

Chief Executive

14 FEB 2019

Democratic Services

 **Scottish  
Borders  
COUNCIL**

**Reference (official use)**

## Petitions – submission form

If you wish to submit a petition for consideration by the Audit and Scrutiny 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. *The Principal Petitioner must be on the Register of Electors for the Scottish Borders Council area.*

<b>Name:</b>	Elsbeth Johnston
<b>Address:</b>	1 Langlee Drive
	Galashiels
<b>Postcode:</b>	TD1 2DY
<b>Telephone no:</b>	
<b>Email:</b>	

### 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:** The introduction of Speed bumps in Langlee Drive

**Statement (no more than 250 words):**

The residents of Langlee Drive and the surrounding area have put forward this petition. The main reason for this petition is to request for speed bumps to be implemented along the road of Langlee Drive in Galashiels. It is believe that these measures will help curtail speeding cars along this narrow residential area. It will also help mitigate the risk of young school children being involved in an accident as this road is the main road to Langlee Primary School. We believe that the only measures that will work are speed bumps as other measures are only a short term fix to a long term issue. We hope that bureaucratic money saving will not come ahead of the safety of the residents in our area. This petition is for not just the present residents and children but also the future generations that will live here. I would like it to be considered that money spent now can save lives in the future.

**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.

We have contacted

- Scottish Borders Council roads department and had a meeting with Brian Young. Brian Young has stated that a new road speeding survey would be carried out. This is to test the speed of traffic and it would be in a new position as the last survey was placed beside the school and not an accurate reflection of situation.
- We have spoken to the local councillors and have been given help from some of them. It has been an issue that has been ongoing for many years.
- We have communicated with the local MP John Lamont who campaigned on our behalf.
- The police had placed a 'pop up bob' in the area which people got wise to very quickly and it was no longer effective so it was removed.
- We have written to Cllr David Parker and council leader Shona Haslam
- We have been in the local press and on radio borders.
- We have a petition with over 300 names and signatures. This is an issue which the whole area is concerned with not a few residents
- The local councillors have written a letter to residents asking them to be more aware in this area of concern especially during peak times.

**Presentation of petition to the Committee.**

Please indicate below if you would like the opportunity to make a statement at the meeting of the Audit and Scrutiny 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 ALBERT CRIVICKSIAN

Contact details 5 LANGLEE DRIVE GALASHIELS

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 4/2/2019

**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 Audit and Scrutiny Committee the names and addresses, but not signatures, of all signatories will be published on the Council website.*

	Name	Address	Signature
1	D TAYLOR	7 LANGLEE DRIVE TD1 2DY	
2	SUSAN THORSON	33 ARIAROSE BANK TD1 2LL GALASHIELS	
3	ALBERT CRIVICKSIAN	TD1 2DY. 5 LANGLEE DRIVE GALASHIELS	
4	E. FINLAYSON	5-LANGLEE DRIVE GALASHIELS TD1 2DY	

5	K. SMITH	33 LANGLEE DRIVE TD1 2DY	
6/	C BAILLIE	15 LANGLEE DR. TD1 2DY	
7/	E JOHNSTON	1 LANGLEE DRIVE TD1 2DI	
8/	S JOHNSTON	1 LANGLEE DRIVE TD1 2DY	
9/	V Johnston	3 Lang Lee Drive TD1 2DY.	
10	J. Galloway	TD1 2LT. 20 Brier lane Gals	

Attach additional sheets of signatures if you wish.

**Please submit this form and any additional sheets to:-**

Clerk to the Council, Scottish Borders Council, Council Headquarters, Newtown  
St Boswells, Melrose, TD6 0SA,

or email to:

[committeepapers@scotborders.gov.uk](mailto:committeepapers@scotborders.gov.uk)



HOUSE OF COMMONS

LONDON SW1A 0AA

Elspeth Johnston  
1 Langlee Drive  
Galashiels  
TD1 2DY

| February 2019

**Our Ref: JOHN2490/DGF/1/2/19**

Dear Elspeth

**LANGLEE DRIVE PETITION**

I have received the enclosed letter dated 30 January 2019 from Martin Joyce, Service Director Assets & Infrastructure, Scottish Borders Council regarding the Langlee Drive Petition. I am very disappointed with the length of time council officers have taken to get back to me on this important issue and the fact that the petition now needs to be resubmitted.

It seems my letter of 24 August 2018 and the enclosed Petition cannot be treated as a "direct submission to the Council". I trust you will have received the enclosed Petitions – submission form from Scottish Borders Council. Once this form has been submitted by the petition organisers to SBC, it will be considered by the Audit and Scrutiny Committee.

Please don't hesitate to contact me if you require assistance with the form. I have also contacted Albert Cruickshank and I have enclosed a copy of Martin Joyce's letter.

Kind regards.

Yours sincerely

John Lamont MP  
Berwickshire, Roxburgh & Selkirk

Enc

John Lamont MP  
25 High Street  
HAWICK  
TD9 9BU

*Please ask for:*

*Our Ref:*

*Your Ref:*

*E-Mail:*

*Date:*

*Brian Young*

*BY/KW*

*JOHN2490/CB/2408*

*byoung@scotborders.gov.uk*

*30 January 2019*

Dear Mr Lamont

**LANGLEE DRIVE, GALASHIELS**

With reference to your letter dated 24 August 2018, addressed to the Council Leader Shona Haslam, we must apologise for the inordinate amount of time it has taken to formally reply on this matter.

We note however that in the intervening period there has been contact with your team, including a coordinated meeting in November that was attended by all four Ward Councillors, the Council's Infrastructure Manager Brian Young and Mr Cruickshank and Mrs Johnston. We believe this was a constructive meeting and a number of actions were agreed including checking existing signage and a commitment to undertake a further survey at an agreed location.

Your original letter indicated that the petition had been submitted to yourself and that you were urging the Council to reconsider its position on the matter. As such, the petition and the information provided to us, has not been viewed or treated as a direct petition submission to the Council and has therefore not been considered as a petition to the Audit & Scrutiny Committee.

As we now understand that it was the original intent of the petition organisers for it to be directly considered by the Council, we will require it to be resubmitted in the correct format that will allow it be fully considered by the Audit and Scrutiny Committee. We have therefore enclosed the Council's petitions procedure and petition form that would allow this to happen. These forms will also be sent direct to the petition organisers.

We trust this clarifies the current position and will allow your constituents to proceed as required.

Yours sincerely

**MARTIN JOYCE**  
**SERVICE DIRECTOR ASSETS & INFRASTRUCTURE**

Enc





Mr A Cruickshank,  
5 Langlee Drive  
GALASHIELS  
TD1 2DY

Please ask for:

Our Ref:

Your Ref:

E-Mail:

Date:

Brian Young

byoung@scotborders.gov.uk

14 March 2018

Dear Mr Cruickshank,

**Langlee Drive**

I refer to your letters addressed to myself dated 15 and 23 February 2018, your letter to the Chief Executive dated 15 February 2018 and a further letter dated 8 March 2018. In my last correspondence to you in September 2017 I outlined the rationale that the Council had taken in arriving at its previous decision on this issue.

This being that:

- FALSE!!!*
- speeds in the area are already low,
  - there is no accident history
  - the area has been specifically looked at as part of a School Travel Plan
  - and revisited as part of an Evaluation of that School Travel Plan
  - there is a "twenty's plenty" in place.
- FALSE!!!*
- the area compares extremely well with other locations throughout the Scottish Borders and much further afield.

I further reiterated that your concerns have been taken seriously and investigated by both Scottish Borders Council and Police Scotland and the need for both bodies to be consistent in their approach to issues of this nature. *\* FALSE POLICE ADMIT SPEED PROBLEM. \**

This has now been the consistent message from a number of members of staff over numerous letters and telephone calls over a two year period and before that going back to your initial contact through former Councillor John Mitchell back in 2014.

The level of correspondence from you on this issue has been an increasing concern for some time now and has caused a disproportionate amount of staff time to be spent in responding over that time. As stated previously you have raised the same issues on many occasions and had numerous responses to them. It appears that you are not satisfied with the responses that you have received and I am sorry Scottish Borders Council has not been able to resolve these issues to your satisfaction. This is however, Scottish Borders Council's position in relation to the topic and I now consider the matter closed.

Should you choose to continue corresponding in relation to the matter Scottish Borders Council will have no choice but to consider applying the Council's Vexatious Complaints and Correspondence Policy to your correspondence. I have enclosed a copy of the policy and guidance for your information.

**What you need to do:**

- Recognise that we have reached an impasse in relation to this matter and that you have received the Council's final position in relation to it.



- Stop writing to the Council in relation to this matter.

**Going Forward:**

I do need to advise you however that if you continue to raise the matter above, Scottish Borders Council will consider implementing the Vexatious Complaints and Correspondence Policy.

If, having considered all matters, it is deemed appropriate to implement the policy, your contact with the Council could be subjected to restrictions and any or all of the following actions could be taken:

- (a) You will only receive an acknowledgement of receipt of your letters which makes clear that no response will be forthcoming.
- (b) Tell you one final time that the Council considers the matter to be closed and will not acknowledge any further contact from you on the specified topic.

These options are not exhaustive and often local or other factors will be relevant in deciding what might be appropriate action. I must add this is not a policy we would wish to implement however, officers have spent a huge amount of time trying to resolve this matter. This expenditure of time and resource cannot continue.

I trust the information in this letter is clear and understandable.

Finally, while not all the matters raised in your previous correspondence have been treated as a complaint, I think it is appropriate, because of the action proposed above in relation to the Council's Vexatious Complaints and Correspondence Policy, that should you remain dissatisfied with the Council's position or should you wish to take the matter further you may ask the Scottish Public Services Ombudsman (SPSO) to look at the matter.

The SPSO considers complaints from people who remain unhappy after the completion of the Council's complaints process and is the final stage for complaints about public services in Scotland. Issues considered by SPSO include service failure and maladministration together with the complaints handling processes of the Council.

The SPSO cannot normally look at complaints

- where the complaint handling procedure of the Council has not been exhausted
- more than 12 months after you became aware of the matter you want to complain about, or
- that you have been or are being considered in court.

The SPSO's contact details are:

SPSO, Freepost EH41, Edinburgh, EH3 0BR

SPSO, 4 Melville Street, Edinburgh, EH73 7NS,

Freephone 0800 377 7330, Online contact [www.spsso.org.uk/contact-us](http://www.spsso.org.uk/contact-us), Website

[www.spsso.org.uk](http://www.spsso.org.uk), Mobile site <http://m.spsso.org.uk>

Yours sincerely

Brian Young  
Network Manager  
Scottish Borders Council





South Bridge House • Whinfield Road • Selkirk • TD7 5DT  
Tel: 01750 72 4444 Fax: 01750 72 4445

Mr Albert Cruickshank  
5 Langlee Drive  
Galashiels  
TD1 2DY

*Please ask for: Tim Rennie*  
*Tel: 01750 724501*  
*E-mail: [trennie@sbha.org.uk](mailto:trennie@sbha.org.uk)*

22nd November 2018

Ref: 628678

Dear Mr Albert Cruickshank

### **Speed prevention**

Thank you for your letter received 14<sup>th</sup> November 2018. I am writing to inform you that as the Neighbourhood Housing Officer for SBHA within your area I feel that you have a valid point and share your concerns with regards to more effort being made with controlling speeding cars on Langlee *DRIVE*.

I state that I support you fully and am aware that this has been a concern for yourself and other tenants within the Langlee area. Following on from our conversation on the 22<sup>nd</sup> November 2018, I am aware that you are in consultation with Scottish Borders Council and would like to confirm that I also feel that some form of speed prevention on Langlee Drive should be made.

I wish you the very best in your endeavor and hope the outcome will be positive and swift.

Yours sincerely

**Tim Rennie**  
**Neighborhood Housing Officer**



John Lamont MP



HOUSE OF COMMONS

LONDON SW1A 0AA

Ms Eileen Finlayson  
5 Langlee Drive  
Galashiels  
TD1 2DY

26<sup>th</sup> August 2018

Dear Ms Finlayson

**LANGLEE DRIVE PETITION**

Thank you for signing the petition calling for new speed restriction measures on Langlee Drive.

This petition was organised by local residents Albert Cruickshank, Claire Baillie and Elspeth Johnston who presented it to me, as your MP recently.

I understand that measures have already been taken around the school in particular and the council say that their own surveys do not suggest that speeding is a particular problem on Langlee Drive. However, I know that your own experience suggests that this survey may not be painting a full picture, so I've now formally written to the council to ask them to look again at speeding restrictions on this road. I will let you know what response I receive.

By signing this petition, you have helped to put pressure on the council to take residents' concerns seriously.

Kind regards.

Yours sincerely

John Lamont MP  
Berwickshire, Roxburgh & Selkirk

The Constituency Office of John Lamont MP, 25 High Street, Hawick TD9 9BU  
Telephone: 01450 375948  
E-mail: [john.lamont.mp@parliament.uk](mailto:john.lamont.mp@parliament.uk)



HOUSE OF COMMONS

LONDON SW1A 0AA

Mr Albert Cruickshank  
5 Langlee Drive  
Galashiels  
TD1 2DY

| February 2019

**Our Ref: JOHN2490/DGF/1/2/19**

Dear Albert

**LANGLEE DRIVE PETITION**

I have received the enclosed letter dated 30 January 2019 from Martin Joyce, Service Director Assets & Infrastructure, Scottish Borders Council regarding the Langlee Drive Petition. I am very disappointed with the length of time council officers have taken to get back to me on this important issue and the fact that the petition now needs to be resubmitted.

It seems my letter of 24 August 2018 and the enclosed Petition cannot be treated as a "direct submission to the Council". I trust you and Elspeth Johnston will have received the Petitions – submission form from Scottish Borders Council. Once this form has been submitted by the petition organisers to SBC, it will be considered by the Audit and Scrutiny Committee.

Please don't hesitate to contact me if further assistance is required with the form. I have also contacted Elspeth Johnston regarding this matter.

Kind regards.

Yours sincerely

John Lamont MP  
Berwickshire, Roxburgh & Selkirk

Enc

Mr. A. Cruickshank  
5 Langlee Drive  
Galashiels  
TD1 2DY

*Please ask for:*

*Our Ref:*

*Your Ref:*

*E-Mail:*

*Date:*

Kirsty Lovatt

EIR 1162

EIR 1162

[foi@scotborders.gov.uk](mailto:foi@scotborders.gov.uk)

22<sup>nd</sup> May 201

Dear Mr. Cruickshank

**ENVIRONMENTAL INFORMATION REQUEST No. 11627**  
Langlee Drive, Galashiels

Further to your request for information under the Environmental Information (Scotland) Regulations 2004 relating to the above I am now able to respond.

SBC does not hold specific records of when staff are at particular locations, but the Safer Routes to School team estimate that they will be on site once or twice a month.

This will have been more in the last two years as part of the planning and construction of the new primary school. As part of that process a speed survey was undertaken over a week in September 2017 near to the school entrance and the average speed of vehicles was found to be 12.2 mph.

*Some of the information you have requested cannot be provided because Scottish Borders Council does not hold it and therefore give Notice under Regulation 10(4)(a) of EI(S)R 2004.*

I hope you are happy with the information provided but have to advise that you have a right to request a review within 40 working days of receipt of this letter. You should either e-mail [FOI@scotborders.gov.uk](mailto:FOI@scotborders.gov.uk) or write to the Information Manager, Scottish Borders Council, Council HQ, Newtown St. Boswells TD6 0SA.

If after the Council's FOI Advice Group have considered your review and you are still not happy with the decision you then have a right to appeal to the Office of the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St. Andrews, fife KY16 9DS.

Yours sincerely

Kirsty Lovatt  
Information Management Team  
Scottish Borders Council

