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PETITIONS AND DEPUTATIONS COMMITTEE TUESDAY, 31 MAY, 2016

A MEETING of the PETITIONS AND DEPUTATIONS COMMITTEE will be held in the COUNCIL CHAMBER, COUNCIL HEADQUARTERS, NEWTOWN ST BOSWELLS, TD6 0SA on TUESDAY, 31 MAY 2016 at 10.00 am

J. J. WILKINSON,
Clerk to the Council,

24 May 2016

BUSINESS		
1.	Apologies for Absence	
2.	Order of Business	
3.	Declarations of Interest	
4.	Minute (Pages 1 - 4) Minute of Meeting of 1 March 2016 to be noted and signed by the Chairman (copy attached).	2 mins
5.	The Petitions Procedure (Pages 5 - 6) Note meeting procedure (copy of extract from the Scottish Borders Council Petitions Procedure attached).	2 mins
6.	Road Safety on Spylaw Road.	30 mins
	(a) Petition Copy attached of petition submission form. The original petition and list of signatures (126 in total) will be available for inspection prior to and at the meeting.	(Pages 7 - 12)
	(b) Briefing Note by Depute Chief Executive (Place) (Copy attached)	(Pages 13 - 16)
7.	Any Other Items previously circulated	
8.	Any Other Items which the Chairman decides are urgent	

NOTES

1. **Timings given above are only indicative and not intended to inhibit Members' discussions.**
2. **Members are reminded that, if they have a pecuniary or non-pecuniary interest in any item of business coming before the meeting, that interest should be declared prior to commencement of discussion on that item. Such declaration will be recorded in the Minute of the meeting.**

Membership of Committee:- Councillors A. J. Nicol (Chairman), S. Bell, D. Parker, D. Paterson, J. Torrance and T. Weatherston

Please direct any enquiries to Fiona Walling 01835 826504
Email:- fwalling@scotborders.gov.uk

**SCOTTISH BORDERS COUNCIL
PETITIONS AND DEPUTATIONS COMMITTEE**

MINUTES of Meeting of the PETITIONS
AND DEPUTATIONS COMMITTEE held in
the Council Chamber, Council Headquarters,
Newtown St Boswells, TD6 0SA on Tuesday,
1 March, 2016 at 10.00 am

Present:- Councillors A. J. Nicol (Chairman), S. Bell, D. Parker, D. Paterson,
J. Torrance and T. Weatherston.

Also Present:- Councillors S. Aitchison and J. Mitchell.

In Attendance:- Depute Chief Executive (Place), Clerk to the Council, Democratic Services
Officer (F. Walling).

Petitioner:- Mr J. Williams

1. **MINUTE**

There had been circulated copies of the Minute of 10 December 2015.

DECISION

APPROVED and signed by the Chairman.

2. **THE PETITIONS PROCEDURE**

There had been circulated copies of an extract from the Scottish Borders Council Petitions Procedure which set out the process to be followed at the meeting.

DECISION

NOTED.

3.1 **HERIOT'S ACCESS TO PUBLIC TRANSPORT HAS BEEN CONSIDERABLY
WORSENER BY THE RAILWAY AND THE SUBSEQUENT UNDERPASS.**

There had been circulated copies of a petition, submitted to the Council on 15 February 2016, entitled 'Heriot's access to public transport has been considerably worsened by the Railway and the subsequent underpass'. The form was accompanied by 58 signatures in total and a chain of emails relevant to the issues raised. There had also been circulated copies of a briefing note by the Depute Chief Executive (Place) which was in response to the petition. The Chairman gave a welcome to Mr John Williams to present the petition and to Philip Barr (Depute Chief Executive - Place), David Richardson (Asset Manager) and Colin Ovens (Infrastructure Manager) from the Council.

3.2 A statement within the petition explained that Heriot village had been subjected to the worst disruption of any community along the entire railway line during the line's construction. The original access between the village and the A7 had been closed and a new road for vehicles built about half a mile away. The only pedestrian access to the A7 and bus stops was via the new underpass which was not considered fit for purpose. It was causing enormous problems for all users but mainly the elderly and school children, particularly during severe weather. As there was no cover on the underpass access, rain cascaded down the steps causing flooding. The steps themselves were permanently water filled. In freezing conditions the steps and ramp were treacherous and became impossible to negotiate. The petition called for the Council to take responsibility for

maintaining pedestrian access to public transport. Prior to submission of the petition Heriot Community Council had attempted to resolve the outstanding issues with BAM, Network Rail, Transport Scotland and Scottish Borders Council. Local Councillors and local MSPs had also been lobbied and Cabinet Secretary for Infrastructure, Keith Brown, had also visited to look at the site along with other outstanding issues affecting Heriot caused by the construction of the railway. It was understood that maintenance of the underpass would rest with Scottish Borders Council.

- 3.3. On being invited by the Chairman to address the Committee, Mr Williams explained that he was representing Mrs Sinclair-Hood who had organised the petition and who was a resident and Heriot Community Councillor. Mrs Sinclair-Hood and her husband regularly used the underpass and had both slipped and fallen recently when conditions underfoot had been icy. Mr Williams referred to the long dispute with the Council reflected by the chain of emails of correspondence between Heriot CC and Mr Philip Barr (Depute Chief Executive – Place) which was attached to the petition. These were in particular about winter service levels for the location and the fact that, although the new road layout into Heriot would continue to be included within the Council's primary salting network, primary treatment service could not be provided to the new underpass. As was the case in other areas that did not receive primary treatment, the Council would provide salt bins to allow self-help for the community. Mr Williams circulated photographs at the meeting which showed the steps and total ramp area covered with ice. Although local volunteers would lend a hand in very severe weather, he questioned how the Council could expect elderly residents to regularly clear the ramp before using it. Even if salted in the morning, the ramp and steps could be frozen again by evening. He explained that the school bus dropped off children on the other side of the underpass, leaving them to negotiate the flooded or icy conditions underfoot. Mr Williams believed that the underpass had been badly constructed, a view supported by an experienced architect and put to Network Rail and Transport Scotland. There was a failure of the water bar construction resulting in leakage of water into the underpass; the design of the ramp did not follow standard recommendations in the Design Manual for Roads and Bridges (DMRB) TD 36/93 regarding the provision of crossfall and side gutters; and there were lips on the steps which held water resulting in frozen surfaces. Mr Williams said that he understood that Scottish Borders Council needed to take a pragmatic approach to the provision of winter service but did not see how the underpass could be equated with a footpath. He also questioned why it was, when gritter lorries passed either side of the underpass, that Council staff could not leave the lorry and treat the underpass and steps.
- 3.4 Members welcomed the petition and expressed sympathy with the issues raised. In response to a request for clarification about the main request within the petition Mr Williams confirmed that, although the community was unhappy about other issues such as lighting on the A7, the major concern was the underpass and steps. He confirmed that it was the community's contention that there were inherent faults in the design of the underpass and that it was accepted that responsibility for maintenance of the underpass, which was owned by Network Rail, should not be taken by Scottish Borders Council until it was compliant with DMRB specifications. In response to a question about general use of the ramp in normal weather conditions Mr Williams said it was very long (about 40 m) and would only be used by pedestrians if absolutely necessary.
- 3.5 A response to the petition was given by Mr Barr. He advised that there had been robust discussions with BAM and Network Rail in order to resolve outstanding issues prior to Scottish Borders Council taking over maintenance of the underpass. An update had now been received in writing from BAM of a satisfactory outcome in terms of the water issues. Remedial work for the prevention of standing water, drainage channels and pumping arrangements all appeared to have been successful. However these measures had not yet been tested to optimum level. Mr Barr was aware that the ramp was tediously long but this was determined by the maximum degree of slope permitted to meet DDA requirements. Although the underpass would remain in the ownership of Network Rail, once outstanding works were completed, the Council would take over maintenance. This

would include landscaping and the provision of salt bins. Mr Barr went on to give further details on the Council's approach to winter maintenance. He explained that there were about 800 kilometres of pathways in the Borders, only 20% of which received salting due to their location in areas of heavy use. Officers had reviewed the policy around treatment of rural areas ensuring that when assessing Heriot, fairness and consistency had been applied. They had confirmed that there were insufficient resources available to provide primary treatment in the vicinity of the new underpass. However there were ongoing discussions about setting up a resilient community in Heriot and support would be provided in the form of training, equipment and materials to assist the community. The Council currently provided over 1000 salt bins across the region in areas where it did not provide primary treatment. Additional salt bin provision at the underpass would give a further self-help facility for the community during extreme winter weather.

- 3.6 Questions from Mr Williams and Members of the Committee were answered by the officers. Confirmation was given that in the event of heavy snowfall the Council's priority was to keep major roads open. However, eventually work would be carried out by the Council to clear other routes and this would include the underpass if it was blocked with snow. Further information was given about the Council's winter service. There were 28 primary routes in the Borders which had been agreed by Council. All the primary routes were designated for salting pre-treatment. No footways came into this category. With regard to the determination of whether infrastructure along the railway was at a suitable standard to be taken over for maintenance by the Council, it was explained that there was a four stage audit culminating in a joint sign-off between the Council, BAM and Network Rail. With respect to the underpass there still needed to be a full exercise to ensure that the pumps were working. With regard to the steps, it was understood that the problem of standing water had been resolved by BAM by filling in the surface of each step behind the lip. Mr Barr emphasised that he could not advocate the driver of a gritter passing either end of the underpass to stop in order to treat this area for reasons of logistics as well as safety. There were further questions about the nature and size of the underpass which was recognised by Members as being a massive piece of urban infrastructure in a rural environment. A question was asked as to whether a roof over the steps would solve the problems but this was not seen to be practical nor appropriate in this location. Officers confirmed that, although there were about 20 underpasses in the Borders, there were no others located in a rural area. The Council had been asked to carry out maintenance of the underpass at Heriot on behalf of Network Rail as it was so remote. In response to a question as to whether the Council had an option not to take it over Mr Barr advised that the contract was being checked by the Council's legal team.
- 3.7 In the ensuing discussion Members were concerned that, from the evidence put forward, it was still unclear as to whether the ramp was compliant with required technical standards. It was imperative that these checks be made before sign-off. Officers were also asked to check whether there were any outstanding planning conditions in respect of the underpass that had not been met. With regard to winter service provision, there was unanimous agreement from Members that the Council's approach must be fair and consistent across the Borders in both urban and rural areas, and that a precedent could not be set in Heriot by providing a special service. Members gave examples of locations within their Wards which could be treacherous in icy conditions, such as steps between different street levels and in the vicinity of Residential Care Homes. In all these areas the Council did not have the resources to provide the winter services requested by the community. Instead salt bins were provided for self-help groups. Members valued the work of resilient communities in this respect and hoped that Heriot would continue their efforts to form their own resilient community. Members were of the opinion, however, that there was an unusual situation at Heriot which could be regarded as exceptional; where the rural location and design of this underpass, which could be considered alien in the environment, was unlike any other underpass in the Borders. The underpass needed to be fit for purpose. It was suggested that it required an exceptional level of winter treatment which did not comply with the Council's winter service policy. As such, Network

Rail should either provide the winter service required or be asked to pay the Council to provide this. It was agreed that this was the approach that should be taken by officers.

- 3.8 On behalf of Members of the Committee, the Chairman thanked Mr Williams for his attendance and presentation of the petition, and Mr Barr and officers for their helpful contribution. Mr Williams thanked the Committee and asked that Heriot CC be kept informed of the progress of negotiations.

DECISION

- (a) **NOTED the petition.**
- (b) **AGREED that, in respect of the underpass at Heriot, to request the Depute Chief Executive (Place) to:-**
 - (i) **ensure through negotiations with Network Rail/BAM that, before sign-off, the structure complied with all relevant technical standards and was fit for purpose, including consideration of whether it would be feasible to place a roof over the steps;**
 - (ii) **check that all planning conditions had been met;**
 - (iii) **inform Network Rail/BAM that the underpass required an exceptional level of winter service provision that did not comply with the Council's policy;**
 - (iv) **ask Network Rail to either provide the winter service required for the underpass themselves or agree to make payment to the Council to provide this level of service; and**
 - (v) **keep Heriot Community Council informed of progress of negotiations.**

4. PETITION CONSIDERED INADMISSIBLE

There had been circulated copies of a briefing note by the Clerk to the Council advising the Committee of the non-acceptance of a petition received in support of the siting of a 3G Pitch at Victoria Park, Peebles. A statement within the form explained that the petition had been raised in response to a recent petition against the siting of a 3G pitch at Victoria Park. The note explained that the petition was received on 29 December 2015. The Executive Committee had agreed at its meeting on 29 September 2015 that Victoria Park was the preferred location for a 3G synthetic pitch in Peebles. Within the terms of the Petitions Procedure agreed at Council, petitions would not be accepted which 'relate to a decision made by the Council or a committee during the preceding six months'. After acknowledging receipt of the petition a detailed letter was therefore written to the Principal Petitioner on 27 January 2016 advising that the petition could not be accepted for consideration by the Petitions and Deputations Committee at this time.

DECISION NOTED.

The meeting concluded at 11.15 am

Extract from the Scottish Borders Council Petitions Procedure

16. The procedure at the meeting, for each petition considered, shall be as follows:
- (i) the meeting shall be in public unless the subject matter of the petition would be deemed to be confidential under the terms of Section 7A of the Local Government (Scotland) Act 1973;
 - (ii) the principal petitioner, or named deputy, shall give a statement in explanation of the petition;
 - (iii) there will be an opportunity for Members of the Committee to ask questions of the petitioner or their named deputy;
 - (iv) there will be an opportunity for any Director(s), Executive Member(s) and Community Planning Partner representative(s) present to ask questions of the petitioner or their named deputy;
 - (v) a response to the petition may be heard from a Director, Executive Member and/or Community Planning Partner representative present at the meeting;
 - (vi) there will be an opportunity for Members of the Committee to ask questions of any Director, Executive Member(s) and Community Planning Partner representative(s) present at the meeting;
 - (vii) there will be an opportunity for the petitioner or their named deputy to ask questions of any Elected Member, Director or Community Planning Partner representative present at the meeting;
 - (viii) Members of the Committee shall then discuss the information available and consider their findings. The Committee may defer a decision should further information be required.

Note: any contribution on behalf of the petition from a second or other speaker(s) shall be at the discretion of the Chairman. The public will not be allowed to speak at the meeting unless invited to do so by the Chairman.

17. The Petitions and Deputations Committee shall agree to one of the following:-
- (i) refer the petition to another Committee or Director, with or without a recommendation or comment. That Committee or Director shall then make the final decision which could include taking no further action;

- (ii) refer the subject of the petition (should it be linked to a decision of the Executive Committee within 6 months) to full Council, with or without a recommendation or comment, for further consideration:
 - (iii) refer the petition to the relevant Community Planning Partner, with or without a recommendation or comment, if appropriate;
 - (iv) that the issue(s) raised do not merit or do not require further action.
18. The decision of the Petitions and Deputations Committee, and any reason for that decision, shall be recorded in the Minute of the Meeting and a copy of the Minute shall be sent to the principal petitioner by Democratic Services staff. Where the petition is referred to a Director or another body, the responsibility for communicating the final outcome of the petition is also referred. Updates on these outcomes will be provided to the Petitions and Deputations Committee.
19. There will be no right of appeal in response to a final decision made in response to a petition.

Reference (official use)



Petitions – submission form

If you wish to submit a petition for consideration by the Petitions Committee, please complete the form below. You are advised to refer to the Guidance Questions and Answer sheet provided.

Details of Principal Petitioner Please enter the name and contact details of the person raising the petition. <i>The Principal Petitioner must be on the Register of Electors for the Scottish Borders Council area.</i>	
Name:	SEONARD BLACKIE
Address:	CHERRYBANK
	ORANGE LANE
	COLDSTREAM
Postcode:	TD12 4LY
Telephone no:	(WORK)
Email:	

Title of Petition and Petition Statement Please enter the title of the Petition and a statement to cover the main subject of the Petition or the action you would like the Council to take.
Title: ROAD SAFETY ON SPYLAN ROAD
Statement (no more than 250 words): ENCLOSED

Further information.

Please enter below any measures already taken, or persons/organisations approached to attempt to resolve the issues. Attach additional sheets to this form if required but please note that this information must be limited to no more than 4 sides of A4 paper.

ENCLOSED

Presentation of petition to the Committee.

Please indicate below if you would like the opportunity to make a statement at the meeting of the Petitions Committee when your petition is considered. Whether or not you will be invited to do so will be at the discretion of the Chairman.

~~*I do/do not wish the opportunity to make a brief statement about the petition.~~

*I would like my deputy named below to make a statement on my behalf.

Name of deputy CHRISTINE HAMILTON

Contact details

Signature of deputy 

* please delete as appropriate

Signature of Principal Petitioner.

If you are satisfied your petition meets all the requirements as stated in the Guidance Questions and Answers please add your signature and date below.

Signature of Principal Petitioner.....

Date..... 28/3/16

Accompanying signatures.

Your petition must be accompanied by at least 10 signatures in total, from persons aged 16 and over, resident in the Scottish Borders. The signatures must be from a minimum of 3 separate addresses.

Please be aware that if the petition is on the agenda for a meeting of the Petitions Committee the names and addresses, but not signatures, of all signatories will be published on the Council website.

	Name	Address	Signature
1	ADDITIONAL SHEETS OF SIGNATURES		
2	ENCLOSED, TOTALLING <u>126</u> .		
3			
4			
5			
6			
7			
8			

Petition: Road safety on Spylaw Road

Statement:

I own a children's nursery and out-of-school club on Spylaw Road in Kelso, and have had ongoing concerns about the speed of traffic driving past our premises which are approximately halfway along the road. It is a wide, non-through road, with a combination of commercial and private traffic passing by e.g. to Council depots, Border Concrete, an exercise gym and J. Hislop's haulage yard.

Parents absolute best intention is always to keep their child / children with them at all times, but they have huge concerns that if their child got away from them the possibility of a resulting accident is greatly increased by the speed and sometimes poor driving of those passing. Many have more than one child plus bags to manage when they are arriving / leaving. Lorries regularly thunder past - even if they are sticking to the 30 limit it seems far too fast. Cars have also been seen to overtake cars that are edging out of our carpark, possibly going too fast to slow down.

We have previously asked for road signage to be considered, but on review by the Council and Police Scotland this was turned down. Schools have signage and 20 limits at peak times, and it seems arbitrary that we would not be considered for similar measures. We understand that we are a private business, but we provide for approximately 130 families on a weekly basis and their safety while they are with us is paramount. We are asking for support to extend this safety to Spylaw Road.

Further information:

We have received support from our local Councillor Tom Weatherston and John Lamont MSP.

Our concern was considered by Andrew Drummond-Hunt, Service Director Commercial Services at SBC along with Police Scotland, who considered it to be an enforcement issue and that it would be inconsistent and against guidance to provide signage. Mr Drummond-Hunt stated that 'general guidance for school signage...does not apply to nurseries where the children are almost exclusively escorted to and from the premises.' As mentioned in our statement, parents often have more than one child plus bags, therefore they may need to carry one child and have one walking alongside them. Importantly, very young children do not yet understand the danger of running away from their parent. Therefore even with signage we understand that some of the risk will still be present (as it will be in a school based scenario), but if awareness can be raised with those that are driving past we believe that reduced speeds could greatly reduce the risk of a serious accident taking place.

I have personally been to speak to other businesses on the road to raise awareness. When required, and sadly it does happen, our staff have had to flag down vehicles to tell them to slow down. This has even been in situations where the children are out for a walk and are dressed with high-visibility vests, so are clearly visible to drivers.

I think the number of signatures that we are presenting with this petition clearly emphasises the concern of parents, staff and visitors to the premises. I believe a number of parents and staff would be happy to speak to a representative from the Petitions Committee to describe their experiences and thoughts on this issue, or to provide supporting statements.

Petition to install road signage on Spylaw Road

I would like to support this petition, which requests that Scottish Borders Council installs road signage on Spylaw Road in Kelso to make drivers aware that there is a children's nursery on this road and that they should reduce their speed. Speeding drivers in both private and commercial vehicles are causing a safety issue for the children, families, staff and visitors using Castlegate Nursery.

People completing this must be aged 16 or over and resident in the Scottish Borders. Please be aware that if the petition is on the agenda for a meeting of the Petitions committee, the names and addresses, but not signatures, of all signatories will be published on the Council website.

Name	Address	Signature
ANNE CASKIE	SEASTFIELD OF LEMPILAW COTTAGES BY KELSO	
Elizabeth Britton	1 orchard cottage wooden kelso	
Emma Graham	7 Riddle Dumble Park Glasshels	
Julie Marsh	6h Sydenham Ct kelso	
Sarah Milligan	5 craft Road Kelso.	
Michelle ford	6 Halliden Road Kelso	
CHLOE HORNE	11 Rachel Drive DUNS	
EMMA DOUGLAS	8 SPYLAW PARK, KELSO	

Petition to install road signage on Spylaw Road

I would like to support this petition, which requests that Scottish Borders Council installs road signage on Spylaw Road in Kelso to make drivers aware that there is a children's nursery on this road and that they should reduce their speed. Speeding drivers in both private and commercial vehicles are causing a safety issue for the children, families, staff and visitors using Castlegate Nursery.

People completing this must be aged 16 or over and resident in the Scottish Borders. Please be aware that if the petition is on the agenda for a meeting of the Petitions committee, the names and addresses, but not signatures, of all signatories will be published on the Council website.

Name	Address	Signature
Abbey Hook	18 Paddock Court, Kelso	
Ashley Middlemiss	8 Douglas Court Coldstream	
Rachel Worrell	45 Oakfield Court, Kelso	
Vicki Hutcheon	17 Deanfield Court Yetholm	
Selina Purves	19 CROFT RD. KELSO	
Edgar	2 Deanfield Ct Yetholm	
SEDNAID BLACKIE	CHERRYBANK ORANGE LANE COLDSTREAM	

PETITION FOR A REVIEW SPYLAW ROAD, KELSO

Briefing Note by the Depute Chief Executive, PLACE PETITIONS COMMITTEE

31 May 2016

1 SUMMARY

1.1 **This briefing note advises the Petitions Committee of the review of vehicles speeds as well as vehicle volumes and pedestrians associated with the private nursery on Spylaw Road, Kelso.**

1.2 Scottish Borders Council received, on 30 March 2016, a petition containing 126 signatures entitled **Road Safety on Spylaw Road**. The statement read:

I own a children's nursery and out-of-school club on Spylaw Road in Kelso, and have ongoing concerns about the speed of traffic driving past our premises which are approximately halfway along the road. It is a wide non-through road, with a combination of commercial and private traffic passing by e.g. to Council depots, Border Concrete, an exercise gym and J. Hislop's haulage yard.

Parents absolute best intention is always to keep their child/children with them at all times, but they have huge concerns that if their child got away from them the possibility of a resulting accident is greatly increased by the speed and sometimes poor driving of those passing. Many have more than one child plus bags to manage when they are arriving/leaving. Lorries regularly thunder past – even if they are sticking to the 30 limit it seems far too fast. Cars have also been seen to overtake cars that are edging out of the car park, possibly going too fast to slow down.

We have previously asked for road signage to be considered, but on review by the Council and Police Scotland this was turned down. Schools have signage and 20 limits at peak times, and it seems arbitrary that we would not be considered for similar measures. We understand that we are a private business, but we provide for approximately 130 families on a weekly basis and their safety while they are with us is paramount. We are asking for support to extend this safety to Spylaw Road.

1.3 Land use in the area includes builder's merchants, agricultural suppliers, electricians, HGV and SBC depots, a gym and a nursery to name a few. The road runs west to east and is wide and straight with vehicles parked on both sides of the carriageway. There is a footway for the entire length on the north side which is wide enough to accommodate wheelchair users or pushchairs.

1.4 Since 2006 there have been no recorded pedestrian personal injury accidents on Spylaw Road. One accident has been recorded in this time which occurred on the south side of Spylaw Road at the east end when a car reversed on to the live carriageway and struck another moving vehicle.

1.5 Council Officers from the Network Section of Assets and Infrastructure visited the site on the afternoon of 18 April, the morning of 19 April and the morning of

Tuesday 10 May 2016. Conditions were dry and sunny on all days. Results from a speed and traffic volume survey showed that the average speed of vehicles using Spylaw Road were found to be 18.5mph and 21.3mph, which is well below the 30mph speed limit, and speeds the Council would welcome elsewhere. Pedestrians volumes were low and all children were accompanied. Further details on the survey are listed below in Appendix A. Of most concern to the Council Officer was the number of vehicles associated with the nursery that reversed on to the live carriageway.

- 1.6 In view of these vehicles volumes and speeds we would not propose to make any physical changes to the road or signs. As previously explained to the nursery owner, none of the signs regulated by the Traffic Signs Manual are appropriate for use outside a nursery. Where the Council has installed part time 20mph schemes outside schools, as agreed by local Police Scotland representatives, these only operate at main school run times and not at nursery times as we expect all nursery children to be accompanied by a responsible adult. Any speed reducing measures that are introduced need to be justifiable, proportional and balanced, and in this instance we do not believe any speed reducing measures are required. Should the occasional vehicle be travelling at excessive speed, we would recommend the nursery contact Police Scotland.

2 CONCLUSION

- 2.1 **I recommend that the Committee recommends no further action on Spylaw Road, Kelso.**

Approved by

Director of

Signature

Author(s)

Name	Designation and Contact Number
Philippa Gilhooly	Engineering Team Leader, Traffic and Road Safety, PLACE

Background Papers: Petitions Procedure

Previous Minute Reference: None

Note – You can get this document on tape, in Braille, large print and various computer formats by contacting the address below. Jacqueline Whitelaw can also give information on other language translations as well as providing additional copies.

Contact us at Jacqueline Whitelaw, Environment and Infrastructure, Scottish Borders Council, Council Headquarters, Newtown St Boswells, Melrose, TD6 0SA, Tel 01835 825431, Fax 01835 825071, email eitranslationrequest@scotborders.gov.uk.

Appendix A

Monday 18th April 2016 15:30-17:30,
Spylaw Road, Kelso (outside Castlegate Nursery)

Total no of vehicles: 188
Average speed of all vehicles: 18.5mph
Total no of pedestrians: 5

No of vehicles associated with nursery: 91 (48%)
Average speed of these vehicles: 20mph
No of pedestrians associated with nursery: 1

No of HGVs: 7
Average speed of HGVs: 17mph

No of vans: 12
Average speed of vans: 22mph

Tuesday 19th April 2016 07:45-09:45
Spylaw Road, Kelso (outside Castlegate Nursery)

(Speed monitoring equipment malfunction, hence no recorded speeds.)

Total no of vehicles: 256
Total no of pedestrians: 12

No of vehicles associated with nursery: 109 (42.5%)
No of pedestrians associated with nursery: 6

No of HGVs: 11

No of vans: 40

Tuesday 10th May 2016 07:45 – 09:45
Spylaw Road, Kelso (outside Castlegate Nursery)

Total no of vehicles: 117
Total no of pedestrians: 12
Average speed of all vehicles: 21.3mph

No of vehicles associated with nursery: 62 (53%)
No of pedestrians associated with nursery: 9
Average speed of nursery associated vehicles: 21.2mph

No of HGVs: 4
Average speed of HGVs: 20.75mph

No of vans: 11
Average speed of vans: 27mph

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