

The following criteria will be taken into account, recorded or measured by assessors to ensure consistency in all assessments. It is, however, recognised that, in reaching a decision about a walk route, assessors should not necessarily consider each criterion in isolation but should consider its interaction with all others to determine walk route availability at particular locations.

1. Accompaniment

The assessment assumes that a child walking a route will be accompanied by a responsible adult, where appropriate. This is on the basis that the Council's statutory duty to ensure pupils get to school covers:

- those who live over the entitlement distance from their catchment school
- those who have an unavailable walk route.

Beyond this, it is a parent/carer's responsibility to ensure attendance at school, by virtue of Section 30(1) of the Education (Scotland) Act 1980:

"It shall be the duty of the parent of every child of school age to provide efficient education for him suitable to his age, ability and aptitude either by causing him to attend a public school regularly or by other means."

The above is consistent with local authority policy across the UK and is backed by case law – most notably two House of Lords decisions (Rogers & another v Essex County Council 1986 and Regina v Devon County Council 1988), in which the former states,

"A route to be 'available'...must be a route along which a child accompanied as necessary can walk and walk with reasonable safety to school. It does not fail to qualify as 'available' because of dangers which would arise if the child is unaccompanied."

2. Footways and roadside strips

For all sections of road where there is a footway or roadside strip of greater than 1 metre in width, capable of being walked along, the route is considered to be available for that part of the journey. Verges and other unsurfaced strips at the side of a road will only be considered available if they can be walked without hindrance from vegetation or other obstacles and are free from undulations.

Where a footway or roadside strip exists, but is less than 1 metre in width, assessing officers will consider the interaction of site-specific factors, including the following, to determine availability:

- length of footway less than 1m width
- ability to step off onto an adjacent verge
- any necessity to step off onto the road itself
- traffic flow and speed limit

- sightlines/visibility
- additional footway obstructions
- accident data.

Where there is no suitable footway or roadside strip on roads where the two-way traffic flow (one way of a dual carriageway) is less than 240 vehicles per hour, the route may still be considered available if:

- there are verges which provide a “step off” for pedestrians when vehicles are passing, or,
- the width of the carriageway, observed speed, volume, composition of traffic and visibility deem the route as available.

3. Crossing Points

In all cases, it is assumed that pupils and the accompanying adult will, at some point, have to cross a road to make use of footways, roadside strips or verges and that they will observe the Highway Code at all times.

Where it is necessary to cross a road, the following circumstances will be considered:

- Assessing officers will make a note of where there is a need to cross a road, where it is appropriate to cross and the visibility at that point.
- All marked pedestrian crossings, zebra crossings, pedestrian refuges, signal controlled junctions (with a pedestrian phase) and locations with a School Crossing Patrol will be considered available.
- A crossing point will also be considered available where the two-way traffic flow is fewer than 240 vehicles per hour and there is sufficient visibility.
- At locations with no crossing facilities and where the two-way traffic flow is greater than 240 vehicles per hour, the crossing point will be assessed. In general, if there are 4 gaps of at least the Minimum Gap Time in every 5-minute period then the road is assessed as available to cross.
- Where a crossing point is required on an exit road from a roundabout, assessors will observe and record any potential uncertainties, caused by vehicle movements on the roundabout itself, which could cloud the decision to cross at the crossing point.

4. Other routes

An available route may include roads, public paths, rights of way, footpaths and bridleways, which provide a suitable walking surface, passable without hindrance from surrounding vegetation or other obstacles.

For off-road routes, which include parks, wooded areas, grassland and public spaces, assessing officers will consider the interaction of site-specific factors including:

- surface
- lighting
- visibility/sightlines
- surrounding walls, vegetation or other barriers
- advice from Police Scotland.

Routes through cemeteries, graveyards, crematoria and places of worship will not be considered available for the purposes of route assessment.

Assessments may include information on an alternative walking route to the available one. Parents/carers/pupils may also identify alternative routes of their own. Such alternative routes may not be the most direct or the fastest route. Where an alternative route is longer than the distance entitlement criteria this would not lead to free transport entitlement given the existence of the originally assessed available route.

5. Gradient

The presence or absence of a gradient is part of the overall assessment of the availability of a route.

6. Street lighting

The presence or absence of street lighting is part of the overall assessment of the availability of a route.

7. Assessment of accident data

The assessors will note accidents over the previous 3 years – using data provided by Police Scotland – as part of the assessment. Accident data for the route may be taken into account.

8. Weather conditions

Weather is not considered in the assessment of walk route availability. However, the *impact* of weather on a route's availability may be taken into account e.g. regular flooding making a route impassable.

9. Trunk Roads

Where a walk route is along or crosses (at surface) a trunk road, the assessors will liaise with Transport Scotland as to any specific, additional requirements for consideration.