

## Witness Statement

(CJ Act 1967, s.9 MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70)

Statement of :

Age: Over 18    Occupation: Electrical Maintenance Engineer

This statement (consisting of 3 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything which I know to be false or do not believe to be true.

Dated: .....                      Signature: .....

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This statement is in connection to the lighting of the terminal signs at the start of the 50MPH speed restriction to the M11 Motorway, southbound, near the Luxborough Lane over bridge, Chigwell. There are two terminal signs, one located to the nearside verge to the south bound carriageway the other sign directly opposite located within the centre reservation.

I am employed as an Electrical Maintenance Engineer by Mouchel Consulting Ltd. Mouchel Consulting is the appointed Maintaining Agent for the Highways Agency's Area 5 contract. Mouchel Consulting is responsible, on behalf of The Highway Agency, for overseeing all maintenance requirements to all Motorways and Trunk Roads to Area 5, which includes the M11 Motorway from its boundary with the A406 (Redbridge) to the boundary at junction 7, A414, (Harlow).

One of my responsibilities is checking the road lighting illumination in Area 5 on a fortnightly basis for Trunk Roads and monthly for Motorways as per the Highways Agency Design Manual TD23/99. This is achieved by a fortnightly/monthly drive of the network during the hours of darkness by a driver and observer. It is the job of the observer to record all outages to both road lighting and illuminated signs by means of a safety scout log. This safety log is then recorded on a database file and submitted to me electronically within 24 hours of the safety scout. A copy of these electronic documents is provided on a CD-ROM and is labelled exhibit DHO9. I hereby verify that exhibit DHO9 is a true and correct copy of this database file.

The necessary information to enable correct interpretation of the safety scout logs is as follows:-

Signed .....

Column A - **MP ref No:** Marker Post reference number and applies to either carriageway.

Column B - **A/TRACK N/S COL No:** Away from London (A) carriageway nearside (N/S) verge positioned lighting column/sign and the unique identity number.

Columns C to G – **ROAD LAYOUT DETAILS** = An entry here indicates whether the carriageway is a 2 or 3 lane with hard shoulder (HS) for the Away from London carriageway.

Column H - **C/RES COL No:** Centre reservation positioned lighting column/sign and the unique identity number.

Columns I to M - **ROAD LAYOUT DETAILS:** Same as Columns C to G but for B carriageway.

Column N - **B/Track N/S Col No:** Same as Column B but for Back to London (B) Carriageway.

Column O – **COMMENTS:** i.e., cable fault; column missing; lantern bowl missing.

An 'X' entry next to a lighting column or sign indicates that it was not in lighting when the safety scout was carried out. A blank entry next to a lighting column or sign will indicate that the lighting column or sign was in lighting when the safety scout was carried out.

Exhibits DH01, DH02, DH03 and DH04 are printed safety scout logs for particular dates which are taken from the database file given in exhibit DH0X. For each of these exhibits the 50MPH terminal sign at the nearside of the carriageway is shown in column H, row 57, and its status is shown by the entry in column I, row 57. The 50MPH terminal sign at the offside of the carriageway in the central reservation is shown in column N, row 57, and its status is shown by the entry in column M, row 57.

Exhibit DH01 – safety scout log for 7th September 2006: column I, row 57 and column M, row 57 are blank. This shows that both signs were in lighting on this date.

Exhibit DH02 – safety scout log for 4th October 2006: column I, row 57 and column M, row 57 have an 'X'. This shows that both signs were not in lighting on this date.

These safety scout logs show that the lighting first failed between 7th September 2006 and 4th October 2006.

Exhibit DH03 – safety scout log for 13th January 2007: column I, row 57 and column M, row 57 have an 'X'. This shows that both signs were not in lighting on this date.

Exhibit DH04 – safety scout log for 9th February 2007: column I, row 57 and column M, row 57 have an 'X'. This shows that both signs were not in lighting on this date.

Signed .....

From the safety scout logs given in DH03 and DH04 I can confirm the two 50MPH illuminated terminal signs were not in lighting on the 21<sup>st</sup> January 2007.

Furthermore I can also confirm that these two 50MPH illuminated terminal signs were not in lighting for a continuous period between the safety scout of the 4<sup>th</sup> October 2006 and the safety scout of 11<sup>th</sup> December 2007. To the best of my knowledge and belief, the reason that the signs have not been in lighting for this extended period is that the electrical supply cable to these two 50MPH terminal signs developed a fault during a current major works contract that commenced September 2006.

The lighting column at the commencement of the Motorway lighting is number D21. The two 50MPH signs are sited within close proximity north of lighting column D19. The lighting columns are spaced 38 metres apart therefore the two 50MPH signs are 70 metres inside the commencement of the Motorway lighting and lie in the 38 metre interval between lighting columns D19 and D20 as shown in exhibits DH05 and DH06. For reference purposes the two 50MPH signs are sited at marker post number 150AB and lighting column number D21 is sited at marker post 150AB + 70 metres. For reference, marker posts are spaced 100 metres apart. A scale "as built" drawing of this section of Motorway is shown in exhibit DH08.

I have provided two photographs, exhibits DH05 and DH06 that illustrate the relative positioning of the lighting columns with regard to the two 50MPH signs.

I can confirm that the film, exhibit DH07, showing the area where the two 50MPH signs are not in lighting, is a true and correct depiction of this section of the M11 Motorway.

Signed .....