	9	0	9	8	2
Total													
West Bank	21			97			84			17			

The area concerned

**Restrictions:**  
Maximum Permissible Weight

Darley Bridge - Junction with B5056 : 7.5t

Winster (West Bank and East Bank) - 3.5t

"Maximum Permissible Weight is the maximum weight of the vehicle that may be used on the road..." (Dept Transport)

Authorized route for HGV's

2.5t gross weight limit

3.5t Maximum permissible weight

Missed the road sign?

Missed the sign?

3.5t max permissible weight on both East Bank and West Bank

**WINSTER**

Missed all these signs?

4ft x 3ft sign shows alternative route. TWO 7.5t signs show first restriction



How would YOU like this? (Pictures randomly selected)



West Bank  
Winster

1.4.09



1.7.09



6.8.07



West Bank  
Winster

8.7.10



11.2.12



12.7.11

# West Bank, Winster



13.3.09



13.3.12



13.3.12



13.3.12



13.3.12



13.3.12

West Bank, Winster



15.12.06



24.1.13



25.6.09



26.6.10



27.8.09



14.10.09



30.01.13



West Bank  
Winster

5.3.13



6.3.13



West Bank  
Winster

Damage caused 15.3.12



West Bank House  
24.4.12

We have the distinction of having been the victims of 3 road traffic incidents in the past 2 1/2 years:-

- 1) One section of front boundary wall & gatepost: required complete rebuild as a result of van impact one icy December evening in 2010. No details of vehicle so claimed on my insurance - loss or £100 excess
- 2) Other section of front boundary wall & gatepost: still awaiting complete rebuild following impact from French- registered artic in summer of 2012. Not possible to pursue claim against French owners. Claimed on my insurance - another £100 excess
- 3) January 2013 impact by car skidding on ice with Susan's car parked on our forecourt. Still awaiting repair, but not at our expense on this occasion!

The total cost of these 3 insurance claims is pver £4000. I am not sure, but I think our buildings insurance premium has been increased due to these claims.

(John & Sue Mills)

## True grit?

Another aspect of safety on West Bank is the current lack of gritting. In the last few years this difficult road has been reduced in priority from primary to secondary route. This in turn has made it even more dangerous in difficult winter conditions and resulted in a series of accidents to which the police have had to be called and (eventually) the gritting lorries.

In each of the last three winters there have been serious accidents resulting in not only damaged or written-off parked cars but in damage to property and at least two lamp posts. On at least two occasions the only recourse was to dial 999 and ask the Police to close West Bank because of the severe danger. (On both these occasions the requests were passed on to DCC who turned out several hours too late).

The Main St in Winster is a priority route (it is a bus route). Why, then, cannot West Bank be added to this route so that it can be gritted at the same time (and more often)?

The additional cost of doing this is negligible when taking into account the cost of (at least two) policemen, the cost of sending out a Highways Team with signs, the (very large) cost to insurers and the personal cost and stress both to the drivers involved and local residents who turn out to help them.

Before the change in gritting priority (ie for more than 20 years) there was rarely a winter accident on West Bank. Now there is at least one every season. Local residents made these points to the DCC 'consultation' website but were clearly ignored.

Without a clear change in policy on gritting this difficult hill there will continue to be accidents – some minor and some very serious. If for any reason an HGV had decided to short-cut in such conditions the results would have undoubtedly been tragic.

Given the current circumstances

It is not a question of **if** a tragedy will happen but **when**.

### Some weather data

2007	19 Nov	3" snow	2010	2 Dec	3" snow
2008	16-20 Feb	-6C to -3C		3 Dec	2" snow
	23 March	1" snow	2012	5 Feb	-2.5C 4.5" snow
	30-31 Dec	-5C		12-13 Dec	-6.5> -7C
2009	5-6 Jan	-6.3 - -5.7	2013	13 Jan	4" snow -4C
	2 Feb	4" snow		21 Jan	3" snow -2C
	8 Feb	2" snow		26 Jan	5" snow -3C
	19 – 31 Dec	-6C to -3C		11 Feb	3.5" snow
2010	2 Jan	4" snow		14 Feb	3" snow -2C
	5 Jan	6"+ snow			
	10 Jan	2" snow			
	21 Feb	4" snow			
	27 Nov	-2C 1" snow			
	28 Nov	-9.5C			
	30 Nov	2" snow			
	1 Dec	14" snow			



**West Bank  
Winster  
11.1.10**

2" snow overnight. -2C



Hill not gritted and thus near-solid ice.  
6 accidents in one day between approx 0830 and 1930

At least 3 cars written off  
1 lamp post felled.



999 called approx 1700  
but road not closed  
(by DCC) until 2000

Road remained closed  
for several days as  
vehicles across the  
carriageway could not  
be recovered.



**West Bank  
Winster  
18.1.13**

2" snow overnight -2.5C  
(4" snow next day, -2C)

0700hrs  
Hill not gritted.  
Silver vehicle below was  
hit by black Corsa and  
shunted across the road.

Later the same day a  
Subaru 4wd hit the  
lamp post causing itself  
considerable damage.



26.1.13  
1100 hrs

5" snow overnight  
-1C

## West Bank, Winsters Solutions?



**Driver's view approaching West Bank from Grange Mill (B5056)**  
Left hand 7.5t sign wrong angle. Blue sign shows wrong  
Weight limit and is ignored anyway.

**What a driver sees approaching from Darley Dale.**  
The 3.5t sign is hardly visible and facing the wrong way.





## West Bank, Winster

Driver's view having ignored first set of signs.

3.5t sign can be partially obscured by telephone pole and is probably too low. In summer this sign is frequently obscured by overgrowth from trees and grass.

West Bank is a difficult traffic problem without an easy solution. Recorded data shows very little distinction between HGVs travelling up and down this hill, although there may be slightly more heavy vehicles travelling down. More problems are caused by non-GB lorries relying on Sat-Nav and ignoring the current road signs (above).

This does not alter the probability that there will be a serious accident (either in snow or not) in the future caused by a heavy vehicle breaking the law. Do local residents have to wait until a serious accident – or even a fatality – occurs before a workable solution is found?

## What to do?

As can be seen clearly from the pictures above there are already built-in problems on West Bank which actually make it easier for HGV drivers to break the Weight Restriction Order.

### Main Street turning uphill.

Most HGV's approach from Darley Dale (having first ignored the new warning sign near the Cricket Ground and two 7.5t restriction signs at the bottom of Eversleigh Rise). The (new) 3.5t sign here was originally placed at right-angles to the road. It took 18 months to get it even slightly turned towards oncoming traffic. This sign is badly placed, can hardly be seen by a driver approaching from the Main St, and is most likely inadequate anyway. There are no records of drivers approaching from Elton as most of them are short-cutting to/from Darley Dale.

### Bank Top turning downhill.

The large blue sign is not effective (it anyway shows the wrong weight limit) and is largely ignored by HGVs, as are the two 7.5t restriction signs.

By the time a large vehicle has committed to (illegal) passage down West Bank the key 3.5t restriction sign on the left is partially obscured by a telephone pole. The right hand sign refers anyway to East Bank. In summer the low left hand sign is frequently obscured by trees and undergrowth.

Once a driver has committed to descending West Bank he/she is reluctant to stop and turn round (near-impossible anyway with a 40 ft artic). The vehicle then descends the hill and more often than not faces a) and even steeper gradient and b) parked vehicles. It is not unknown for very large vehicles to have to reverse all the way back.

If the vehicle does manage to find its way to the bottom of the hill there are invariably severe problems with it trying to turn right onto Main St and consequent chaos as it passes along that road. (By now breaking the 7.5t restriction as well!)

### Immediate solutions, top and bottom of West Bank.

Re-site the 3.5t signs properly to give drivers no excuse.

Possibly add additional warning notice similar to new sign at Darley Dale cricket ground.



Examples of signs in use to prevent similar problems. (Not all GB).

## Additional measures

Bank Top is one of the worst places as HGV's simply turn off the B5056 without any thought. There thus needs to be a physical device which both slows/stops these vehicles and provides clear information that their passage is not desirable. Eg some form of chicane.



This particular version shows a sharp 'S' bend together with weight restriction and width restriction signs. It would not be difficult to construct at the junction with B5056 and would still allow passage of light vehicles and emergency crews. A device such as this would not, however, be as effective at the junction with Main St.

## Other possibilities

### CCTV

This can be established on one of several properties and the results (reg no, time, date, photo etc) transmitted to Bakewell Police in the same way as is now done. It is not impossible for such a device to be operated by local residents.

A useful device with two cameras and a recorder can be purchased for around £200.

Whilst this method would improve reporting it would not prevent HGVs breaking the law.



## Winter snow gates.

Are common in dangerous areas (eg Scotland, Snake Pass etc). Properly sited at Bank Top (and with warning signs) such a device would prevent accidents on West Bank. One or more local residents could possibly be deputed to close/open a snow gate. If DCC are not going to provide reasonable gritting services such a device is desirable.

In winter the biggest danger is from vehicles descending the hill and running out of control.

Ordinary 'Road Closed' signs/cones are useless as they are invariably circumnavigated or removed by drivers who think they know better, and do not provide advance warning.



## Speed humps top and bottom.

Might slow down a few boy racers but useless to HGVs.

## One-way system

Would always be the wrong way for half the residents and if turned round the wrong way for the other half. It is not easy reversing into a parking space on a 1:6 hill.



If all else fails in winter.

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## Appendix

Insp A Howard  
Bakewell Police Station  
Bakewell  
Derbyshire  
DE45

12.12.97

Dear Sir,

### **West Bank, Winster, 3t restriction.**

You will no doubt be in receipt of a letter from the Clerk to Winster Parish Council [dated 8.12.97] concerning the above, in it he expresses concern that the Council has yet to receive a reply to enquiries concerning load violations on this road.

Since May of this year I have supplied details of over 145 load violations. These first went to the Parish Council (who would have passed them on) and later via Brian Long who liased directly with Mr D Mote.

In October I produced a survey of the most likely times and days to observe such violations (copy enclosed) copies of which were passed on to both the Parish Council and the Police.

In the last eight months I have not heard of a single action taken by the police to counter the increasing problems of heavy vehicles on this road. The only evidence I have seen at all of police action is a short visit by a police car

at the wrong time of day on the wrong day of the week -despite being handed evidence of the most favourable conditions.

Whilst I appreciate that the police are overworked and underfunded in this area I would ask you in turn to appreciate that the continuous breaking of traffic laws on West Bank is a danger to persons and property. I am not interested in the sort of public relations rubbish usually dispensed to angry residents - that is not effective, I am only interested in positive action by the authority concerned with upholding British Law, the police. Many of the registration numbers reported over and over again are local offenders (particularly farmers) and yet they happily continue to break the law knowing that the local police take little or no action against them. This situation makes residents angry and the police look foolish.

If you want to continue looking foolish by all means carry on in the same old way.

Yours faithfully,

XXXXXXXXXX

c.c. Parish Council P McLoughlin MP and others

Patrick McLoughlin MP House of Commons London W1A 0AA

9.11.98

Your ref:PM/LM/DRH

Dear Sir,

**Traffic Restrictions: West Bank, Winster**

I am in receipt of your letter of 6<sup>th</sup> November and its enclosure. I am not at all satisfied with the results.

The enclosed letter from Ch Supt Muldoon is both confusing and confused. Indeed, to one of a less charitable disposition it might be seen as an attempt at obfuscation.

Ms Muldoon says in her first para: "*Inspector Howard... has re-examined the [3t] signs at both East Bank and West Bank, Winster, and found they are subject to both 3 tonnes unladen weight and also 7 1/2 tonnes unladen weight signs.*" It would seem Inspector Howard is also confused as there are no 7 1/2 t signs on either of the two roads mentioned above.

It is a matter of simple logic that if these roads mentioned above are subject to BOTH restrictions then the lower one must still exist and thus be the one in force on these roads. QED.

Ms Muldoon is quite wrong in stating that the weight restrictions are "unladen weight" for it is clearly shown in the [various] orders made by Derbyshire County Council that: "*no person shall cause any vehicle the gross weight of which exceeds...*"

In her third para Ms Muldoon states that "*the 3 tonnes signs are no longer enforceable*" and later "*the weight restriction was increased several years ago but the obsolete signs were not removed*". She appears completely to have disregarded the information she herself has reported in her first paragraph! If this is the case - and I note that no date is given for the change in the restrictions - then why were the signs not removed? "Several years ago" is not good enough. Was it 2,3 4,5 or 10 years ago? And on what date? Is Ms Muldoon so unsure of her facts that she is unable to give the correct information? So much for the fuzzy logic. Now for the facts as far as can be ascertained at this stage.

1. Both East Bank and West Bank, Winster, have been the subject of weight restrictions since 1973.
2. These restrictions were modified (presumably to take account of metrication) in a further order dated 30 June 1988 which came into force on 11 July 1988. The DCC seal number on this document is 115933. This revoked the 1973 order above. I enclose two copies of this order, one of which you may wish to forward to Ms Muldoon.
3. Under a further order from Derbyshire County Council dated 28 June 1990 and subtitled "Routes for People Area" (which came into force on 1 July 1990) a blanket restriction of 7.5 tonnes was imposed on large areas of this part of Derbyshire - including the B5057 from Darley Bridge to Elton Crossroads - to prevent "shortcutting" by heavy vehicles. This order revoked a previous "Routes for People" order of 1986. It did not revoke the aforementioned specific restrictions on East and West Bank.
4. It would seem, therefore, that the 1998 specific order noted above is still extant.

As you will see from the above Ms Muldoon's letter to you may now be read in a completely different light. Does it contain correct information or not? If not why not?

That is why I am not satisfied with the reply received.

I should add that the Parish Council is extremely concerned at these proceedings, as are a number of Winster residents. The relevant facts are being cross-checked at a high level in Derbyshire County Council as I write and you may rest assured that your insubstantial reply of 6th Nov is unlikely to be the last.

Yours faithfully,

West Bank  
Winster  
Derbyshire  
DE4 2DQ

13 December, 2006

Dear Sir or Madam

**3.5T Weight Restriction, East and West Bank, Winster**

Thank you for your letter of 15 November. Derbyshire County Council has yet to formally propose a 3.5 tonne restriction for East and West Bank but I have been involved in informal discussions with County Council officials to determine the best means of dealing with the problems described in your letter.

I have visited the village and note that both East and West Bank are fairly steep and narrow lanes and I agree that neither route is really suitable for the passage of heavy goods vehicles. East Bank in particular is extremely narrow and no sane lorry driver would attempt to use this road as a through route! I can well understand the concerns of local residents and agree that restrictions on the movement of heavy goods vehicles are desirable. West Bank is slightly wider and better able to cope with the passage of HGV's but its junction with Main Street can be very difficult to negotiate. The presence of parked vehicles, especially during the evening, can also create difficulties.

The normal means of addressing this problem is by means of a 7.5 tonne restriction (except for access). **3.5 tonne gross weight restrictions are extremely rare (I am not aware of any similar restriction in the county)** and would require special dispensation from the Department for Transport. The Department has intimated that it would only be likely to sanction a 3.5 tonne restriction if it were to be 'self-enforcing'. In my view, there are significant enforcement implications here; vehicles exceeding 7.5 tonnes are easily identifiable because of the HGV markings and plating requirements - this is not the case with smaller vehicles.

Before committing ourselves, we would like to know the extent of the problem - just how many vehicles between 3.5 tonnes and 7.5 tonnes maximum gross weight are using West Bank - I suspect the numbers are very small? How many of these would be exempt because of the need to gain access to premises? Even more importantly, how many of these are using West Bank simply to reach another part of the village - e.g. a parcel delivery van delivering to Main Street? - These would fall foul of a 3.5 tonne restriction if it were introduced. I have asked the County Council to consider introducing a traffic survey to establish answers to these questions.

Please be assured that if the County Council does formally propose a 3.5 tonne restriction, we shall carefully consider all the implications before responding. A reasonable balance needs to be struck between the desires of those who wish to prevent through movements of heavy goods vehicles and the problems that an over-zealous ban might produce for all concerned - not least for local residents.

Yours faithfully

David Skinner, Traffic Management Officer

Date: Thu, 25 May 2006 16:18:06 +0100

Thread-Topic: Abuse of weight restrictions, Winster

From: "Tranter.Simon (Environmental Services)" <Simon.Tranter@Derbyshire.gov.uk>

Dear Mr ,

Firstly, I entirely agree with your reasons that East and West Bank need to be weight restricted. The dilemma is however that the existing 3 tonne limits are, I can assure you, unenforceable and local heavy goods vehicle drivers obviously know about this and will continue to abuse the restriction until an enforceable limit is provided. Under current legislation a 7.5 tonne (except for access) limit is the minimum one that can be provided to prevent through traffic unless the Department for Transport agree that the County Council are able to special exception for the limits in Winster village. I have agreed with the Parish Council that I will firstly approach the Department for Transport to ask if they would support such an application for a departure from standards. If the Department for Transport fail to support an application for a 3 tonne (except for access) limit, the question would be do we continue with something that is unenforceable or do we take the view that something eg a 7.5 tonne (except for access) enforceable limit is better than leaving the situation as it is now.

With regards to Cutt's using West Bank, Isobel from my team has written to Cutt's and Derbyshire Dales District Council who's recycling facility they are visiting and they have advised their drivers not to use West Bank (we have a letter to that effect). Obviously, we cannot do more than this due to the legal difficulties with enforcement. Should this issue be resolved the County Council's own Trading Standards under new enforcement rules could then assist with enforcement for a Weight limit should a legally enforceable one be provided.

Yours,

Simon Tranter  
Traffic & Safety Manager