

SCOTTISH BORDERS COUNCIL AUDIT AND SCRUTINY COMMITTEE

MINUTE of Meeting of the AUDIT AND SCRUTINY COMMITTEE held via Microsoft Teams on Thursday, 9 June 2022 at 10.00 a.m.

Present:- Councillors E. Thornton-Nicol (Chair), J. Anderson, M. Douglas, J. Paton Day, N. Richards, E. Robson, S. Scott, F. Sinclair.
Also Present:- Councillor J. Greenwell.
Apologies:- Councillors P. Brown, J. Cox.
In Attendance:- Infrastructure Manager, Network Team Leader, Clerk to the Council, Democratic Services Officer (W. Mohieddeen).

CHAIR

Councillor Thornton-Nicol welcomed everyone to the meeting and advised that the public business in this meeting was being livestreamed for public view and also recorded. By participating in the meeting, attendees have given consent for this. The recording would be available through the link to the event livestream on the Council website for public viewing for 180 days afterwards. The recording would then be automatically deleted after this time. Everyone was reminded that the Council did not allow any other recording of the meeting than this one.

1. JEDBURGH TRAFFIC PETITIONS

1.1 Petitions Procedure

Copies of the Audit and Scrutiny Committee Petitions procedure had been circulated. The Chair outlined the procedure to be followed at the meeting and the conclusions which the Committee could reach. The Chair explained that two similar petitions had been received relating to the current traffic management system in operation in Jedburgh, so they would be heard together. The Chair welcomed Mr Graham Hayward and Ms Lindsay Wilson from Jedburgh Community Council, and Mr David Greer to the meeting. There was a round of introductions.

1.2 Temporary Traffic Flow, Jedburgh

Copies of a petition entitled "Temporary Traffic Flow, Jedburgh" from Mr John Taylor, on behalf of Jedburgh Community Council, had been circulated. In the statement within the petition, it was explained that due to the dismantle and re-build of the "Corner buildings" on Market Place, a footpath had been closed causing risk to pedestrians on Market Place, Canongate, Abbey Place, lower Castlegate and the top end of the High Street. The Community Council had recommended changes to the flow of traffic in the centre of Jedburgh to alleviate some of the risk at Market Place, which would include the re-opening of two-way traffic in Exchange Street and the lower part of the High Street, but suggestions had been turned down by SBC Roads Department. It was the view of the Community Council that there was less overall risk to the community by the suggestions put forward than the arrangements that had been put in place by SBC.

1.3 The Chair invited Mr Graham Hayward, on behalf of Mr John Taylor (Chair of Jedburgh CC), to present the petition. Mr Hayward firstly passed on Mr Taylor's apologies to the meeting as he had a prior engagement and advised that he was assuming that all members of the Committee would have visited the site. Mr Hayward explained that the Community Council worked for the benefit of the town and its people and in November 2021 had asked Council officers to consult with the Community Council on the Corner Building works. In early February 2022 the pedestrian walkway under the scaffolding around the building had closed with no prior consultation with the Community Council.

The Community Council had then received a number of reports of near misses and Mr Henderson, SBC Road User Engineer, had attended a meeting with the Community Council where it had been agreed at that time on the signage to be erected which included a warning about pedestrians being in the roadway. After receiving further complaints of near misses, the Community Council had written to Ms Gilhooly, SBC Network Team Leader, asking that Exchange Street be re-opened to two-way traffic to reduce the risk. The Community Council had also spoken to the local Co-op manager about the possibility of using the Co-op car park as a turning head to ease traffic and had asked the Council for a draft plan of this for further discussion. A further meeting had taken place with Mr Henderson and Mr Nicholson from the Architects team where Mr Nicholson had advised that the risk assessment for the building meant nothing more could be done and suggested internal discussions continued to establish if anything further could be done. The Community Council had discussed the matter with Cllr Scott Hamilton who had suggested the petition. Mr Hayward expressed disappointment that the Community Council had not been invited to meet with the consultants who had been commissioned by the Council to provide a report on traffic flow in Jedburgh. Mr Hayward then referred to a number of points contained in the briefing paper provided by the Director Infrastructure and Environment and the Road Safety Review which had been provided to the Council by Wyllie:Lodge Road Safety Consultants. These points included:

- A photo of a pedestrian and mobility scooter user on the road out-with the barriers next to the scaffolding
- The identified road safety issues and the community concerns in the Consultants review

1.4 Restore Access to Exchange Street

Copies of a petition entitled “Restore Access to Exchange Street from Market Place, Jedburgh” from Mr David Greer, had been circulated. In the statement within the petition it was explained that for the last number of years, Exchange Street, Jedburgh had had a “No Entry” sign, stopping traffic entering from Market Place. This had brought additional traffic onto The Friars, from vehicles needing to access properties on and adjacent to Lanton Road, such as Cairnmount, Exchange Street properties, 5 businesses, the redevelopment of Port House, and residents of Burn Wynd. It had also meant that residents of The Friars had to drive the length of the road to turn at the car park adjacent to Willow Court, and double back on themselves to access their driveways. Drivers had been witnessed ignoring the no entry sign and causing an accident risk by driving up Exchange Street from Market Place. This situation had to be resolved immediately, so that traffic could enter Exchange Street from Market Place safely. This could be achieved by use of traffic lights, a priority ‘Give Way’ system, or another solution to manage the traffic appropriately. This would benefit drivers who needed to use Exchange Street and Lanton Road, reduce traffic on The Friars, and allow residents to access their properties with greater ease than during past years.

1.5 The Chair invited Mr Greer to present his petition. Mr Greer explained that he was bringing the voices of the people of Jedburgh to the meeting. For several years the no entry sign had been in place and while he agreed that safety was of paramount importance, placing the sign was not enough as driver were ignoring the sign and driving the wrong way into Exchange Street. These vehicles, up to 30 in a day, included cars, taxis, tractors/trailers and SBC vehicles, so there was a high potential for accidents. To alleviate this, the proposal was that a priority give-way system was put in place. Mr Greer then gave an explanation of the narrowness of the road and historic use of Exchange Street, which was a busy thoroughfare. Parking had previously been permitted on the north side of the road where the scaffolding now was. The priority give-way system worked in Berwick and in Melrose, so should be possible in Jedburgh.

1.6 The Chair then invited questions from Members to both petitioners. In response to a question around feedback from the police if 30 vehicles were ignoring the no entry sign on a daily basis, Mr Hayward advised that the police no longer attended Community Council meetings. Mr Greer further advised that he had personally taken photographs and

reported drivers to the police but was not aware of any action having been taken. While examples could be given of near misses, there had been no reported accidents in the area. Mr Brian Young, Infrastructure Manager, advised that the scaffolding around the corner building was more or less to the centre line and when cars had been previously parked there they had been quite a bit inside the centre line. The current situation of the scaffolding required a one-way flow of traffic. Ms Gilhooly, Network Team Leader, further advised that the photographs used in the report showing pedestrians walking outside the barriers on the road had been taken at a time when the pedestrian walkway was open, so members of the public had chosen to walk on the road. Ms Gilhooly also confirmed that there was an entrance to the walkway at the junction.

- 1.7 Officers were then invited to respond to the Petition on behalf of the Council. The paper which had been circulated gave a brief history of the scaffolding on site and an explanation of the traffic management plan. Ms Gilhooly advised that safety was of paramount concern and while officers had absolute sympathy with residents, businesses, and visitors to Jedburgh for the disruption they were having to endure, the Council had to adhere to legislation, regulations and codes of practice in relation to traffic management. The scaffolding had had to be reconfigured a number of times due to the dangerous nature of the building. Officers had corresponded with the Community Council since 2020 in trying to find solutions but the rules had to be followed. Ms Gilhooly apologised that the dropped kerbs had not yet been amended and confirmed she would arrange for this to be done as soon as possible. While understanding the inconvenience caused by the current traffic system, opening up Exchange Street would not be safe and could not be signed off. Ms Gilhooly expressed concern that pedestrians were walking round the barriers but that was a personal choice for them. The Architects/Demolition team had confirmed that the demolition was likely to take until February 2023, given the dangerous nature of the building, and the site insurance company would not allow the walkway to re-open at the moment. Ms Gilhooly had emailed the Co-op estates department and was happy to let the Community Council have a copy of that email, but she had yet to receive a response. With regard to the possible use of the Co-op car park as a turning area, this was a private car park, so not under the control of the Roads Authority, it had no walkways and no escape route so it was extremely unlikely it could be used. The independent Road Safety auditors would not sanction its use. Mr Young confirmed that the Council needed to make the area as safe as possible, and unfortunately, none of the suggestions were workable.
- 1.8 Officers then provided responses to questions from Members and the petitioners. All comments from the Community Council regarding road safety matters had been passed on to the police and there had been no recorded reported injuries/accidents on this section of road. The signage had been brought down to the minimum so that Jedburgh did not look “closed” but officers would investigate amending the signage to make it semi-permanent and removal of the barriers. With regard to a give way priority system, the code of practice required a place for a vehicle to sit and with 3 different routes it would not be possible to show the priority order. There needed to be clear visibility in all directions and that was not possible at this site. Traffic lights would have similar issues, with at least a 3-way set needed, and account taken of pedestrians and all this would likely lead to traffic build up. Temporary traffic lights had been considered initially but it was felt the disruption would be unacceptable as it would also require the removal of existing parking. The biggest issue seemed to be individuals choosing to ignore the current signage in place. The petitioners expressed disappointment that their suggestions had not been accepted by officers and referred to the inconvenience caused to a local farmer, the cost to each property of the detour, and that the same risk seemed to be tolerated in Castlegate in Jedburgh. Any traffic management system needed to take account of the stakeholders and the Council needed to be more pro-active in this regard.
- 1.9 Having heard from everyone, Members then discussed what recommendations they would wish to make. While expressing huge sympathy for the disruption and inconvenience caused to the people of Jedburgh, the majority of Members favoured no further action being taken. The main concern was safety and the Council had to adhere

to the legislation and regulations in place regarding traffic management with which it had to comply, and the priority had to be safety over inconvenience. Cllr Robson asked officers to reconsider a traffic light system, especially the timings, to reduce the risk to pedestrians by slowing traffic down. Mr Young confirmed that officers would revisit this. Members also asked that the signage be reviewed, the police be asked to provide better enforcement, and the dropped kerbs be installed as soon as possible and the old zebra crossing markings/zig-zags be removed. Members then unanimously agreed that once these actions had been taken, no further action would be taken on the petitions.

- 1.10 The Chairman thanked Mr Hayward and Mr Greer for their presentation of the Petitions and Ms Gilhooly and Mr Young for their input.

**DECISION
AGREED that:**

- (a) officers would revisit the use of traffic lights at the Exchange Street junction and share their findings with Jedburgh Community Council and the appropriate committee if required;
- (b) Police Scotland would be asked to ensure better enforcement of the current no entry system to stop vehicles going the wrong way into Exchange Street with the possible use of mobile CCTV to assess the scale of the problem;
- (c) officers would review the overall signage to ensure a more visible 'no entry' sign at the bottom of Exchange Street;
- (d) officers would ensure drop kerbs were installed as soon as possible, and that old zebra crossing and zig-zag lines would be burnt off; and,
- (e) once the above actions had been undertaken, the issues raised required no further action to be taken.

2. MINUTE

- 2.1 The Minute of the meeting held on 14 March 2022 had been circulated.

**DECISION
AGREED to approve the Minute for signature by the Chair.**

- 2.2 Copies of the Scrutiny Business Action Tracker had been circulated. The Clerk to the Council advised that she would work with the relevant Directors to bring to the Audit & Scrutiny Committee after the summer recess a timeline for the outstanding actions.

**DECISION
NOTED.**

The meeting concluded at 11.20 am