

A Guide to Getting Better Streets and Pavements

**Co-produced with residents
at Trust Housing Association**

July 2019

We are Living Streets Scotland, part of the UK charity for everyday walking. Our mission is to achieve a better walking environment and inspire people to walk more.



Living Streets Scotland

We are Living Streets Scotland, part of the UK charity for everyday walking. Our mission is to achieve a better walking environment and inspire people to walk more.



About this Guide

Many people have difficulty reporting problems in their area that stop or discourage them from getting out and about – such as poor pavements, missing crossing points and badly parked cars. If they do report a problem, they often find that nothing is done.

This guide has been written to give you the information you need to take effective action to improve your local streets and pavements. From reporting a broken paving slab to overflowing litter bins and making the case for a new pedestrian crossing or bench – this guide outlines who to contact, how to contact them and how to explain the problem to get a result.

Author: Moira Tasker

Editors: Anne Docherty and Penny Morriss, Living Streets

Photographer: Pat Douglass

Prioritising the needs of people who require more from the quality of the spaces they walk in means streets and spaces that are accessible, safe, and appealing for everyone.

The guide has been co-produced with residents at several Trust Housing Association properties. They have helped write this guide and have tried out some of the advice – securing a new path and gate, pavement resurfacing, dropped kerbs and changes to crossing times in the process.

A huge thank you to Sister Jenny Lindsay, Lynda Fisher, June Mayne, Mary McKay, Jane Mitchell and Katrina Hamilton at Trust Housing Association for their input, experience and advice.



A Guide to Getting Better Streets and Pavements

Contents

Handy Numbers	Pages 7 & 8
Handy Numbers – Record Sheet	Page 9
Recording Problems – Record Sheet	Page 10
Streets and pavements	Pages 11 - 13
How do I explain the problem?	Page 14
Pavements – what to look for and how to explain it	Pages 15 - 17
Irresponsible parking (parking on the pavement, across dropped kerbs, on double yellow lines or zig-zag lines, at a bus stop, at a box junction, abandoned vehicles)	Pages 19 - 22
Keeping pavements clear (ice, leaves, dog fouling, litter, overhanging trees, street signs)	Pages 23 - 26
Making walking easier (benches, handrails, pedestrian crossing times & new pedestrian crossings, traffic speeds)	Pages 27 - 32
Guide to pedestrian crossings	Pages 31 - 32
Land ownership and related issues (how to find out who owns land, abandoned buildings, boundary disputes, CCTV, noise in the street, community rights to buy)	Pages 33 - 25
Contacting your councillor	Page 37
What else can I do?	Pages 38 - 40
Guide to assessing signalised crossing	Pages 41 - 42
How to get a new crossing	Pages 43 - 44
What to put in a letter or email	Page 45
Useful organisations	Page 46

Handy Numbers (Last Updated: May 2019)

Contacting the council

Not sure who you need to speak to at the council? Call the council's main switchboard. Give a brief explanation of the problem and ask to be put through to the correct person or department.

All the numbers for each council area are listed below. When you call, you may hear a number of options, the last of which is usually to be put through to a person.

Many problems can also be reported online. If you don't use the internet, a friend, relative or carer can help you report a problem.

There are two ways to report a problem online:

Visit Fix My Street: www.fixmystreet.com (for any council area)

Visit your council's website and use the online reporting service.

Aberdeen City	03000 200292	Highland	01349 886606
Aberdeenshire	03456 081208	Inverclyde	01475 717171
Angus	03452 777778	Midlothian	0131 2707500
Argyll & Bute	01546 605522	Moray	0300 1234561
Clackmannanshire	01259 450000	North Ayrshire	01294 310000
Dumfries & Galloway	03033 333000	North Lanarkshire	01698 403200
Dundee City	01382 434000	Orkney Islands	01856 873535
East Ayrshire	01563 554400	Perth & Kinross	01738 475000
East Dunbartonshire	0300 1234510	Renfrewshire	0300 3000300
East Lothian	01620 827827	Scottish Borders	0300 1001800
East Renfrewshire	0141 5773001	Shetland Islands	01595 693535
City of Edinburgh	0131 2002000	South Ayrshire	0300 1230900
Eilean Siar: (Stornaway) (Tarbert) (Balivanich) (Castle Bay)	01851 600502 01859 502367 01870 602425 01871 810431	South Lanarkshire	0303 1231015
		Stirling	01786 404040
		West Dunbartonshire	01389 737000
		West Lothian	01506 775000
Falkirk	01324 506070		
Fife	03451 550000		
Glasgow City	0141 2872000		

Utilities (e.g. gas, electric, water)

If you have a problem with roadworks and you're not sure who is carrying out the roadworks, check for a name and phone number on signs around the works.

You can also visit the website **www.roadworks.org** (or ask a friend, relative or carer to check it for you). The roadworks website is a live map of all roadworks. You can search by postcode or street and click on a roadwork to see who is doing the work, what the work is and how long it is scheduled for.

SP Energy (electricity): 0330 10 10 444

SGN (gas): 0800 912 1700

Scottish Water (water): 0800 0778 778

Virgin Media (for street cabinets): 0330 333 0444

BT Openreach (street cabinets, telephone poles): 0800 023 2023

CLARENCE (Customer Lighting and Roads Enquiry Centre)

Clarence is a national telephone number for reporting faults such as potholes, blocked gullies or drains, broken traffic lights or street lights and gritting.

Telephone: 0800 23 23 23

Police Scotland non-emergency number: 101

101 is available 24 hours a day, 7 days a week.

When you call 101, you will hear a recorded message saying you're being connected to Police Scotland. The system will work out your location and connect you to the service centre for your local area.

Deaf, deafened, hard of hearing or speech-impaired callers can access the service via TextRelay on **1 800 1 101**.

Streets and pavements



If you have a complaint about the condition of a street or pavement, you should contact your local council. You should tell your council if you believe that broken paving or roads may cause an accident.

You can contact your council by phone or by letter. Most councils also have an online form on their website to report problems or you can use the website 'Fix My Street' – see the top tip below.

If you are not sure how to describe the problem, or the technical terms to use, have a look at:

- Page 14 - '**how do I explain the problem?**'
- Page 15 - '**pavements—what to look for and how to explain it**'

Top Tip!

If you use the internet - or have a friend, relative or carer who can access the internet for you - an easy way to report problems with streets and pavements, such as a broken paving slab, potholes, an unlit lamppost or graffiti, is to use the website 'Fix My Street'

You enter brief details of what the problem is and where it is onto a form on the screen. The issue is then reported to the correct department at the local council on your behalf.

Fix My Street also has a map of reported issues so other people in your area can see where the problems are, what has already been reported and the response from the council.

Website: www.fixmystreet.com

Utility Companies

If you have a complaint about street works by utility companies - for example, gas, water or electricity companies digging up the road or pavement - contact the company responsible for the works first.

The phone number for who is carrying out the work is often on signs on the street. If there are no signs, or if the utility company fails to act on your concerns, you can contact your local council.

Ask your council to help if:

- If it is hard to get to and from your home – but try to take it up first with the company responsible for the works
- You are worried about noise nuisance or air pollution
- The works are dangerous, either when they are in progress, or when they have been finished
- A pavement or road is not put back to its original condition.

You can find the contact details for electricity, gas, water and broadband companies:

- On page 8 - Handy Numbers
- In the phone book
- On signs around the work
- On the company's website



Street lights, bollards, litter bins and signs

Your local council is usually responsible for installing and maintaining removable items on public streets such as:

- Street lamps
- Bollards
- Litter bins
- Traffic signs
- Street name signs
- Benches
- Guardrails

These items are collectively known as 'street furniture'.

Sometimes another organisation may be responsible for an item of street furniture e.g. a bus shelter for a particular bus company. The council should still be able to tell you which organisation is responsible for the item though, so they are still the first people to contact with maintenance or other issues.



How do I explain the problem?

Councils and other organisations often use their own jargon. Using this language is not essential but may help you reach the right person who can act.

Check to see if one of the common problems listed describes the problem.

You can also check the 'Guide to Pavements' on pages 15 - 17 for more examples. To report a 'one-off' problem have to hand:

- Your address, including the postcode
- A brief description of the problem and where it is, for example:

"I wish to report a broken paving slab on South Street, Main Town which is a trip hazard. It is making it difficult for me to leave my home. The broken slab is across from the newsagents."

Common problems – Roads & pavements

- Trip hazards, such as uneven paving slabs or potholes at a crossing
- Damage to a pavement, such as cracks or badly repaired surfaces
- Missing kerb stones
- Faded road markings
- Sunken, damaged or dangerous utility covers

Common problems – 'Street furniture'

- Missing or damaged benches, litter bins, signs
- Damaged or faulty bollards
- Damaged or missing pedestrian guardrails or fencing
- Damaged street cabinets or unattended street cabinets with open doors
- Loose cables on telephone poles or leaning poles

Common problems - 'Street cleanliness'

- Litter, broken glass, spilled paint or oil
- Dog fouling

Common problems - Street lights or traffic lights

- Bulbs being out on traffic lights, pedestrian crossings or lamp posts
- Damage to lamp posts



Pavements:

What to look for and how to explain it...

Top Tip!

Using this language is not essential but may make it easier to explain the problem and reach the right person who can act.

Kerb Stones form the edge between the pavement and the road. Various materials are used for pavements and roads including **flagstones** (flags), **cobbles** and **setts**.

If these are broken or if the wrong materials were used to fix a problem (e.g. tarmac over cobbles) they can cause a trip hazard.



Tactile paving can be felt under foot or by a cane and help visually impaired people navigate streets. There are different patterns for different messages – such as dots in a grid for a dropped kerb.

Tactile paving is often found next to crossings, traffic lights and stairs. Sometimes tactile paving is missing or broken.



A **refuge island** is a raised section of pavement in the middle of the road. The Islands normally have yellow and white plastic bollards. Kerbs are dropped at both sides of the road, usually with tactile paving. Refuge Islands allow pedestrians to stop in the centre of the road, so they can cross in two stages.



Dropped kerbs make it easier for people using wheelchairs or pushchairs to pass from the pavement to the road.

Sometimes a dropped kerb is missing or it's too high or not wide enough for wheelchair users. Dropped kerbs should be level with the road.

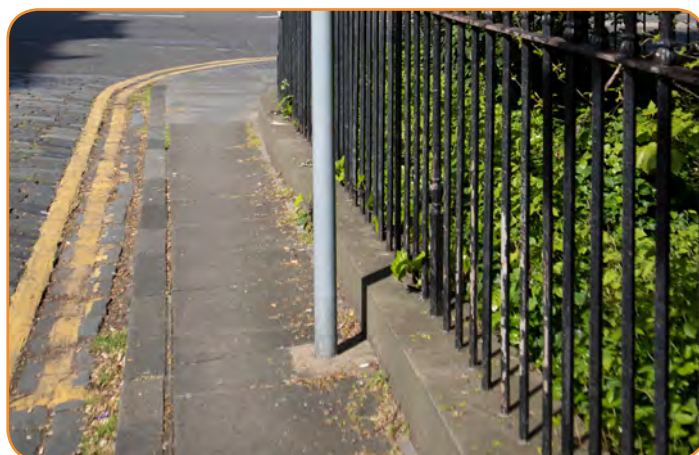


Pavement parking causes an obstruction and makes it difficult for people to get around - particularly for people using wheelchairs and pushchairs. Pavements are not designed to carry the weight of cars - the damage caused is expensive to fix.



Pavement obstructions come in many forms but the most common are badly placed poles, bollards and signs which make it difficult (or impossible) to walk on the pavement or use a wheelchair.

Poles, bollards, litter bins and signs are known as street furniture (see also guide to street furniture).



Broken **utility** or **manhole** covers can be a trip hazard and make it difficult for people using pavements and crossing roads.

Missing ironworks – such as **utility covers** or **gully covers** (for example a grill on a drain) are immediate threats to safety and you can contact the council to report this on their emergency telephone number.



Pavements:

What to look for and how to explain it...

Badly laid and poorly repaired surfaces around **manholes** and other **utility covers** can be a trip hazard. **Rocking paving slabs** can also be a hazard.

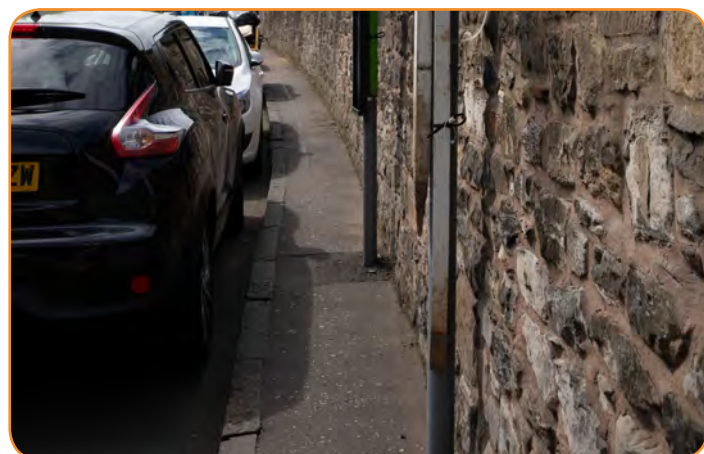


Potholes on pavements don't usually get the same attention paid to those on roads but both are a serious hazard to pedestrians.



Narrow pavements can make it very difficult, or even impossible, for wheelchair users, people carrying bags and pushchairs to get past and people can end up walking in the road.

Many councils have guidance on how wide a pavement should be, depending on location.



Top Tip!

A coin can help indicate scale in a photograph of the problem – such as a high kerb or pothole.



Irresponsible Parking

If irresponsible car parking is a problem in your street or area – act. Particularly if it stops you and others getting out and about, crossing the road safely or accessing your home, local shops or bus stops.

Check what the problem is below to see whether you should contact the council or the police.

If it's a persistent problem - rather than a one-off - you can raise the matter with your local councillor and/or community council.

Other residents are likely to be experiencing the same problems.

Pavement parking

It is an offence to park a car, van or motorcycle in a way that causes an obstruction to other people. There is no legal definition of what an obstruction is but, if the police are called, they will decide if the vehicle is causing an obstruction and can have it removed if the owner cannot be found.

Taking Action

A parked car or van blocking the pavement can be reported to the police on the Police Scotland non-emergency number 101.

Before calling

The police will need the name of the street where the car or van is causing a problem.

Make a note of the licence plate number or the colour or make of the vehicle. If the police have the license plate number, they can try to contact the owner.



Top Tip!

Make a note of any issue reported to the council or police on page 10 so others know you've called and know who to contact again.

Parking across dropped kerbs

Dropped kerbs are lowered sections of pavement that allow easier access from the pavement to the road by wheelchair users, pushchairs and the visually impaired. Parking a car or van fully or partially across a dropped kerb is classed as an obstruction.

Contact your council first. Complaints can also be made to the police via the non-emergency number, 101.

Offences that make crossing the road difficult for people with disabilities have priority.



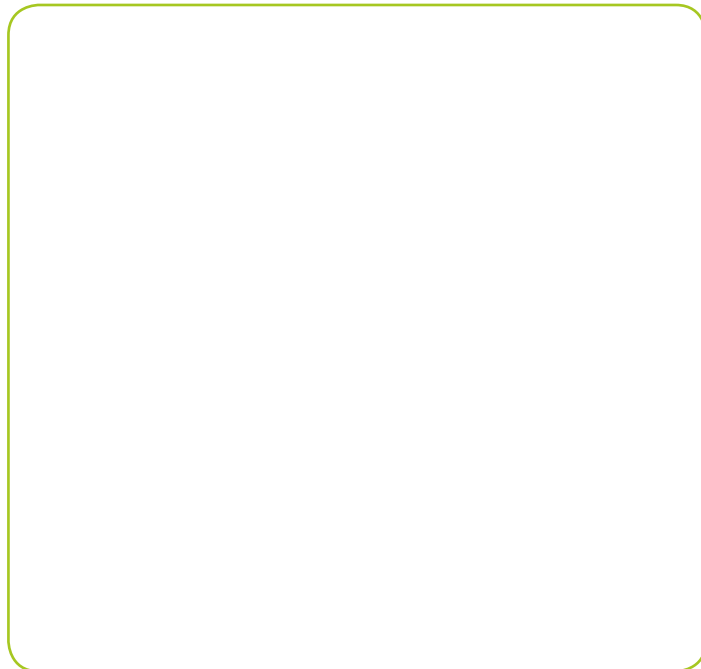
Dropped kerbs are also found outside homes and businesses with driveways. If a car is blocking access to a private driveway, the council can only act if it is the owner or tenant of the house or business that contacts them.

If parking across a dropped kerb persists though, the council can mark a white line to advise drivers not to park.



Parking on White Zig-Zag Lines & Yellow Zig-Zag Lines

White zig-zag lines mark the approach to, and the exit from, pedestrian crossings. Vehicles must not park in this area as it would block the view for pedestrians and oncoming traffic. Both the council and the police can enforce white zig-zag lines. The fixed penalty notice issued by the police is £60 and 3 penalty points.



Yellow zig-zag lines with signs stating the hours of operation are usually found around schools. During the times on the signs the rules are the same as for white zig-zags. You can contact the council or police to act.



Yellow zig-zag lines without any signs simply advise motorists not to park on them. The council cannot issue a penalty charge notice for parking on yellow zig-zag lines that do not have a sign. The police can, however, still issue a ticket when a vehicle on yellow zig-zags causes an obstruction to either traffic or pedestrians.

If you wish to report a parked car on zig-zag lines and are not sure which rules apply, contact the parking department or team at the council first.



Parking on double yellow lines or at a bus stop

If a car, van or motorcycle is **parked on yellow lines** or at a **bus stop** you can contact the council. The council can send a parking attendant to check and issue a ticket if the vehicle is wrongly parked.

If the vehicle is causing an obstruction to other vehicles and pedestrians it can be removed and impounded.



Parking at a box junction

If a vehicle is parked at a **box junction**, is **double parked** or **causing a hazard** first check whether there are parking bays or yellow lines. If there are, contact the council. If there are no parking bays or yellow lines then the police may be able to help. Police Scotland can be contacted on their non-emergency number, 101.



Abandoned vehicles

The council or the police must remove a vehicle that has been abandoned on a road, pavement, or on any other public land. Such vehicles may be impounded, and the costs charged to the last registered keeper. To report an abandoned vehicle, you should phone the environmental health department at your council. You can also use the Fix My Street website to report abandoned vehicles.

Keeping Pavements Clear



Ice, leaves and seasonal hazards

Councils have a legal duty to ensure that safe movement along the pavement is not stopped by snow or ice. Decisions on which roads and pavements to treat are based on factors such as how frequently the road or pavement is used, if there are alternative routes for pedestrians and if there is a more practical way of clearing them, such as community schemes.

Most councils publish information on their website, including maps, about which streets and pavements they prioritise for gritting. Your local library should also have this information to view.

Pavements on routes to hospitals, schools, care homes and sheltered housing complexes are usually prioritised. These are often called 'priority one routes' and both roads and pavements are categorised this way. It's worth noting that grit (rock salt) will only work at temperatures down to minus 8 -10 degrees centigrade, below that temperature salted roads and pavements will still freeze. Unadopted roads are not gritted by the council.

If ice or leaves are making it difficult and/or dangerous for you to get out and about contact the roads department of the council first. If the situation is urgent call the main council number, explain the problem and ask to be put through to the right person.

Many councils make grit bins available on streets for people to use and also publish a list or map of grit bins on their website. You can report a damaged, empty or missing grit bin to your council and you can also request a grit bin for your street, either online or by phone.

Top Tip!

If ice or leaves on the pavements are a problem every year in your area, contact your councillor. If they know how it is affecting you and your neighbours they can act.

Dog fouling

It is an offence for someone in charge of a dog to fail to remove and dispose of dog mess from a public place. This includes:

- Pavements and roads
- Parks, including football or rugby pitches
- Shared land such as back greens, stairs, and closes
- Any open land that the public has access to

Councils can issue a fixed penalty notice of £80. If dog mess on the pavements is making it difficult to get out and about, complain to the council. You can do this by phone or online. Have to hand:

- The street name or park
- The times it happens (if you know)
- A description of the dog and owner (where possible)

If dog fouling is a persistent problem in your area, you may wish to raise it with your community council and/or local councillor.

They can take action - for example, by putting up signs and/or posters, increasing the number of dog waste bins and adding the area to council warden patrols.



Keeping Pavements Clear

Litter

Your council should make sure that streets, parks and open spaces are kept clean. It is illegal to drop litter. Council wardens and the police have the power to issue a fixed penalty notice to anyone caught dropping litter.

Councils can also serve notice on businesses that contribute to the creation of excess litter, requiring that they clean up to 100 meters either side of their business.

You can contact the environmental health department of the council, by phone or online, to report litter. You can also report the problem using the 'Fix My Street' website.

Most councils will also help people wishing to organise a community clean up by providing equipment and arranging to remove the litter that has been collected.

For fly-tipping - dumping anything on public land - such as a bin bag next to a bin or a mattress on the street it's helpful to write down before calling:

- The location
- Description of what has been dumped
- Any information on who left the items or the registration number of the vehicle involved



The council can issue fixed penalty notices of £200 for fly-tipping and courts can impose a fine of up to £40,000 and/or imprisonment.

The Scottish Environment Protection Agency also has a Dumb Dumpers Stop Line 0845230 4090 for reporting fly-tipping.

Overhanging trees or shrubs

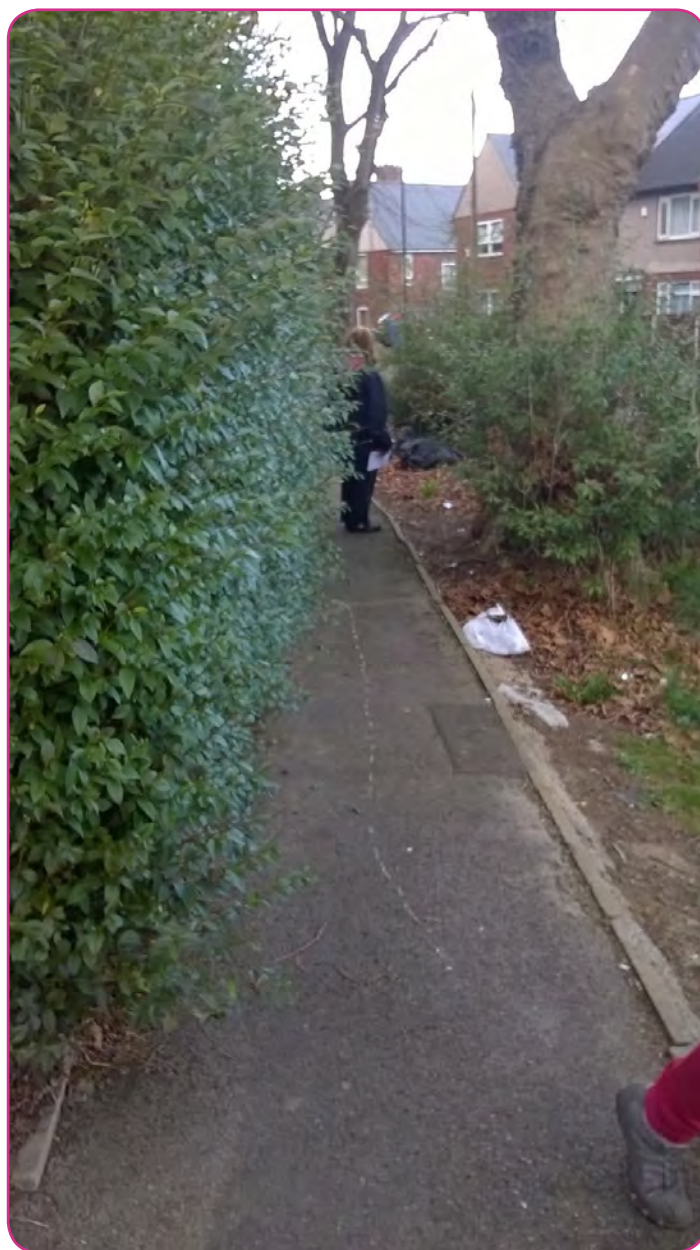
Trees or shrubs overhanging on to a public street or pavement can make it difficult for people to pass safely, particularly wheelchair users and pushchairs.

Additionally, the owner of the trees or shrubs could be liable to pay damages for injury caused by the overhanging branches. This rule is based on common law established from court decisions on such incidents.

Overhanging trees or shrubs can be reported to the council by phone or online. You can also use the Fix My Street website. If the branch or tree is an immediate threat to safety, telephone the council to report it as an emergency.

Damaged or missing street name signs

If a street name sign - sometimes called a street name plate - has been vandalised, damaged or removed you can contact the street naming and numbering section of your council. They are usually a team within the planning department of your council.



Making Walking Easier

Benches

Benches can make walking much easier for many people. It's not just older people who use benches to rest when out and about. Parents with young children, people using walking sticks, walkers and mobility aids and people with health conditions benefit too.

A well-placed bench or seat can encourage people to get out and about, walking to the local shops or bus stop knowing they have a place to stop along the way. Studies have also shown that public benches can increase feelings of safety in an area and reduce isolation.

Most councils have a scheme for installing public seating and benches, although this is usually memorial benches in specific locations. If you think a bench is needed on a local walking route - perhaps on a steep section, at a bus stop or on a local green - you can contact your council and/or councillor.



Top Tip!

You will need to identify the location for a new bench and say why it would be a good idea.

- Speaking to neighbours and other residents may help strengthen your case
- Your community council or neighbourhood partnership may be able to access funding from a trust or charitable source to pay for it - so it's worth contacting them too

Pedestrian crossing times

Everybody should be able to cross the road safely, directly and without delay. Pedestrian crossings should be in the right place and give everyone enough time to cross the road.

The green man lighting up is your invitation to cross the road. When the green man starts flashing, that's called the clearance time. The time the green man spends flashing assumes that people walk 1.2 metres per second. This walking speed was calculated in the 1950s and hasn't changed since.

Most people over 65, people with disabilities and children take longer than this to cross. If a crossing does not give you enough time to cross, there are actions you can take.

Gather evidence, if you can, to support your request for more time to cross. The Guide to assessing signalised crossings on page 31 tells you what information to record to build a case for changing pedestrian crossing times.

You may wish to ask a friend, relative or carer to help you time and record your experience of using the crossing. Alternatively, you can give the form to your councillor or community council and ask them to review the crossing times.



Top Tip!

Use what is already out there to help you make your case.

The council will have a “local area plan” or street design guidance that can help explain why a new bench, pedestrian crossing or other street improvement is needed.

You can get a copy of the local area strategy from your local library, the council website or ask your councillor.

Making Walking Easier

New pedestrian crossings

Councils are responsible for assessing the need for pedestrian crossings and ensuring these are built. Most councils receive more requests for new pedestrian crossings than they can build.

Councils have a priority system to assess requests for new pedestrian crossings. They consider things such as access to shops, parks and schools.

There are sometimes opportunities for new crossings to be installed when new housing or roads are built, and these are paid for by the developer and form part of the planning application process.

You can ask the council for their current priority list for new pedestrian crossings and the information they have on locations that have failed to meet the list.

New pedestrian crossings are something your local councillor, community council, neighbourhood partnership and/or access panel may already be working on. They would certainly value hearing about your experience and the need for action.

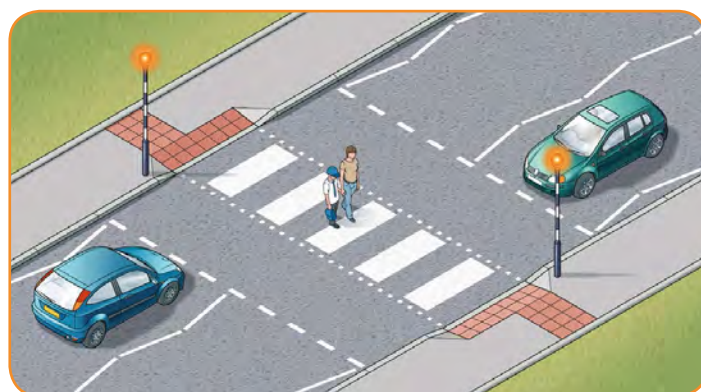


Top Tip!

If you think a new pedestrian crossing would be a good idea in your area, read 'How to get a new crossing' on pages 43 - 44 first. You could also pass on this information to your councillor, community council or local Access Panel and ask them to act.

Guide to... Pedestrian Crossings

Zebra crossings - black and white painted strips across the road with flashing amber globes called 'belisha beacons'. Zebra crossings have no light signal to stop traffic – right of way is automatically given to pedestrians on the crossing.



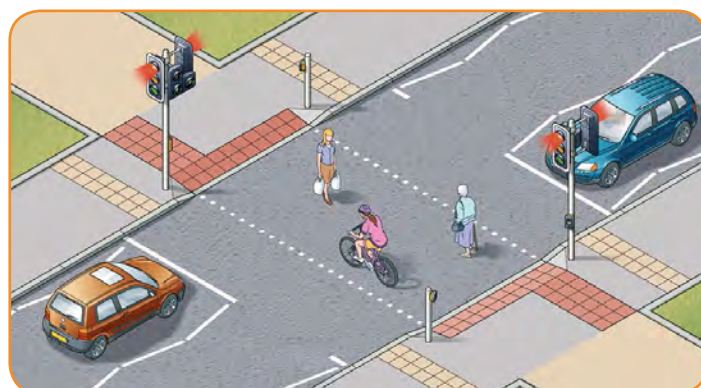
Pelican crossings have red, amber and green signals facing drivers, and a red and green man signal for pedestrians.

Puffin crossings do not have a flashing green man for pedestrians or a flashing amber signal for drivers. At puffin crossings, the red and green man signal is on the pedestrian's side of the road. This encourages pedestrians to look in the direction of approaching traffic.



Puffin crossings have sensors on top of the traffic lights. These sensors detect if pedestrians are still crossing. If pedestrians are detected on the road the sensors keep the red traffic light showing until the crossing is clear.

Toucan crossings - like puffin crossings but cyclists can ride across the road. They are often next to a cycle path. A Toucan crossing has a cycle symbol alongside the figure of a man.



Pegasus crossings - similar to Toucan crossings but they have a red/green horse symbol and the push button boxes are higher to make it easier for horse riders to press the button.



School crossings - operated by school crossing patrol (lollipop person) to help children on the way to and from school.



Tactile signals, known as 'rotating cones' are found on the underside of the push button control box at crossings. The metal cone rotates when it is safe to cross and are used by non-sighted people. The cones are found on crossings that do not have **audible signals (beeps)**. Audible signals cannot be used on crossings that are close together as it is difficult for non-sighted people to tell which crossing is indicating it is safe to cross.



Land ownership and other issues

There are no standard guidelines for dealing with problems in your local environment. The solution will depend on many things, including ownership and who is responsible for maintenance or improvements.

How do I find out who owns land or a building?

If you want to find out who owns land or property, you can access the Registers of Scotland. Their website has a search facility, which lets you search for details of property ownership, rights and conditions and title deeds. You can also visit the registers in person. There are offices in Edinburgh and Glasgow.

The Land Register of Scotland gives information on properties and land owned in Scotland, including; current owners, price, whether there's a mortgage on the property and any conditions affecting the property.

The Register of Scotland's website has information on what you need to search the registers and how much it costs:
www.ros.gov.uk/services/ownership-search

Abandoned buildings

If you are concerned about a property that has been empty for a long time, you can report it to the Empty Homes Advice Service on **0344 515 1941** or by emailing **emptyhomes@shelter.org.uk**. The Empty Homes Advice Service can also contact council empty homes officers.

If the property is of historic interest and in disrepair, you can check and/or report to the Buildings at Risk register, maintained by the Scottish Civic Trust:
www.buildingsatrisk.org.uk

Establishing property boundaries and ownership

If a dispute arises about the boundary between properties, the first step is to establish exactly where the boundary is. The title deeds will usually show the boundaries and can be viewed via Registers of Scotland.

If the boundaries are not defined in the title deeds, the next step is to seek legal advice. The Law Society of Scotland has a 'find a solicitor' search facility where you can search by location and area of law (e.g. 'housing, neighbours and property')
www.lawscot.org.uk/find-a-solicitor

Duty to erect a barrier

The title deeds may specify that an owner must erect a fence, wall or other barrier and may state the type of barrier to be erected. The title deeds can also contain restrictions on putting up a barrier, for example on open plan housing estates. If the deeds make no reference to barriers then, generally, the owner is under no obligation to erect one.

Who can use or repair a fence or wall?

To establish who can use or repair a fence or wall, you first need to find out who owns it. The ownership may be stated in the title deeds of the property, as may the responsibility for repairs and maintenance. If the deeds do not show this, you can seek legal advice.

If the fence or wall belongs to one owner, they can use it as they wish, without neighbour consent, providing it is safe. The neighbour has no rights over the barrier. For example, they cannot use it to support plants without the owner's permission. If the fence or wall is jointly owned, each neighbour can use it, provided neither makes it unsafe. A property owner is not obliged to repair a fence or wall unless the title deeds say so. If it injures a person or damages property, however, they may be liable for damages. It is generally in the owner's interests to keep a fence or wall in a reasonable state of repair.

Adopted & Unadopted Roads

If you are not sure who owns a road or path or where ownership starts and ends, you will need to establish if the road is 'adopted' or 'unadopted'.

- An adopted road is managed and maintained by the local council. It doesn't matter who owns the ground on which the road is built.
- An unadopted road is in private ownership. It is the responsibility of the developer or house owner to maintain it.

You can view the list of adopted roads in your area at the council – usually at the Roads or Planning Department.

New roads built as part of housing or other development can be built by developers to a standard that allows them to become adopted by the council once they are finished. If you have a question about a new road under construction, you should contact the developer.

If you are responsible for an existing private road (an 'unadopted' road) you can apply to have the council adopt it under Section 16(1) of the Roads (Scotland) Act 1984. There are specific legal requirements, including standards that have to be met. The Planning Department at your council can give more advice on this.



Land ownership and other issues

CCTV

If you have concerns about how CCTV is being used, for example by a neighbour, information on the rules and regulations is on the Information Commissioner's Office website at www.ico.org.uk.

Noise in the street

Loudspeakers (except those used by the police, fire and ambulance services) must not be used in the street at night. Ice cream and grocery vans can use chimes or bells to advertise their services between noon and 7pm. Noise complaints from loudspeakers or chimes can be made to the police via the non-emergency number 101 or to the environmental health department of your local council.

Trees

The owner of a tree has a legal obligation to take due care that it does not damage a neighbour's property, including a garden as well as buildings. You can ask your neighbour to cut the tree back. You are also entitled to cut back roots and branches that overhang onto your property yourself.

Neighbour is a business

When your neighbour is a business many of the activities that could typically be a nuisance are covered by licensing procedures. Examples of activity controlled by a licence include; entertainment, such as a pub or sports stadium, commercial waste, take-away food outlets, street and temporary obstructions such as scaffolding. Contact the licensing department of the council if you have concerns.

If you are concerned about an application for a licence

Licence applications are generally published in the local press and at the site of the proposed activity. If an application for a licence has been made for an activity which you believe will cause a nuisance, you may be able to comment on the proposal and/or speak at the council committee meeting deciding the license. Contact the licensing department at your council for information.

Community rights to buy and take over land and buildings

Problems in the local environment may be caused by the way land or buildings are being used. In certain circumstances community groups can either buy, rent or take over land or other assets. If a community group identifies land that it thinks has been abandoned, neglected or is causing a detriment it can apply to Scottish Ministers to ask for permission to exercise the right to buy it. It does not require the owner to be willing to sell, but an owner will be allowed to object to the sale.

More information is available from The Community Ownership Support Service: www.dtascommunityownership.org.uk

The Community Ownership Support Service also offers advice if you are concerned about abandoned or neglected land or property.

Information about asset transfer: www.gov.scot/publications/asset-transfer-summary-guide

Contacting your councillor

A councillor represents their area (called a ward) and the people who live in it. Your councillor can help with matters that you feel are important in your local area.

Who is my councillor?

You can find out who your councillor is and their contact details by:

- Looking in the phone book
- Checking noticeboards e.g. at community centres, the library or in your housing complex
- Checking the council's website or calling the council. Searching by postcode is also usually available
- Visiting the website
www.writetothem.com

Some areas have more than one councillor representing their area. If the councillor you contact is unavailable or doesn't deal with that issue it will be passed to another councillor for your area.

Ways to Contact

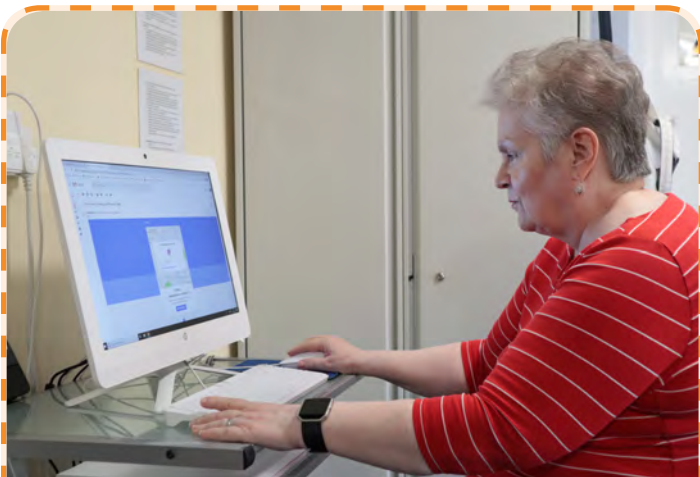
You can call or write to your councillor or meet in person.

Councillors, MSP's and MPs also hold regular drop-in 'surgeries' to enable people to raise issues with them. Details of when and where these surgeries are held will be on noticeboards at your community centre or library, on the council's website and in the local newspaper.

When writing to your councillor (or MSP or MP) include your postcode, either at the top of the letter or as part of the subject line of the email. This helps them identify you as being in their ward. Most councillors have jobs outside their role as a councillor and have many calls on their time. Be clear about what you would like them to do and why (for tips see 'what to include in a letter').



What else can I do?



Top Tip!

Write to Them is a useful website where you (or a friend, relative or carer) can find out who the politicians are for your area – councillors, MPs, MSPs and MEPs – even if you don't know their name. All you need is your postcode.

The website also tells you the name of the ward you live in and you can write to them directly on the screen. Replies go to the email address you registered with.

Website: www.writetothem.com

There are lots of actions you can take to help improve your local streets and pavements, either on your own, with another resident or in a group.

Collect evidence

If there is a problem, try to collect evidence. You could keep a record of the times and places where it is a problem using the record sheet in this Guide. Someone with a digital camera, which displays a date, could take pictures of the problem over a few days.

Write to your councillor, MSP or MP



Although your MSP or MP does not have decision-making power relating to local issues such as pavement maintenance, they are influential and will often be supportive. You can ask them to write to the council or another organisation to find out what action they will take and when that will happen.

...continued over page

What else can I do?

Contact your community council



A community council is a voluntary organisation set up by the council and run by local people to act on behalf of the area. As well as representing the community to the local authority in matters such as planning applications, community councils can:

- Carry out projects to improve the community for all groups of citizens – elderly people, single parents, minority groups, young people etc.
- Write community newsletters and conduct local surveys
- Campaign on local issues and organise community events

You can find out how to contact your community council and details of when and where it meets at your local library or visit the website:

www.communitycouncils.scot

Contact Your Neighbourhood Partnership





Neighbourhood Partnerships are made up of local councillors, community representatives (often people from community councils), the Police, NHS and the voluntary sector. Neighbourhood Partnerships aim to tackle issues that affect local quality of life. The Partnership sets priorities for each area and identifies problems that need to be addressed. They make recommendations and provide direction to the council. They can also award small grants for local projects. To speak to someone about how you can raise a problem with your Neighbourhood Partnership, contact your local Partnership and Information Manager directly. Your library will have the contact details, or you can call your local council and ask or visit the council website.

Contact Your Local Access Panel

  Access Panels are groups of volunteers who support their communities to become as accessible as possible. There are access panels in nearly every council area in Scotland. The panel works with the council and other organisations to create a better physical environment for all. You can write to, call or email your local Panel to tell them about a problem. You can also join a Panel. The contact details for your nearest access panel are online at <http://accesspanelnetwork.org.uk/directory-panels/>. The library and your council will also have the contact details.

Write a letter to your local newspaper or ask them to run a campaign

  If you get this published, it can raise awareness of the problem and other people may come forward and say it is also a problem for them. Local councillors and MPs are also likely to take notice. Your local newspaper may be interested in the issue, particularly if you can show them where it is a problem, and someone is prepared to tell them how it affects their ability to get around.

Get a group together

 Campaigning to improve your local streets can feel like a daunting task but it needn't be, especially if you have people to support you and you can work as a team. There are lots of people who could help you. This might be your local community council, residents' association, access panel or a Living Streets group. www.livingstreets.org.uk/get-involved/take-action-in-your-area/local-groups



Guide to... assessing signalised crossings

Is your local pedestrian crossing up to scratch?

Use this checklist to help assess any signalised crossing. It is also a good way of gathering evidence about a problem with a crossing - such as the signals giving people too short a time to cross or missing dropped kerbs and tactile paving.

Assessing a crossing is easiest with two people – one person to cross the road and one person to time it.

What you will need:

- Pen and paper or a photocopy of this checklist
- A stop-watch or mobile phone with timer function
- A camera or a mobile phone which can take pictures

1. What type of signalised crossing is it? (if you're not sure check page 31 - 32 Guide to Pedestrian Crossings)

- Pelican Crossing
- Puffin Crossing
- Toucan Crossing
- Pegasus Crossing

2. How long do you have to wait at the crossing before the lights change?

- Up to 30 seconds (recommended)
- 31 – 90 seconds
- 91 seconds to 120 seconds
- + 120 seconds

3. Check the crossing time

The walking speed used to calculate how much time pedestrians have to cross is 1.2 metres per second. We recommend an assumed walking speed of 0.8 metres per second. Most people aged 65+, people with disabilities and young children have a walking speed of 0.8 metres per second and are not given enough time to cross.

To work out the speed at which people have to walk to use your crossing, you will need to measure the road (using a stride as 1 metre is easiest) and record how much time is given to cross.

Start your timer when the green man is static and also include the time it flashes. Stop your timer when the green man changes to red or the light signals for traffic change to red.

Width of the road in metres:

Time given to cross in seconds (the 'pedestrian phase'): _____

Divide the width of the road by the time given to cross the road. This gives you the assumed walking speed of the crossing.

Assumed walking speed of the crossing m/s: _____

Example:

The width of the road is 10 strides or c. 10 metres. The signals give 7 seconds to cross. You divide 10 (metres) by 7 (seconds). You would have to walk at a speed of 1.42 metres per second to cross the road safely.

4. Is the green man signal near or far?

Green man signals can be opposite the pavement (far-side) or near to you on the pavement (nearside). Some people find it difficult to see a nearside signal, particularly when other people are waiting to cross.

- Far-side green man
- Nearside green man

5. Does the crossing have sensors?

Some crossings have sensors to detect if pedestrians are waiting to cross and/or if pedestrians are still crossing. You will see them at the top of the traffic signals. If they detect that a pedestrian is still crossing when the green man is about to end they can extend the time available.

- Sensors (our recommendation)
- No sensors

6. Is the crossing suitable for everyone?

- Is there tactile paving? (on both sides)
- Is there a rotating cone (found under the push button - this is a small cone which rotates when the green man turns on. It can help visually impaired people to know when to cross.)
- Are there audible signals? (this is the beeping sound which can be found at some crossings and it helps visually impaired people to know when the green man is showing.)
- Are there dropped kerbs?

7. Is the crossing in the right place?

Are people using the crossing, rather than crossing at other places?

- Yes No

Can people cross in one go or do they have to wait at a second crossing?

- Yes No

If there is a refuge in the middle, do people have to turn and cross the road away from where they started?

- Yes No

8. Is there street clutter which makes it difficult to see traffic or pedestrians?

e.g. parked cars, bollards, bins, redundant poles? Yes No

9. Is the crossing and pavement wide enough?

Is there enough space on the crossing and pavement? Yes No

Now that you have gathered this information you can accurately describe what is wrong with the crossing and ask your council to make changes, such as:

- Reducing the waiting times for pedestrians
- Increasing the time people have to cross
- Making sure the green man is clearly visible
- Making sure that it is working properly (audio signals and the cones are really important for blind and partially sighted people)
- Putting a crossing where people want to cross the road
- Allowing enough space and visibility for all the pedestrians to cross safely.

How to get a new crossing

If you think a new pedestrian crossing is needed in your area you will need to explain the reasons why.

First Steps

- Some councils allow individuals to request a new crossing, but in many areas only your councillors or the community council can make an application. Visit the council's website to check the process. There is usually a webpage for 'requesting a pedestrian crossing' in the roads and pavements section.
- Contact your councillor, community council or Access Panel at an early stage. They may also have received other requests for a crossing or even already looked into the issue already.
- Councils maintain a list of sites where new crossings are approved and/or being consulted on. They also keep a list of sites that have failed an assessment for a new crossing. Check your council's website or call the roads department for a copy.
- Even if a prior request has failed, it's worth checking why. The council may have used a formula based on the number of vehicles using the road and the number of people crossing it. They may not be aware, that the residents of sheltered homes nearby do not cross the road, or walk in the area, due to having no place safe to cross.

Build Your Case

Use this checklist to help determine whether a new crossing may be justified and to gather as much evidence as possible.

Why is a new crossing needed here?

Where are pedestrians coming from and going to and what's the most obvious route? Consider the location of shops, services, schools and/or houses that people need to reach by crossing the road. People walking usually take the shortest route to a destination. These are called 'desire lines' or 'desire paths' – the ways people want to walk naturally if there were no barriers.

What do other local people think?

As well as observing where most people cross and want to cross the road, you should also consider what people want. You may wish to do an informal questionnaire – or suggest a questionnaire to the community council or your councillor.

What is the speed limit on the road?

Check road signs to find out the speed limit on the road where a new crossing is needed. Where the speed limit is over 30mph a signalised crossing, such as a Puffin or Toucan crossing, is more suitable. If the road has a 20mph limit, a zebra crossing or a central refuge, with a raised table, may be more appropriate. It may be that a change of speed limit in a built-up area to 20 mph could help make vehicle speeds slow enough for people to cross informally more easily.

What is the layout of the road and how wide is it?

Are there any junctions and what type are they? Busy roads with four arms of a junction require signalised crossings. If the layout is a T junction and the speed is low, a zebra crossing or refuge island may be appropriate on the minor road. The major road would need a signalised junction.

It's useful to note the width of the road as traffic island refuges could greatly aid informal crossing. Pavement build outs can also help pedestrians get across the road more safely by reducing the crossing width and making people visible to oncoming vehicles, avoiding the need to cross between parked cars.

When are the busiest times of day?

Does the number of vehicles and pedestrians change during the day? What times are the busiest? For example, if there are high numbers of people crossing the road before and after school a lollipop person might be appropriate. Council's measure pedestrian and vehicle flows to assess the need for new crossings so it's important to record any particularly busy times and the reasons for that. Some routes can become 'rat runs' at certain times and this would be an issue to note.

What is the general age and/or mobility of pedestrians?

Where there are significant numbers of older or disabled people, for example, on the route between a sheltered housing complex and local shops, consideration should be given to signalised crossings.

How much?

The cost of a new crossing depends on the type and location. Crossings that are traffic signal controlled – such as Puffin or Toucan crossings – are the most expensive at approximately £50,000 - £70,000. Traffic refuge islands cost between £9,000 - £12,000. Zebra crossings cost between £20,000 - £40,000.

Although the costs appear high, around 23,000 pedestrians are killed or injured in police reported road accidents every year. 40% of pedestrian deaths are among people aged 60+. Accidents are closely related to the times and places that older people most often walk, being more common during the day and within 1km of home in urban or built-up areas.

What to put in a letter (or email)

Writing to organisations or individuals can be a good way of making your voice heard to improve your local streets and make getting out and about easier for you and other people.

What to say in your letter

Before you start, make some notes:

- Think about the outcome you want. For example, you might want something fixed, like a broken paving slab or you might want support to make an improvement in your street, such as a new bench or crossing.
- Note down the main points you want to say – include relevant dates and times the issue has affected you (you could send a copy of the record sheet from this guide if applicable). Remember to include the location (street name and/or postcode) and how the problem affects you.
- Include any actions you have already taken, such as a calling the council or utility company.
- If you know about laws, policies or government guidance that may be relevant, include these in your notes (but that's not essential).

Use the notes to help you write the letter. It can help to break the letter down into three parts:

- A beginning - explain who you are and why you are writing
- A middle section - explain the problem
- An end section - what action you expect and when you expect to get a reply

Your letter is more likely to get the outcome you want if it includes all relevant information and makes it clear what you are asking them to do.

State your case simply and clearly. Be polite even if you are frustrated. Stick to the facts. Remember to include your address and/or phone number.

Signing off and checking

Close your letter with a final sentence like:

- I thank you for your assistance
- I look forward to hearing from you.

Once you have finished writing the letter or email, check you have included everything you want to say. It's a good idea to get someone else to check it for you as well, if you can. They may spot things you have missed.

Keep a copy

Make sure you sign and date the letter. You may want to keep a copy, so you can refer to it again or show it to someone else (such as a neighbour or councillor)

Posting

Depending on the problem, you may wish to get proof of posting. This is a free service. Ask at the Post Office for a 'certificate of posting' and they will provide this for you. In certain cases, you may want to use recorded delivery to prove the letter was received. Staff at the Post Office can help with this.

Useful Organisations

<p>Living Streets</p> <p>National charity for everyday walking. Website: www.livingstreets.org.uk Telephone: 0131 243 2645</p>	<p>Paths for All</p> <p>The champion of everyday walking for a healthier, happier Scotland. Website: www.pathsforall.org.uk Telephone: 01259 218 888</p>
<p>Citizens Advice</p> <p>There are 60 Citizens Advice Bureaux in Scotland offering free face-to-face advice. Contact details for your local branch are in the phone book. Website: www.citizensadvice.org.uk/scotland Citizens Advice Direct: 0808 800 9060</p>	<p>Planning Aid Scotland</p> <p>Charity offering free and confidential advice on planning matters by specialist chartered planning volunteers. Website: www.pas.org.uk</p>
<p>Sustrans Scotland</p> <p>National cycling charity making it easier to cycle and walk. Website: www.sustrans.org.uk Telephone: 0131 346 1384</p>	<p>Scottish Rights of Way and Access Society (Scotways)</p> <p>Charity working to safeguard Scotland's public rights of way and countryside access. Website: www.scotways.com Telephone: 0131 558 1222</p>
<p>Ramblers Scotland</p> <p>Charity working to secure access, develop paths, protect the countryside and promote walking for everyone. Website: www.ramblers.org.uk Telephone: 0131 357 5850</p>	<p>Scottish Civic Trust</p> <p>Charity leading on the protection and enhancement of the build environment in Scotland. Website: www.scottishcivictrust.org.uk Telephone: 0141 221 1466</p>
<p>RNIB Scotland</p> <p>National sight loss charity. Website: www.rnib.org.uk Telephone: 03031239999</p>	<p>Keep Scotland Beautiful</p> <p>Charity campaigning to improve Scotland's environment, including tackling litter. Website: www.keeptoscotlandbeautiful.org Telephone: 01786 471333</p>

info@livingstreets.org.uk
020 7377 4900
www.livingstreets.org.uk



LIVING

STREETS



Living Streets 2019 Living Streets (The Pedestrians' Association) is a Registered Charity No. 1108448 (England and Wales) and SC039808 (Scotland). Company Limited by Guarantee (England and Wales), Company Registration No. 5368409. America House, 2 America Square, London, EC3N 2LU.