

Report to the City of Edinburgh Council



ROAD TRAFFIC REGULATION ACT 1984

Report by Mike Croft, a reporter appointed by the City of Edinburgh Council

- DPEA case reference: TRO-230-3.
- Council case reference: TRO/17/91.
- Site address: Roseburn Terrace, West Coates, Haymarket Terrace and adjoining roads, Edinburgh.
- Promoting authority: City of Edinburgh Council.
- The order sought: The City of Edinburgh Council (Various Streets) (Prohibition of Waiting) and (Traffic Regulation; Restrictions on Waiting, Loading and Unloading, and Parking Places) and (Various Roads, Edinburgh) (Prohibition of Waiting at Junctions) and (Greenways) and (Edinburgh Tram) (Prohibition of Entry, Motor Vehicles and Turning, One-Way Roads, Bus/Tram Priority Lanes and Weight Limit) and (Edinburgh Tram) (Traffic Regulation; Restrictions on Waiting, Loading and Unloading, and Parking Places) (Variation No -) (Variation No -) Order 201- - TRO/17/91.
- Objectors: see appendix 2 below.
- Date case received by DPEA: 3 August 2018.
- Date of hearing session: 5 November 2019.
- Dates of site visits: 21 February 2019, 26 September 2019, 31 October 2019 and 14 January 2020 (unaccompanied).
- Reporter's recommendation: that the order be made with one modification.

Date of this report and recommendation: 4 March 2020

Scottish Government
Planning and Environmental Appeals Division
4 The Courtyard
Callendar Business Park
Callendar Road
Falkirk
FK1 1XR

DPEA case reference: TRO-230-3

Chief Executive
City of Edinburgh Council

Dear Sir

THE CITY OF EDINBURGH COUNCIL (VARIOUS STREETS) (PROHIBITION OF WAITING) AND (TRAFFIC REGULATION; RESTRICTIONS ON WAITING, LOADING AND UNLOADING, AND PARKING PLACES) AND (VARIOUS ROADS, EDINBURGH) (PROHIBITION OF WAITING AT JUNCTIONS) AND (GREENWAYS) AND (EDINBURGH TRAM) (PROHIBITION OF ENTRY, MOTOR VEHICLES AND TURNING, ONE-WAY ROADS, BUS/TRAM PRIORITY LANES AND WEIGHT LIMIT) AND (EDINBURGH TRAM) (TRAFFIC REGULATION; RESTRICTIONS ON WAITING, LOADING AND UNLOADING, AND PARKING PLACES) (VARIATION NO -) (VARIATION NO -) ORDER 201- - TRO/17/91

I refer to the above TRO and to the council's letter of 3 August 2018 referring the matter to DPEA. I also refer to the minute dated 22 February 2019 appointing me as the reporter into objections made against the TRO and not withdrawn, insofar as those objections relate to changes to loading and unloading on Roseburn Terrace, Murrayfield Place, Haymarket Terrace and Morrison Street, Edinburgh. I am a member of a panel of self-employed reporters who are allocated this category of work by DPEA.

The TRO is promoted by the City of Edinburgh Council under various powers including sections 1(1), 2(1) to 2(3), 4(2), 45, 46 and 49 of, and Part IV of Schedule 9 to, the Road Traffic Regulation Act 1984 as amended by the Roads (Scotland) Act 1984. It relates to various roads between Roseburn and Haymarket in the city. The TRO, and a Redetermination Order associated with it, provide for works which form the western part of a wider project – the CCWEL project. This project consists of significant changes to a route of 4 km (2½ miles) along key streets between Roseburn in the west and Leith Walk in the east. The project is being delivered in a number of phases over several financial years.

The council advertised the TRO in April-May 2018, and objections to it were received. Its Transport and Environment Committee noted on 20 June 2018 that representations were received making objection to changes to loading and unloading facilities that were proposed as part of the advertised TRO and that the council was obliged to hold a public hearing if any of these representations were not subsequently withdrawn. Representations remained unwithdrawn, and my appointment as above followed.

In accordance with my minute of appointment, I held a public hearing on 5 November 2019. I also dealt with the matter by further written submissions from the parties, and I carried out unaccompanied site inspections on 21 February 2019, 26 September 2019, 31 October 2019 and 14 January 2020.

The council promoted the Redetermination Order, mentioned above, under the Roads (Scotland) Act 1984 at the same time. That deals with the redetermination of public rights of passage on the same roads as are covered by the TRO. I was appointed by Scottish Ministers to examine the evidence in connection with that Order and to report to them on that evidence. The administration of the two cases has been run very much in tandem (with, for instance, hearing sessions on the Redetermination Order on 4 and 5 November 2019). Ms Jane Robertson, a specialised caseworker in DPEA, was case officer for both cases, effectively programme officer for the TRO case. I am reporting to Scottish Ministers on the Redetermination Order at the same time as submitting this report to the council.

This report is directed towards whether the council should, or should not, make the TRO in the light of my consideration of the objections relating to changes to loading and unloading on Roseburn Terrace, Murrayfield Place, Haymarket Terrace and Morrison Street. My report provides

- a brief background to the TRO, as set out by the promoter (chapter 1);
- a commentary on procedural matters relating to the TRO and the objections to it (chapter 2);
- a summary of the objections, the council's responses to them, and my assessments (chapter 3) and
- my overall conclusions and recommendation (chapter 4).

I repeat paragraph 4.7 of my report here for convenience. I draw the council's attention to the following if it wishes to make the TRO. Regulation 16(3) of The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999 specifies that no order shall be made after the expiry of two years beginning with the date on which a notice of proposals is first published under regulation 5. The regulation 5 notice was published on 20 April 2018, and so the time limit expires on 20 April 2020. However, the 1999 Regulations are amended by The Local Authorities' Traffic Orders (Procedure) (Scotland) Amendment Regulations 2005 which specify that the time limit shall not apply where an application for an extension has been made by the authority to the Scottish Ministers and the limit is extended by them.

Yours sincerely

Mike Croft
Reporter

CHAPTER 1. THE BACKGROUND TO THE TRO

Introduction

1.1 The roads affected by the [TRO](#) are roads which fall within the western part of the council's CCWEL project. The roads affected are shown on the [plans](#) which accompany the TRO (in Appendix 1 of the report to the council's Transport and Environment Committee on 20 June 2018). My minute of appointment limits my role to being concerned with objections to the TRO that relate to changes proposed for loading and unloading provision on Roseburn Terrace, Murrayfield Place, Haymarket Terrace and Morrison Street. Many of those changes arise from the wider nature of the CCWEL project which includes the installation of a segregated cycle track and an extensive programme of improvements intended to benefit pedestrians. So my role cannot be understood properly without knowledge of the background to the TRO as a whole, and indeed of the whole CCWEL project and how it has arisen. I set out that background in this chapter.

National and regional policy

1.2 Important elements of national and regional policy are referred to in the council's [hearing statement and written submissions \(21 August 2019\)](#).

1.3 Transport policy at national, regional and local level encourages sustainable and active travel, including the improvement of cycling facilities.

1.4 At national level, included in the transport vision that appears in the [National Transport Strategy \(2016\)](#) is *"... a transport system that meets everyone's needs, respects our environment and contributes to health ..."*. Amongst the Strategy's high level objectives are *"protect our environment and improve health by building and investing in public transport and other types of efficient and sustainable transport which minimise emissions and consumption of resources and energy"* and *"improve safety of journeys by reducing accidents and enhancing the personal safety of pedestrians, drivers, passengers and staff"*. Three key strategic outcomes set out in the Strategy are : *"Improved journey times and connections, to tackle congestion and lack of integration and connections in transport ... Reduced emissions, to tackle climate change, air quality, health improvement ... and Improved quality, accessibility and affordability, to give choice of public transport, better quality services and value for money, or alternative to car."*

1.5 The new [draft National Strategy \(2019\)](#) states that the Scottish Government will *"reinforce the Sustainable Travel Hierarchy to promote and design our transport system so that walking, cycling and public and shared transport are promoted and take precedence ahead of private car use"*. It also highlights that active modes of travel (walking or cycling for everyday journeys) will reduce the social and economic impact of public health problems and that networks will encourage cycling. The draft Strategy points out that the distance travelled on Scotland's roads by cycles fell 6.5% between 2012 and 2017.

1.6 Transport Scotland's [Cycling Action Plan for Scotland 2017-2020 \(2017\)](#) sets out a vision for 10% of everyday journeys to be made by bike by 2020. The Plan also states that Transport Scotland *"will continue to support local authorities in building community links to the highest standard, including re-allocation of road space in favour of cycling and walking"*.

1.7 The [council's letter](#) to DPEA on 3 August 2018 indicates that Scottish Ministers, through the Community Links funding programme, had paid approximately £350,000 to that date and had committed £424,000 of funding to the ongoing design of the CCWEL project

during that financial year. The letter says that an application for construction costs will follow once all relevant permissions have been obtained.

1.8 At regional level, the most recent version of the South East Scotland Transport Partnership's [Regional Transport Strategy 2015-2025 \(2015\)](#) states two of its main aspects as *“increased walking/cycling, which is considered to be a win/win scenario as motorised travel is reduced and there are health benefits”* and *“recognising that transport must play its part in the reduction of greenhouse gas emissions and improvement of local air quality.”* The Regional Strategy highlights that cycling has increased substantially for journeys to work in Edinburgh.

Local policy and developing practice

1.9 Important elements of the local policy background are contained or referred to in the council's [hearing statement and written submissions \(21 August 2019\)](#), its [Local Transport Strategy 2014-2019](#) and its [Active Travel Action Plan \(2016\)](#).

1.10 The council's Local Transport Strategy notes that Edinburgh is the only city in Scotland that has seen walking, cycling and public transport with a strengthened role between 2001 and 2011. A lower percentage of households owned a car in 2011 than in 2001. One of the Strategy's objectives for active travel is to *“ensure that cycling is an attractive, safe, secure option for all short and medium distance journeys”*. Cycling to work has shown a strong increase in recent years, from 1.8% of all work trips in 1991 to 4.1% in 2001, 4.8% in 2011 and 7.5% in 2016. The council is seeking to increase the percentage of residents cycling to work to 15% by 2020, as a milestone towards 15% of all journeys being made by bike.

1.11 Edinburgh has the highest cycling levels of all urban areas in Scotland, yet cycling in Edinburgh still only makes up around 2% of all trips as the main mode. Edinburgh is very well suited to active travel and there is great potential to increase cycling: the city is compact, with over 70,000 people living within a 20 minutes' walk of Princes Street. Around three quarters of all journeys in the city are of less than 5 km (3 miles), a distance ideal for walking and cycling. Furthermore, all public transport trips involve an active travel component.

1.12 However, although there is a strong cycling base in the city, demand is potentially suppressed due to safety fears. The [2017 edition of Bike Life](#) (produced by Sustrans and the council) reported from surveys that only 25% of people thought cycling safety in Edinburgh was good, and only 19% thought the safety of children's cycling was good. The survey also found that 22% of people do not currently ride a bike but would like to. The survey also showed that 80% of residents support building more protected cycle lanes, even where this can mean less room for other road traffic.

1.13 [Investing in cycling](#) can help solve various health, social and economic problems. [Walking and cycling](#) produce various economic benefits. In summary, active travel is seen to have a wide range of benefits, including:

- better health, by incorporating physical activity into daily life;
- better road safety;
- a better environment and economy, by reducing short car journeys with a

consequential reduction in congestion, air pollution, noise, the visual impact of traffic, and greenhouse gas emissions;

- benefits to businesses, with people travelling on foot or by bike tending to be healthier, absent from work less often and more productive; cyclists may well spend more than motorists when they stop to shop;
- social benefits, with people walking and cycling much more likely to meet and interact, creating community cohesion and social supervision; and
- an overall improved quality of life.

1.14 As about a quarter of domestic carbon dioxide and other greenhouse gas emissions in Scotland come from transport, it is intended in Edinburgh to continue to make significant investment in infrastructure for walkers and cyclists and to give priority to buses on the city's road network. The council has a range of actions aimed at encouraging both walking and cycling, and will be looking at ways in which funding for subsidised bus services can be increased. The already extensive 20 mph zones will be added to. It is the council's ambition to have a transport system that is one of the most environmentally friendly, healthy and accessible in northern Europe.

1.15 Important in reaching the council's targets for greater cycle use is the development of a network of cycle routes, known as QuietRoutes, to provide direct and convenient routes for everyday utility and leisure journeys. It is intended that these should feel attractive and safe to people of all ages and abilities. The network uses traffic-free paths, quiet roads and cycle paths separated from traffic. However, to provide essential continuity and reasonable directness, the network needs to negotiate some busy streets and junctions. The aim here is to retain a high standard of safety and convenience. This will generally mean using protected segregated cycle tracks, or potentially wide/mandatory cycle lanes complemented by parking and loading restrictions. Well defined routes through busy junctions are also essential. Sometimes other factors (generally involving provision for other road users) may mean that sub-optimal sections for cyclists need to be accepted.

1.16 Routes upgraded and signed since 2010 include QuietRoute 8 (Roseburn to Edinburgh Park) and QuietRoute 9 (Roseburn to the Gyle and Newbridge). NCR1 (from Roseburn to Queensferry) has also been improved.

The CCWEL project

1.17 The CCWEL project is identified in the Active Travel Action Plan as a key project to fill key gaps in the QuietRoutes network. Important documentation on the project is contained in

- the [report](#) to the council's Transport and Environment Committee, 27 October 2015, also containing the report Roseburn to Leith Walk Cycle Links Preliminary Justification Report (2014),
- a 2014 report on [route options feasibility and user impact](#),
- the [Roseburn to Leith Walk Cycle Route and Street Improvements Consultation Report \(2016\)](#),

- the report [City Centre West to East Cycle and Street Improvement Scheme, VISSIM traffic modelling \(2016\)](#),
- the [report](#) to the council's Transport and Environment Committee, 30 August 2016,
- the council's [statement of reasons](#) for the TRO, and
- its [hearing statement and written submissions \(21 August 2019\)](#).

1.18 The central argument for the project, made in paragraph 2.2 of the first document listed in paragraph 1.17 above is that it *“would join up a network of routes, which are suitable for people who are less confident riding a bike. In doing so it would be transformative in delivering access to and through the city centre by bike. It would also deliver significant improvements for pedestrians and in the wider street environment. Furthermore, it would transform the accessibility of Haymarket Station by bike ..”*. Amongst other things, it would provide a cycle link between the off-road cycle network at Roseburn and planned segregated facilities on Leith Walk in the east. In 2014 the council approved the appointment of consultancy services for the development of the CCWEL project.

1.19 One of the objectives of CCWEL is to increase cycling activity in accordance with national, regional and local policies. Policy decisions at all levels have therefore been made to encourage cycling activity and, flowing from that, the council has made a policy decision to improve east-west cycle connections across Edinburgh.

1.20 CCWEL has been designed as part of the QuietRoutes network. It consists of significant road, footway and cycle route improvements along a route of 4 km (2½ miles) along key streets between Roseburn and Leith Walk. The project is intended to transform the nature and operation of these streets, providing segregated cycle infrastructure on main roads and significant improvements to the pedestrian experience. The project is being delivered in a number of phases over several financial years.

1.21 The CCWEL project's potential cycle trip generation has been determined through a cycle demand model. That model was based on considerable [research](#) by Wardman, Tight and Page at the University of Leeds. It forecasts the increase in trips by considering the improvements in the attractiveness of cycling for trips of 12 km (7.5 miles) or less. Its use by the council's consultants accords with [Department for Transport advice](#). As input to the model, the council estimates that 1,675 existing one-way commuting trips¹ in the CCWEL route corridor would travel on the CCWEL route itself once it is operational. Put another way, its estimate is that 1,675 existing commuter cyclists would now be using CCWEL if the proposals had been implemented. In addition, the cycle demand model predicts that a further 1,467 commuters (equivalent to 88% of the existing cyclists) would change from other modes to cycle on the CCWEL route. That 88% figure is also applicable to non-commuting trips. This means that as well as 3,588 existing non-commuter cyclists (weekday and weekend) who would now be using CCWEL if the proposals had been implemented, a further 88%, ie 3,142 mode-changers, would use it.

¹ The figures in paragraphs 1.21 and 1.22 relate to the whole of the CCWEL project, of which the works consequent upon the TRO form the western part.

1.22 The economic case for CCWEL comprises the following (with the figures reflecting the output from the cycle demand model):

- a reduction in early mortality by increasing the number of people regularly exercising through cycling (a benefit of £13.2 millions over a 10 years scheme life; that is made up of a benefit of £7.8 millions for commuter cyclists and £5.4 millions for non-commuting cyclists);
- reduced absenteeism by healthier commuter cyclists (a benefit of £0.7 million);
- improved journey quality related to the segregated character of the route (a benefit of £3.3 millions);
- delivery of wider economic benefits in terms of supporting jobs and driving tourism (a benefit of £5.8 millions);
- modal shift from cars, with benefits in the form of decongestion, fewer car collisions, greenhouse gas, air quality, noise and indirect tax benefits (a benefit of £1.1 millions).

offset in part by

- increased cycle collisions (because there would be more cyclists) (a disbenefit of £3.2 millions, reduced in reality as a result of the segregated character of the cycle route).

1.23 The council indicated at the hearing I held that the implementation programme for the western part of the CCWEL project provides for a start on the ground in May 2020, with the whole project from Roseburn to Leith Walk intended to be operational in December 2021 (and parts to be open whenever possible before then).

1.24 The council has identified the Sustrans Community Link Programme and internal council funding programmes to finance the project.

1.25 An Equalities and Rights Impact Assessment for the CCWEL scheme commenced during the initial design phase and would be in effect throughout the delivery of the project. Positive impacts so far identified include safer conditions for young cyclists, an increase in road [crossing](#) points for those who cannot walk too far to find a safe crossing, and safer footways for those who use mobility aids. Negative impacts include additional sections of road space for disabled people to cross to reach bus stops, wider area impacts of traffic diverting away from the proposed cycle route, and greater difficulties accessing facilities in some streets for those dependent on the private car. The council has worked, and will continue to work, with stakeholder organisations who represent the interests of mobility- and visually-impaired users in the development of the three-dimensional designs to ensure that the needs of protected groups are met.

1.26 Thorough and comprehensive [monitoring](#) would take place to provide information on the outcome of the overall scheme. This monitoring and evaluation would assess rates of cycling, footfall and also vacancy rates in business premises, and would use alternative locations in Edinburgh as a control group. A report would be prepared after the western part of CCWEL has been in operation for 12 months, outlining lessons learned and

considering any adjustments to the scheme to better serve the interests of place-making, pedestrians and cyclists.

Section 1 of CCWEL: overview

1.27 Section 1 is the section of the route between Roseburn and Haymarket. The TRO, and the associated Redetermination Order relating to the same roads as the TRO, would allow the necessary works to proceed. A significant component of section 1 is the installation of a two-way, segregated cycle track on the north side of the A8 road (Roseburn Terrace, West Coates and Haymarket Terrace) between Roseburn and Rosebery Crescent. This facility would be physically separated from motor traffic by a 0.5 metre wide kerb, but with the separation width increasing next to parking and loading bays.

1.28 Section 1 also includes an extensive programme of other improvements: some would be facilitated by the TRO, others by the Redetermination Order. They include:

- upgrading the crossing over Roseburn Terrace by the Murrayfield Bar;
- improvements to crossing facilities over the junction of Murrayfield Avenue and Corstorphine Road;
- the introduction of a prohibition on motor vehicles exiting Roseburn Gardens to Roseburn Terrace;
- alterations to parking and loading facilities;
- improvements to footway surfaces;
- reducing carriageway widths and increasing footway widths;
- removing redundant street furniture and reducing street clutter to create a more attractive environment;
- public realm improvements in Roseburn and Haymarket;
- relocating the Haymarket taxi rank to immediately in front of Haymarket Station;
- introducing additional short-stay parking restrictions in Roseburn to support local shops;
- additional crossing points over the eastern part of Roseburn Terrace;
- additional and upgraded crossing points over West Coates; and
- the introduction of a prohibition on vehicles entering Coates Gardens and Rosebery Crescent from Haymarket Terrace.

1.29 Most of the roads affected by the TRO are within or adjoin conservation areas – the Coltbridge and Wester Coates Conservation Area in the west and the New Town Conservation Area and the West End Conservation Area in the east. In addition, the north side of Haymarket Terrace is within The Old and New Towns of Edinburgh World Heritage Site.

Section 1 of CCWEL: consultation

1.30 The council held stakeholder workshops in the Roseburn and Haymarket areas in March 2015, with attendees primarily from community councils and cycling / walking groups; local businesses were not represented, although they had been invited. A consultation process on the preliminary designs was held between November 2015 and February 2016. The Roseburn Terrace, West Coates and Haymarket Terrace sections of the route drew 74-75% support (21-24% opposing) from respondents to an online questionnaire (2,247 respondents overall). There were significant pockets of opposition within some communities along the route. A much smaller leaflet feedback (118 leaflets) indicated 32% support (67% opposing), perhaps because residents who received the leaflet live along the route and so would be directly affected by any changes. Petitions against and for the overall scheme attracted 3,500 and 817 signatures respectively. The former supported an alternative route along Roseburn Place and Russell Road and then following the existing NCR1 along Balbirnie Place and Haymarket Yards. That view was subsequently carried forward into objections to the Redetermination Order which I deal with in my separate report to Scottish Ministers.

1.31 After the consultation process a Stakeholder Working Group was established to develop improved designs to meet the needs of stakeholders, including affected businesses, community councils, and sustainable travel organisations. Several changes were made as part of this process.

1.32 Since July 2017 a dedicated Stakeholder Liaison Officer has been responsible for organising a number of consultation activities, responding to concerns and queries from members of the public, producing regular (roughly monthly) updates which are published online and distributed through a mailing list of over 2,200 addresses, and meeting stakeholders along the length of the route. The Officer has attended meetings of Murrayfield Community Council² since October 2017, and has ensured that the West End Community Council is kept up-to-date with the progress of the project.

1.33 In 2014, Murrayfield Community Council had created the [Roseburn Action Plan](#) which called for and sought to encourage various improvements to the Roseburn area. A dedicated consultation and engagement project, [Rejuvenating Roseburn \(2019\)](#), has been developed to progress designs and delivery of an improved public realm within the Roseburn area, [partly](#) through CCWEL.

The role of the TRO

1.34 A traffic authority, such as the city council, may make a traffic regulation order under section 1(1) of the Road Traffic Regulation Act 1984 where it appears to the authority that it is expedient to make it, on the basis of a number of possible reasons for so doing. The reasons which are most relevant here appear to be these (retaining the letter references of section 1(1)):

“(c) for facilitating the passage on the road or any other road of any class of traffic (including pedestrians), or

² I refer to Murrayfield Community Council by its full name in this report. References to “the council” are to the City of Edinburgh Council.

(d) for preventing the use of the road by vehicular traffic of a kind which, or its use by vehicular traffic in a manner which, is unsuitable having regard to the existing character of the road or adjoining property, or”

“(f) for preserving or improving the amenities of the area through which the road runs, or

(g) for any of the purposes specified in paragraphs (a) to (c) of subsection (1) of section 87 of the Environment Act 1995 (air quality).”

1.35 These reasons are to be understood against the wider requirements of section 122 of the 1984 Act. This requires the council to exercise its functions conferred on it by the Act *“to secure the expeditious, convenient and safe movement of vehicular and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the road”*. This duty is a qualified duty in that the council must comply with it *“so far as practicable”*, having regard (in summary) to (retaining the letter references of section 122)

(a) the desirability of securing and maintaining reasonable access to premises,

(b) the effect on the amenities of any locality affected and the importance of regulating and restricting the use of roads by heavy commercial vehicles, so as to preserve or improve the amenities of the areas through which the roads run,

(bb) the national air quality strategy,

(c) the importance of facilitating the passage of public service vehicles and of securing the safety and convenience of persons using or desiring to use such vehicles, and

(d) any other matters appearing to the council to be relevant.

1.36 The council gave consideration to a wide range of matters arising from its engagement with the local community before it published the TRO. Changes to loading facilities were contentious and became the subject of formal objections. I deal with both sides of each argument in chapter 3 below.

1.37 The council considers that it has sought to secure the expeditious, convenient and safe movement of vehicular traffic, cyclists and pedestrians. It has also had regard to maintaining reasonable access to premises, the effect of CCWEL on the amenity of the area, air quality, facilitating and maintaining the passage of public transport and, among other things, the strong policy support for improving facilities for active and sustainable travel options. The council considers therefore that it has complied with its duty under section 122 of the 1984 Act. Subject to my consideration of objections below, I see no reason to disagree with that.

The council's conclusions on the TRO

1.38 Summarising from the council's [hearing statement and written submissions \(21 August 2019\)](#), the council considers that the following factors support the making of the TRO:

- There is strong policy support for it at national, regional and local level.

- Extensive consultation has been undertaken and changes have been made to take account of comments raised.
- Modelling predicts a minimal/modest impact on motor vehicle journey times on the A8, and while there are predicted to be some significant impacts on queuing/journey times in other locations, there are alternative routes available for those affected.
- It is predicted that there would be a reduction in air pollution, particularly as a result of the reduction in lanes for westbound traffic on the A8.
- Detailed consideration has been given to alternative routes and connections, and the council considers that the preferred route has been robustly justified.
- The council has undertaken a road safety audit on the final preliminary designs and made changes to take account of its conclusions. Further audits would also be undertaken.
- Where the number of loading bays has been reduced, the council has sought to mitigate the impact of this, for example by increasing the hours of operation of retained loading bays.
- Parking surveys demonstrate that the proposed parking provision should be sufficient. In Roseburn, where there is a clear demand for short-stay parking, the short-stay parking provision is substantially increased.
- While the council acknowledges that the changes to loading provision on Roseburn Terrace would make access to some premises there more difficult for disabled people with mobility issues, cycling can also be an important [mobility aid](#) for disabled people. The council has worked with charities who work to promote cycling as an important mobility aid for many disabled people. The proposed changes to the taxi rank at Haymarket Station would benefit the mobility-impaired.
- Research suggests that improved cycling infrastructure can bring economic benefits to an area.
- The design of CCWEL has been undertaken in accordance with [Cycling by Design \(2011\)](#) and the [Edinburgh Design Guidance \(2017\)](#).

CHAPTER 2. PROCEDURAL MATTERS

2.1 The [TRO](#) relates to a stretch of the A8 road extending for about 1.4 km (0.9 mile) between Roseburn and Haymarket and to short stretches of nearby roads. As shown on the [plans](#) that accompany it, it provides for bus stops, parking bays with specified restrictions, loading bays with or without restrictions, bus lanes with specified operating hours, domestic bin bays, segregated and on-street cycle lanes, various road markings including markings related to stopping, waiting and loading, City Car Club provision, and taxi bays.

2.2 The procedure for making such orders is contained in [The Local Authorities' Traffic Orders \(Procedure\) \(Scotland\) Regulations 1999](#). Regulations 4 and 6 specify consultation requirements. Regulation 5 requires publication of the proposals by (at least) notice in a local newspaper. Regulation 7 enables objections to be made in response to the regulation 5 notice. Regulation 8 provides that, before making an order, the authority may hold a hearing in connection with it and the authority shall hold such a hearing before making an order in certain specified cases. One of the cases for a mandatory hearing is where an order contains, as it does here, a provision "*which prohibits, or has the effect of prohibiting, the loading or unloading of vehicles in any road either at all times or for any period of time unless such period falls wholly between 0700 hours and 1000 hours or between 1600 hours and 1900 hours in any day*" and there is an unwithdrawn regulation 7 objection to that provision. Regulation 8 also requires hearings to be conducted by an independent person (referred to as "the reporter") appointed by the authority from a list of persons compiled by the Scottish Ministers for that purpose. Regulation 9 specifies requirements for notice of the hearing, and regulation 10 specifies procedure at the hearing.

2.3 Where a hearing has taken place, regulation 12 requires the authority, before making the order, to consider the report and recommendation made by the reporter. Regulation 14 makes provision for the transmission of documents to Scottish Ministers if the authority decides to make the order in a form which includes any provision at variance with the recommendations of the reporter. Regulation 15 requires the authority to prepare and keep a map in connection with the order. Regulation 16 relates to the date of the order and specifies a time limit for making it³.

2.4 The council has [confirmed](#) that it carried out consultation as required by regulation 4 of the 1999 Regulations. In line with regulation 5, it [advertised](#) the TRO on 20 April 2018, seeking objections by 18 May. In addition to these particular statutory requirements, the council confirmed at the hearing I held that all of the statutory procedures related to the TRO had been complied with.

2.5 The formal consultation and advertisement steps for the TRO referred to in paragraph 2.4 above were associated with the delivery of just under 4,500 letters to businesses and residents along the CCWEL route and streets surrounding the area covered by the TRO. Public drop-in sessions, attended by over 190 people, were held at two venues in the locality on 17 and 19 April 2018.

2.6 The June 2018 committee [report](#) with [appendices](#) indicated that 31 representations that were received within the statutory deadline included at least one objection to the advertised TRO. The committee [decided](#) that those objections relating to the TRO that did not involve loading restrictions were to be set aside. The committee noted that

³ I refer again to this time limit at paragraph 4.7 below.

13 representations had been received objecting to changes to loading and unloading facilities included in the advertised TRO and that a public hearing needed to be held under the 1999 Regulations if any of these representations were not subsequently withdrawn. As they were entitled to do by regulation 18, the committee approved the advertised TRO in part, omitting the four areas (Morrison Street, Haymarket Terrace, Roseburn Terrace and Murrayfield Place) where there were unwithdrawn objections to the proposed changes to loading and unloading facilities. That provided authority for the council to make the TRO in part. The council confirmed at the hearing I held that at that time the TRO in part had not been formally made.

2.7 At the hearing, the council confirmed the extent of my remit: the red rectangles on the four drawings in [Appendix 10](#) of the June 2018 committee report are the areas that are to be excluded from the TRO in part, and my remit extends to those areas only; those areas enclose the sites of all the objections on loading and unloading provisions; my remit does not extend to objections on any matters other than loading and unloading even if they relate to land within the red rectangles.

2.8 In March 2019 I prepared a [composite document](#) containing all the objection letters to both the TRO and the Redetermination Order. My preparation of that document arose from the council's simultaneous promotion of the TRO and the Redetermination Order, for the same roads, with synchronised advertisements. The two orders represent the two strands, required by different legislative provisions, of a single scheme. The distinction between those two strands is not always clear to those with concerns about the scheme, and it follows that a single representation could, and did, contain (a) objections to the Redetermination Order that were within the remit of my separate appointment by Scottish Ministers, (b) objections to the TRO within the remit of my appointment by the council and properly the subject of this report, (c) objections that combined elements (a) and (b), and (d) other submissions including submissions objecting to elements of the TRO other than those in (b) or (c), and not before me in any capacity.

2.9 Given the difficulties referred to in paragraph 2.8 above, I considered it important that all parties were as clear as possible at the outset which submissions, and which parts of those submissions, fell within my TRO remit. The composite document referred to above therefore contained my preliminary allocation of the objections made to distinguish their content into the four categories (a) to (d). It included 13 submissions which in my view at that time contained objections to the TRO's loading provisions. In making my preliminary allocation, I was aware that in some instances it differed in detail from objectors' own allocation of their objections to one or other of the orders, and that it differed in some cases from the council's allocation as implied or indicated in [Appendices 8 and 9](#) of the June 2018 committee report. The composite document was sent to the council and all objectors on 15 March 2019 for comment.

2.10 In the light of comments received, I amended my preliminary allocation and produced a [second composite document](#) that included a revised allocation. Appendix 1 to this report summarises the requests that were made affecting my allocation of objections to the TRO and how I responded to those requests in my revised allocation. The revised allocation indicated that I considered it proper to bring one further objection within the ambit of the TRO loading provision objections, making a total of 14⁴. The objectors are listed in

⁴My preliminary allocation had excluded two objections (from Donaldson Area Amenity Association and Ms J Pickard) that were on the DPEA website as TRO loading/unloading objections, as I considered that these submissions contained no substantive objection to the relevant loading/unloading provisions. On the other hand in my preliminary allocation I considered that three submissions containing objections to the Redetermination Order which had not been included as containing TRO loading/unloading objections did contain objections of the latter sort (these were from Mr Frew, Ms Le Giang and Mr Welsh). I maintained those positions on those objections in

appendix 2 below. Although not the subject of this report, Redetermination Order objections were included in the second composite document (as in the first). The revised allocation was sent to the council and each objector on 30 April 2019 for information. The intention was that it would provide a clear guide for later stages of the process. However, it was not to be treated as sacrosanct, and any reference in my assessment of objections below to specific points in objections being within or beyond my remit supersedes any previous allocation to the contrary.

2.11 The TRO loading provision objectors were informed on 13 May 2019 as to the status of their objections⁵, via a [third composite document](#), with a hearing being mandatory in law. Again, although not the subject of this report, Redetermination Order objections were also included in that document.

2.12 At my request, on 19 June 2019, the council [wrote](#) to all the TRO loading and unloading objectors asking if they wished to participate in a hearing session. That was done by the council to meet the requirement in regulation 9(1) of the 1999 Regulations for the order-making authority to give notice to objectors about the opportunity to be heard in support of objections.

2.13 Hearing participants were determined on the basis of responses to the notice referred to in paragraph 2.12 above. Only four of the 14 TRO loading/unloading objectors (Mr Gregson, Ms Housley, Mr Rendall and Roseburn Traders) wished to participate in that way. The other 10 became “non-hearing objectors” and their objections became “non-hearing objections”. No-one has suggested, either in writing or when I gave the opportunity to do so at the hearing I held, that those 10 objectors should be treated in any other way.

2.14 DPEA sent my [guidance note](#) on the preparation of hearing statements to hearing participants (the council and the four objectors concerned) on 23 July 2019, for response by 20 August. No hearing statement was received from Roseburn Traders, so they were informed on 27 August that their objection would be considered on a written submissions basis only. Hearing statements were provided by the [council](#) (combined with its Redetermination Order hearing statement) and the other three objectors – [Mr Gregson](#), [Ms Housley](#) and [Mr Rendall](#).

2.15 It was clear to me that objectors who did not wish to participate in hearing sessions should have the opportunity of making further written submissions. A [guidance note](#) on further written submissions on non-hearing objections was therefore sent to the council and relevant objectors on 24 July 2019, for response by 21 August. The council responded (combined with its hearing statement referred to in paragraph 2.14 above), but none of the objectors did.

2.16 I reminded objectors in the guidance notes mentioned in paragraphs 2.14 and 2.15 above that if a modification of the Order was sought – by deleting a specified area or areas of road (so that it or they would continue to be used as at present), or by specifying a use for the road different from that proposed by the Order – it was important for the objector to make his or her position clear in submissions at that stage by indicating the precise area or areas of road to which that view relates (preferably on a plan). That request was seldom met.

my revised allocation, adding one further objection (from Ms Johnston) to the scope of the TRO loading objections at that stage (as indicated in paragraph 2.10 above).

⁵The same communication also included my view as to which Redetermination Order objections were suitable for consideration at hearing sessions.

2.17 The council and objectors were then given an opportunity (see [\(a\)](#), [\(b\)](#) and [\(c\)](#)) to comment on the others' statements, with a deadline of 9 September 2019. Such comments were received from the [council](#), [Mr T Glasby](#), [Mr Gregson](#) and [Ms Housley](#).

2.18 My [agendas](#) for the hearing sessions included Redetermination Order matters as the sessions were to include such matters in relation to my separate report to Scottish Ministers. DPEA [sent](#) these to the council and participating objectors on 4 October 2019. On 10 October the council sent the hearing agendas formally to all objectors, as required by regulation 9(2) of the 1999 Regulations. On 11 October, it published a [newspaper notice](#) of the hearing, as required by regulation 9(3).

2.19 The hearing session specifically on the TRO was held at the City Chambers, Edinburgh on 5 November 2019, with other sessions on the Redetermination Order on 4 and 5 November.

2.20 I carried out unaccompanied site inspections on 21 February, 26 September and 31 October 2019 and 14 January 2020.

CHAPTER 3. THE OBJECTIONS, THE COUNCIL'S RESPONSES, AND MY ASSESSMENTS

Introduction

3.1 Subject to the limitation of my remit as described in paragraph 2.7 above, my task is to examine the TRO in the light of the objections and to assess whether the making of the TRO is expedient in the circumstances. Taking account of environmental, social and economic factors as necessary, I assess whether the public benefits of the TRO in relation to the loading prohibitions as put forward by the council outweigh the public or private disbenefits alleged in the relevant objections.

3.2 I do this on a topic basis, with the following topics

- loading and unloading on Roseburn Terrace;
- loading and unloading on Murrayfield Place;
- loading and unloading on Haymarket Terrace;
- loading and unloading on Morrison Street; and
- other loading and unloading objections

3.3 Most topics have three sections: a summary of points made by objectors; the council's response; and my assessment.

3.4 Objectors' cases are derived mainly from their objections made during the advertisement period as compiled in my [second composite document](#) (see paragraph 2.10 above), hearing statements from [Mr Gregson](#), [Ms Housley](#) and [Mr Rendall](#), comments on the council's statement from [Mr T Glasby](#), [Mr Gregson](#) and [Ms Housley](#), and from discussions in hearing sessions. I also draw on relevant points made during the consultation period before the TRO was published.

3.5 The council's case is derived mainly from the [report](#) with [appendices](#) to its June 2018 committee, its [hearing statement and further written submissions](#), its [response](#) to objectors' submissions, from discussions in hearing sessions, and from post-hearing documentation (see paragraph 3.16 below).

3.6 The council has indicated that it wishes me to recommend one modification to the TRO (see paragraphs 3.62 and 3.67-68 below).

Loading and unloading on Roseburn Terrace

Summary of points made by objectors

3.7 Roseburn is a rather special place, supporting a wide range of businesses that are important to the local community and to people stopping en route to and from Edinburgh. Mr Gregson provides a [list](#) of the businesses. Over 30 businesses are open between 0700 and 2400 hours. These businesses survive because of the dual nature of Roseburn life. At peak hours, all four lanes of Roseburn Street are occupied by heavy traffic flows, with no parking on either side. But at other times, traffic flow is vastly reduced. People can park then on either side of the street to shop and load up; businesses can take deliveries, residents living on either side of the Terrace (there are around 120 flats here) can park their

cars or get furniture delivered. At these quieter times, Roseburn has more in common with a quiet village.

3.8 However, in the view of some objectors, a lot of the businesses on Roseburn Terrace can be described as “quite frail”. The council's proposed reduction in loading bay provision (as a result of its cycle track scheme), would be devastating, and most of the businesses would become uneconomic. Recent temporary road works with a loss of parking spaces resulted in some businesses here losing over 50% of their trade. The stopping areas here are essential for the survival of a number of the traders. The council's estimate of capacity based on spaces five metres long is not accepted, and existing capacity is regarded as space for 18 vehicles. The council's proposals would reduce that to 10 spaces. A reduction of 50% in parking capacity would represent a significant reduction in the availability for legitimate loading activities in the street. From a one-day [survey](#) on Monday 9 September 2019, that reduced capacity was exceeded in every hour between 1000 and 1400 hours, with 16, 17, 18 and 14 vehicles parked in successive hours. It was confirmed at the hearing that these figures include vehicles involved in loading/unloading **and** vehicles not involved in loading/unloading. Mr Rendall's [photographs](#) also indicate how much parking and loading take place at present on Roseburn Terrace.

3.9 Delivery drivers are under pressure to deliver without delay, and do not have time to park at a distance, walk along the Terrace, and then walk back again, particularly with items like large televisions or large pieces of glass. Removing the parking that supports the traders is not the way to rejuvenate Roseburn. Customers would simply go elsewhere, and many traders have stated they would have to move if sales drop. The local population (with more older people than the city average) needs the local shops.

3.10 The council has rejected the traders' bid for a scheme to compensate them if they suffer a loss of income because of the CCWEL project.

3.11 Some objectors say that disabled access to the businesses on Roseburn Terrace is at present possible at off-peak times, but that under the council's proposals those with disability would find that considerably more difficult. This includes access to healthcare and personal service businesses like the dentist, optician and hairdresser. Many disabled individuals in receipt of legitimately-assessed disability benefits cannot manage the 50 metres maximum distance from a parking or loading space available to a disabled person referred to by the council. Extending the hours of parking is fairly meaningless. Any benefit from the new crossing facilities would not be available to those disabled individuals because they would not be able to reach the crossing. It is an incorrect priority to sacrifice the needs of the disabled so that able-bodied and fit cyclists can move more easily. So the road here should be left as it is now with, in the words of one objector, “*the loading areas right along Roseburn Terrace*”. The council's view that cycling can also be an important mobility aid demonstrates its ignorance of the real impact that its proposals would have.

3.12 In addition, the congestion and delays caused by the limitation on loading bays would contribute to a worsening of air pollution in Roseburn Terrace. The point is made that nitrogen dioxide pollution is worse on the south side of the street than on the north side – above the legal limit and almost as bad as Scotland's most polluted street. At present, parked vehicles mean that traffic is pushed to the lanes in the middle of the street, allowing nitrogen dioxide to dilute before it reaches the footways and building facades. The problem is that the reduction in loading provision would move traffic (22,000 vehicles daily) closer to the south side footway, increasing pollution there. Parking/loading (which moving traffic has

to avoid) would be reduced under the council's proposals on both the north and south sides of the street. Parking/loading outside 13 to 41 Roseburn Terrace on the south side would disappear, bringing traffic closer to homes and raising nitrogen dioxide to dangerous levels. Petitions have been submitted to the council calling for an independent study on the likely impact of the CCWEL project on air pollution to be undertaken before the scheme is progressed further.

The council's response

3.13 The council has sought to ensure that loading facilities for businesses and residents are provided at suitable locations, with that provision balancing loading demand with impact on the cycle/pedestrian improvements and on other road users, particularly public transport passengers.

3.14 It is acknowledged that the existing loading provision on Roseburn Terrace cannot be retained with the proposed scheme. The loading bays on the north and south sides of Roseburn Terrace would be reduced in length and staggered, to enable appropriate vehicle movements. Loading and parking provision at Roseburn Terrace would be reduced from space for 22 normal cars (20 loading and two parking) to space for 12 normal cars (10 loading and two parking). However, the loading bay on the south side of Roseburn Terrace would be available at peak times as well as off-peak times: that is not currently the case. The council confirmed at the hearing that its capacity estimates are based on spaces five metres long.

3.15 However, the council's parking survey, carried out on Tuesday 24 February 2015 shows that 12 spaces should be sufficient to meet demand most of the time. This is the conclusion to be drawn from Table 1 of its [hearing statement](#) setting out the results of that survey. The number of parked vehicles only exceeded 12 between 1000 and 1100 hours. The council confirmed at the hearing that the figures in Table 1 relate to parking and loading within the red rectangle shown in Figure 1, that the parking column there comprises vehicles involved in loading **and** vehicles parking or waiting⁶, and that Figure 1 is cumulative, not relating to one instant in time⁷.

3.16 Separate survey figures for [loading only](#) were also provided after the hearing. These are from the council's 24 February 2015 survey referred to in paragraph 3.15 above, and indicate the maximum number of vehicles loading as only six, between 1000 and 1100 hours on that day.

3.17 Much of the pressure for loading space here results from inappropriate use of loading bays by visitors to the shops and by shopkeepers themselves, in breach of the current restrictions, either because they are using them during peak times (see Table 1 referred to in paragraph 3.15 above), or because they are using them for parking rather than loading (see Figure 1 referred to in paragraph 3.15 above).

3.18 The proposed loading bay on the south side of Roseburn Terrace would be available all day, a change from the present loading provision on the street which is only available off-peak. The council's initial proposals included the complete removal of the loading bay on

⁶ These definitions were used in the survey. "Parking": vehicle is parked with no ownership activity nearby. "Loading": vehicle is parked and there is a clear sign of loading activity, e.g. delivery driver could be present, vehicle is open or loading ramp etc is active / deployed. "Waiting": vehicle is parked with driver/owner nearby or sat in driving seat.

⁷ The number of vehicles shown in Figure 1 is smaller than the number shown in Table 1. The difference between the two results arises entirely from the fact that any vehicle parked during two or more successive periods would appear only once in Figure 1 but would be counted during all of the relevant periods in Table 1.

the north side of Roseburn Terrace, but pre-advertisement consultation led to a reduced length off-peak loading bay being retained there. This would allow space both for the segregated cycle track and for eastbound traffic to move past the right-turn filter lane on the approach to the junction with Roseburn Street. This layout represents an option which best balances the needs of all users.

3.19 It is accepted that there is a clear demand for short-stay parking: that would be helped by turning the existing two parking spaces on the south side of Roseburn Terrace into all-day spaces, and increasing the number of short-stay parking spaces in the surrounding streets (including Murrayfield Avenue, Murrayfield Place, Roseburn Street and Russell Road) from 12 to 49. That should ensure that visitors to the shops are able to find parking spaces without taking up space meant for loading.

3.20 It is acknowledged that the changes to loading on Roseburn Terrace would make access to some premises on Roseburn Terrace more difficult for disabled people with mobility issues. The maximum distance from a parking or loading space available to a disabled person on Roseburn Terrace after implementation of the project would be about 50 metres. The new crossing facilities which would be installed at Roseburn would provide a significant benefit for people with mobility impairments accessing the facilities on Roseburn Terrace.

3.21 Contrary to objectors' claims about businesses becoming unviable, [experience](#) elsewhere shows that the introduction of a segregated cycling facility can be a benefit for local businesses. Research suggests that such facilities have had a positive impact on retail spend where they have been introduced elsewhere. The [benefits](#) have been identified: retailers over-estimate the contribution of drivers and many studies find users of sustainable modes spend more per month; examples from North America show high-quality bicycle infrastructure does not harm business districts, and can have a positive impact on local shops; a New York City Department of Transport study (2014) found streets where protected cycle lanes were installed enjoying an increase in retail sales up to 24% greater than comparator sites without protected lanes; high street walking, cycling and public realm improvements can increase retail sales by up to 30%; people who walk and cycle take more trips to the high street over the course of a month. Research suggests that, although shoppers who come by bike spend less per trip than those who come by car, they often make more regular trips and thus spend more during a given period.

3.22 Delays resulting from temporary road works cannot be taken as a reliable guide to the impact of the council's proposals, as the traffic management associated with such works is very restrictive and does not replicate the proposals.

3.23 At the hearing, the council said temporary parking or loading provision could be made for extraordinary circumstances.

3.24 As to air pollution, Roseburn Terrace is within the Edinburgh Central Air Quality Management Area. The council also recognises that air quality has been a key concern for many within the local community there. It is recognised that Roseburn Terrace is a narrow, tenemented street posing a greater risk in relation to local air quality.

3.25 The council has carefully considered the potential air quality impacts of its proposals, using appropriate modelling techniques, and taking full account of a wide range of weather conditions. It is accepted that, to a degree, the air pollution predictions depend on a

process of feeding the results of one model into another. But it is also the case that average emissions per vehicle can be expected to continue to reduce as they have been doing for some time past.

3.26 Peak periods would see an overall reduction in vehicles per hour and a consequential overall reduction in emissions then. The proposals for Roseburn Terrace provide for two eastbound traffic lanes and one westbound lane. The length of the existing loading bay on the north side of the street would be reduced to make it easier for eastbound traffic to move past southbound traffic at the junction with Roseburn Street. The north side of the street would benefit through the installation of the cycle track there. Free-flowing westbound traffic would be closer to the footway and building facades on the south side of the eastern end of Roseburn Terrace, but the number of westbound vehicles, and the extent of westbound queuing, would be reduced as traffic would be held back on Russell Road (and to a lesser extent West Coates) by new crossings, and the westbound queue would be managed at the revised crossing at the western end of Roseburn Terrace. This would mean that queuing traffic would not extend beyond the buffer provided by the proposed all-day loading bay on the south side of the street. Therefore a reduction in emissions on Roseburn Terrace is predicted mainly because of reduced westbound traffic capacity at peak times.

3.27 Changes in air quality levels would be closely monitored following implementation of the scheme. Adjustments to signal phasings could be considered to offset unexpected adverse results.

My assessment

3.28 By my calculation loading provision on Roseburn Terrace would reduce under the council's proposals from a road length of 117 metres to 64½ metres. That is a loss of nearly a half. But 34½ of the 64½ metres would be available during peak hours in contrast to nil provision at peak hours now⁸.

3.29 I accept objectors' contention about the council's assumption of five metres for the length of a loading space to the extent that I regard five metres as somewhat tight. In turn, I therefore accept objectors' alternative view that existing capacity for loading at Roseburn Terrace amounts to space for 18 vehicles.

3.30 The survey data – from both the council and objectors - which combines loading vehicles with those merely parked or waiting cannot lead me to a conclusion. That is because my concern is limited to changes in loading provision. Although I need to reflect in that concern the needs of those engaged in legitimate loading or unloading activities I do not need to reflect the needs of those merely parking or waiting without any associated loading or unloading activity. Notwithstanding the limited provision at present for parking on Roseburn Terrace the dominance here of parking activity, as opposed to loading activity, is evident from Figure 1 of the council's [hearing statement](#). The combined loading and parking figures in Table 1 of that document do not take me very far. The same is true of the objector's [survey](#) as it has the same accepted limitation. The fact that the number of vehicles **parked** may substantially exceed the proposed **loading** capacity does not in any way demonstrate the inadequacy of that proposed capacity **for loading**.

⁸Total provision for loading on the adjacent parts of Roseburn Gardens and Roseburn Street would remain at 24-25 metres but, unlike now, over half of that would be available at peak hours.

3.31 It is the [separate data](#) on loading activity that goes to the heart of the matter. As indicated in paragraph 3.16 above, at no time on the day of the survey did the number of vehicles engaged in loading activity exceed six. That is well within the proposed capacity of 10. I would prefer to have had evidence for more than a single day, but the evidence that is before me points in a clear direction. That is that objectors' fears relating to the changes in loading provision at Roseburn Terrace that the TRO proposes are not well based.

3.32 I accept objectors' contention that Roseburn is something of a special place. Part of that derives from the wide variety of businesses there: during my site inspections I saw – within a total frontage of not much more than 200 metres split between the two sides of the road – a supermarket, a grocery shop, a pet supplies shop, electronic repairs and computer shops, estate agents, hairdressers, beauty shops and a make-up lounge, a sugar craft school, a key cutting and shoe repair business, a dental care establishment, a pharmacy, an optometrist, an art gallery, public houses, a fish and chip shop and other takeaways, a delicatessen, and a parliamentary constituency office. Some strength is to be derived from that variety. Given my remarks above, there is no proper reason to fear that Roseburn's special character, as defined by objectors, would be lost if the council's loading proposals are implemented.

3.33 The council's claim that experience in other cities of increased trade from pedestrians and cyclists would be likely to be replicated here may be right, but it is not a foregone conclusion. I take a cautious view about that experience because without full details I cannot be sure that circumstances are sufficiently comparable to give that evidence substantial weight. But I accept that the research elsewhere serves as a useful antidote to the fears about the impact of the council's specific proposals here. The specific local evidence does not substantiate those fears.

3.34 The objections stray into concerns about limitations on parking, ie parking that does not involve loading or unloading. But any problems of that kind cannot be properly resolved by providing loading spaces. They need to be resolved by the adequate provision of parking spaces, by making temporary provision to meet extraordinary circumstances, or by other measures, none of which fall within my remit. I note the council's view that, under its proposals, visitors to the shops should be able to find parking spaces.

3.35 I have particular sympathy with the concerns expressed about the difficulties faced by disabled people. As the council points out, for some disabled people 50 metres may not be an excessively remote distance for parking. It is also true that the proposed much improved pedestrian crossing facilities at both ends of Roseburn Terrace would help some disabled people as well as the able-bodied. I also accept that for other disabled people none, or only some, of these advantages would exist. However, more generally, as the council also points out, cycling (the promotion of which lies at the heart of its proposals) can benefit some disabled people. I also take account of the specific attention that the council is paying to the needs of vulnerable groups as I report at paragraph 1.25 above.

3.36 I have no remit to consider whether the council should implement any scheme for compensation for loss of traders' income.

3.37 It is not clear to me how the proposed reduction in loading capacity on Roseburn Terrace would cause severe congestion. The effects of recent temporary road works cannot properly be compared with the likely effects of a carefully considered scheme such

as the one I deal with here. As a further general point, which I consider in greater detail in my report to Scottish Ministers on the council's Redetermination Order, I am satisfied that the council's proposals for the western part of the CCWEL project, if implemented, would lead to some modal shift from car travel. That would mean fewer vehicles on the roads than would otherwise be the case, and that, combined with reducing emissions per vehicle, would lead to a general reduction in roads-based air pollution.

3.38 Important in considering air pollution is its effect not only on people using the road and the business premises at Roseburn Terrace but those occupying the residential units (up to four floors) above the business premises. The proposed loading bay within the northern side of the carriageway, when occupied (outside peak hours), would add to the effect of the proposed cycle track in keeping traffic away from the footway there. The objectors do not acknowledge this, but it is important to the overall assessment of the air quality impact of the council's proposals on Roseburn Terrace.

3.39 The objectors are right when they say that vehicular traffic would be pushed by the council's proposals, including the loading bay on the northern side of the road, towards the south side of Roseburn Terrace. The position on the south side as I see it is this. If the eastern end of the proposed loading bay on the south side were to be occupied, moving vehicles would probably move towards the middle of the road as they pass numbers 27 to 33. There would be an adverse air quality effect – compared with the circumstances now of a longer loading bay extending further east – on the footway and building facades from number 13 eastwards. As to the impact of westbound queuing vehicles, the council's point that queuing traffic would not extend beyond the buffer provided by the proposed all-day loading bay on the south side of the street is very important. I do not accept that more extensive queuing would never happen. But I see no reason to doubt the council's evidence on this point as an indicator of the general pattern that would occur, and it is clearly an element that can be managed by appropriate signal phasings. This is a point that objectors fail to acknowledge. A further point that objectors seemingly do not take into account is the fact that the existing loading bay on the south side of Roseburn Terrace is for off-peak loading only. The present loading space on the south side cannot be legitimately used for loading (or parking) at peak hours, so it cannot be legitimately be regarded as providing an air pollution buffer at peak hours now. The (admittedly shorter) loading bay proposed by the council would be available at both peak and off-peak hours, and so would provide extra air pollution buffer protection in that respect.

3.40 I have no doubt that the council has approached this matter in a proper professional manner. Its reports and conclusions have been open to scrutiny. I see no need for any further independent assessment.

3.41 My view, therefore, is that no modification should be made to the TRO in the light of these objections.

Loading and unloading on Murrayfield Place

Summary of points made by objectors

3.42 With parking and loading at Roseburn Terrace proposed to be reduced by 40%, the next place shoppers with cars would head for is Murrayfield Place. Therefore to reduce parking on Murrayfield Place by 35% makes no sense. Removing the parking there that supports the traders is not the way to rejuvenate Roseburn. In future it would be impossible to find any parking within easy walking distance of the shops, and customers would just go

elsewhere. Parking and loading arrangements there should remain unchanged, subject to parking being limited to one hour rather than two hours to allow more drivers to make use of the spaces.

The council's response

3.43 The council has sought to ensure that loading facilities for businesses and residents are provided at suitable locations. This provision would balance loading demand with impact on the cycle/pedestrian improvements and on other road users, particularly public transport passengers.

3.44 There is no space specifically reserved for loading on Murrayfield Place at present: loading may be carried out from the greenway parking bays on the south side of the road, but these are often full. The TRO proposals include an enhancement in the facilities for Roseburn businesses loading from Murrayfield Place: this would take the form of an all-day loading bay on the north side, with space for two normal cars. That is likely to be sufficient for the limited loading requirements here, given that there are only four small shops/cafes on the street. Although the number of parking spaces on this short section of the street would reduce from 13 to eight, the overall number of short-stay parking spaces in the area would increase significantly, including 16 new designated short-stay spaces within 50 metres of Murrayfield Place.

My assessment

3.45 The objections to the reduction in parking provision (ie provision for those not involved in loading) relate to a matter beyond my remit: I am unable to make any recommendation for changes to parking provision.

3.46 To the extent that the objections do relate to loading provision – and that matter is within my remit – I make two points. First, any concern about an overspill requirement resulting from the proposed reduction in loading provision on Roseburn Terrace nearby is not well founded. That is because of my analysis of that reduction, in relation to need, which appears at paragraphs 3.28-35 above. Secondly, there is no challenge to the council's view on the limited need for loading provision generated by the businesses on Murrayfield Place itself. I saw for myself that there are only four businesses here: in January 2020 they were a launderette and dry cleaner, a hairdresser, a jeweller, and a bistro and wine bar.

3.47 The most significant point is that, under the TRO proposals, loading provision would be improved on Murrayfield Place.

3.48 My view, therefore, is that no modification should be made to the TRO in the light of these objections.

Loading and unloading on Haymarket Terrace

Summary of points made by objectors

3.49 It is claimed that inadequate consideration has been given to “*the delivery and parking*” at shops in the Haymarket area. This area is extremely important to the local community, commuters and visitors. More specifically, one objector says it is very difficult to

receive or pick up goods at an art gallery and café premises on the north side of Haymarket Terrace, as the limited parking bays are always occupied.

3.50 Some objectors focus on what they regard as the inaccessibility of the proposed loading bays on Coates Gardens and Rosebery Crescent for deliveries to premises on Haymarket Terrace (resulting in loss of trade), as well as a reduction in amenity for local residents. One objector refers to “*convoluted and potentially dangerous diversions*” as a result of the closure of direct access from Haymarket Terrace to Coates Gardens and to Rosebery Crescent.

The council's response

3.51 The council has sought to ensure that loading facilities for businesses and residents are provided at suitable locations. That provision would balance loading demand with impact on the cycle/pedestrian improvements and on other road users, particularly public transport passengers.

3.52 There would be an increase in loading space in Haymarket from up to 17 vehicles now to up to 22 vehicles with the implementation of the TRO proposals, with loading bays on both the north and south sides of Haymarket Terrace and at the southern ends of Coates Gardens and Rosebery Crescent. The loading bay on the south side of Haymarket Terrace was added in response to the pre-advertisement consultation. In addition, although loading facilities on Haymarket Terrace are only available at present off-peak (ie Monday to Friday between 0930 and 1600 hours), all the proposed loading areas in Haymarket would be available all day (peak and off-peak). So the project would enhance the provision of loading facilities for businesses located along Haymarket Terrace.

3.53 The loading bays in Coates Gardens and Rosebery Crescent would be accessible for vehicles delivering to premises on Haymarket Terrace, even though vehicular journeys along other streets would be necessary.

My assessment

3.54 From my site inspections, and bearing in mind the existing loading bay provision, I can understand the objector's reference to the difficulty of receiving or picking up goods. In addition, from examination of the TRO plans, it is clear to me that future loading bay provision, with the council's proposals in place, would be slightly less than its figure of 22 vehicles. That view reflects my somewhat critical assessment of the council's standard estimate of five metres per vehicle for loading bay provision (see paragraph 3.29 above). The availability of loading provision all day, including at peak hours, is important, although from the TRO plans that would not apply to the proposed provision at the southern ends of Coates Gardens and Rosebery Crescent.

3.55 The proposed loading provision at the southern ends of Coates Gardens and Rosebery Crescent does suffer from some disadvantage in not being on Haymarket Terrace itself and not being directly accessible from Haymarket Terrace by vehicles. Having noted that, however, that disadvantage can be over-emphasised because local knowledge, including specific information on loading arrangements, can be readily given to drivers in advance. I do not accept that the “diversions” required are particularly “convoluted” and need be no more “potentially dangerous” than any other urban journey in a delivery vehicle. There is already parking provision at the southern ends of Coates Gardens and Rosebery Crescent and that no doubt has some amenity effect on the occupants of nearby residential

properties, so I foresee little additional adverse amenity effect from nearby loading activity. Nor would the relatively small numbers of additional delivery vehicles involved in “diversions” from Haymarket Terrace have a significant new adverse amenity effect on the occupants of residential properties further from the main road. So it is right that the loading bay proposals at the southern ends of Coates Gardens and Rosebery Crescent are seen as some mitigation for the loss of provision on Haymarket Terrace itself.

3.56 The objectors make no specific positive suggestions for my consideration. In addition, I see the difficulty, if not impossibility, of making loading provision on Haymarket Terrace over and above what the council already proposes in the TRO if, taking a wide view, the cycle track is to go ahead (which is a matter I deal with in my report to Scottish Ministers on the Redetermination Order) and if provision is to be made (as it clearly should be) for two-way vehicular traffic on Haymarket Terrace. Those wider considerations are crucial in relation to these particular objections.

3.57 My view, therefore, is that no modification should be made to the TRO in the light of these objections.

Loading and unloading on Morrison Street

Summary of points made by objector

3.58 The objector, with premises on the north side of Morrison Street, says it is wholly unacceptable to transform half the loading bay there, which has to serve West Maitland Street as well as Morrison Street, into a taxi rank. Introducing a loading bay on the south side of the road would result in dangerous and difficult crossing movements with heavy deliveries. The proposed taxi rank would add to the noise already caused by the Jolly Botanist Public House. There is space for a 3-vehicles taxi rank outside Ryries Public House.

The council's response

3.59 The council has sought to ensure that loading facilities for businesses and residents are provided at suitable locations. That provision would balance loading demand with impact on the cycle/pedestrian improvements and on other road users, particularly public transport passengers.

3.60 As it stands, the TRO proposes a reduction in the loading bay on the north side of Morrison Street from 64 metres with space for up to 12 vehicles to 38 metres with space for up to seven vehicles. The reduction is necessary to provide space for a feeder taxi rank: this would be a feeder to a proposed taxi rank in the lay-by in front of Haymarket Station, relocated from its present position on the north side of Haymarket Terrace west of Rosebery Crescent to make space for the proposed cycle track. That relocation would significantly enhance the convenience of the taxi rank at Haymarket Station. But the relocated taxi rank would have limited space, so it would be supported by a feeder rank on the north side of Morrison Street. The feeder rank would be linked to the main stance using a camera/screen system, which would alert drivers within the feeder rank as to when there is space within the main stance outside the station.

3.61 There is also planning permission for a development on the south side of Morrison Street which includes the provision of a 30 metres loading bay with space for around six vehicles. This could provide additional loading facilities for properties on the north side.

3.62 However, in the light of the objection, a revised design is now proposed for a bay of 45 metres with space for up to nine vehicles. The council therefore seeks a modification to the TRO to incorporate that. The council's proposed textual change to the TRO is [provided](#), together with a revised plan showing the modified proposal.

3.63 Related improvements to the junction layout at Haymarket would also improve connectivity between the north and south sides of Morrison Street.

My assessment

3.64 Although the stimulus to relocate the taxi rank from the north side of Haymarket Terrace to the opposite side of the road outside Haymarket Station may have been the council's cycle track proposal, that relocation is worthy of substantial support. This is because it would be much more convenient for train-taxi interchanges than the present arrangement. The need for a feeder rank on the north side of Morrison Street follows from that, requiring in turn a reduction in the length of the existing loading bay there. By my calculation that reduction amounts to 41% in the advertised TRO, not far short of the objector's claim of a loss of a half. The council's amended proposal which it seeks as a modification to the TRO would mean of reduction of 30% below the present loading bay length, so accepting the proposed modification would meet the objection in part. The objector presents no information on the volume of demand for loading and unloading facilities here, and that also limits the weight I give to his objection.

3.65 I am not provided with any evidence as to the certainty of a loading bay being provided on the south side of Morrison Street, nor is it clear to me exactly what improvements to the junction layout at Haymarket would improve connectivity. However, if a loading bay were to be provided on the south side of Morrison Street in line with the existing planning permission, its use by commercial premises on the north side, if demand were to necessitate that, should not be discounted, even though it would require man-handling goods across the road

3.66 As to the objection to the taxi rank itself on the basis of noise generation, this is a busy commercial area already with a substantial degree of noise. A taxi rank would make little difference. In addition, the objector provides no details of his alternative taxi rank outside Ryries Public House.

3.67 Overall, the balance of the argument supports taking forward the council's proposed modification, which would improve loading bay provision on Morrison Street over and above that provided for in the TRO as advertised.

3.68 If the TRO is to be made, therefore, I would support the modification referred to in paragraph 3.62 above. I make minor typographical corrections to the council's wording, as included in my recommendation below.

Other loading and unloading objections

Summary of points made by objectors

3.69 These objections contend as follows.

(a) Reference to the council's proposals as "improvements" prejudices the consultation process, and there is little evidence of improvements for most road users.

(b) There would be no access for local shops for delivery drop-offs.

(c) In order to improve traffic flow, parking and/or loading should be prohibited during peak commuter time in the Roseburn and Haymarket areas.

(d) Residents in the Kew Terrace area (east of the A8 – Balbirnie Place junction) would have essential stopping places outside their homes on the main road removed.

My assessment

3.70 I assess these objections as follows.

(a) Whether what is proposed amounts to an improvement or not is a matter for my assessment in this report. I am not swayed by any general title. I have assessed the proposals on their merits, as far as my remit goes, on a street-by-street basis. The objections on point (a) do not suggest any particular modification.

(b) This point is made without any reference to location. It has little or no force without that. Again, no particular modification arising from it is suggested by the objector.

(c) Although I included this point as a valid objection to the TRO during the allocation process that I refer to at paragraphs 2.8-10 above, on further consideration I now accept the council's point made at that time suggesting that this does not fall within the 1999 regulations as an objection against a provision which prohibits loading. I simply say, in passing, that the council has achieved a good balance between conflicting needs in circumstances where there is a heavy demand for road space from different kinds of user.

(d) Although I also included this point as a valid objection to the TRO at the allocation stage that I refer to at paragraphs 2.8-10 above, its location lies beyond the areas of my remit as described in paragraph 2.7 above.

3.71 I therefore recommend that no modification to the TRO is made in response to these objections.

CHAPTER 4. OVERALL CONCLUSIONS AND RECOMMENDATION

4.1 From chapter 1 above, it is crucial background to this case that transport policy at national, regional and local level encourages sustainable and active travel, including the improvement of cycling facilities. Active travel is seen to have a wide range of benefits.

4.2 In response to this the council is promoting its CCWEL project to provide, in its view, significant benefits, particularly for cyclists and pedestrians. The council's view on that fundamental point is challenged by a number of objectors to the Redetermination Order associated with the TRO, and as indicated above I am reporting (simultaneously with this report to the council) to Scottish Ministers on that. It is not for me to repeat the contents of that other report here. However, as a context for the council's consideration of this report, I can say two things:

- in reaching a conclusion on the TRO objections that are before me, I give substantial weight to the background to this case as referred to in paragraph 4.1 above and as described in chapter 1 of this report); and
- in my report to Scottish Ministers, I give substantial, although not unqualified, support to the council's view of the significant benefits that the CCWEL project would provide.

4.3 Nevertheless, the decision on the Redetermination Order remains a matter for Scottish Ministers in the light of the recommendation I make separately to them, and the decision on the TRO is a matter for the council in the light of my recommendation below. If the council decides to make the TRO, it may or may not be possible to implement the works provided for in the TRO. That may be dependent on Scottish Ministers' decision on the Redetermination Order and on any other procedures that may be necessary.

4.4 I summarise very briefly my analysis of the objections to the TRO's loading provisions as follows. I consider the objections on Roseburn Terrace to be unfounded. I say this on the basis of the limited survey data available on loading space demand as opposed to parking space demand. I see no justification for the view that Roseburn's special character would be lost as a result of the TRO's loading provisions. Nor am I satisfied by objectors' arguments on congestion and pollution stemming from the TRO loading proposals for Roseburn Terrace. I have considered the objections relating to loading provision on Murrayfield Place, but that provision would in fact be improved there. I understand the loading difficulties on Haymarket Terrace, but the TRO's proposed provision at the southern ends of Coates Gardens and Rosebery Crescent would be some mitigation for the loss of provision on Haymarket Terrace itself. In addition, there are wider considerations there – the need to accommodate the proposed cycle track and two-way vehicular traffic movements within Haymarket Terrace. The TRO's loading proposals for Morrison Street are intimately bound up with its proposals for the Haymarket taxi rank, which I support, and I accept the council's revised view incorporated in its proposed modification to the TRO. No other objections point to the need for a modification in my view.

4.5 None of the TRO's loading proposals or the objections to them is materially related to the character and appearance of The Old and New Towns of Edinburgh World Heritage Site or of the conservation areas I mention at paragraph 1.29 above.

4.6 Therefore the only modification to the TRO that I consider justified is the one put forward by the council which I deal with at paragraphs 3.62, 3.64 and 3.67-68 above. If the council proceeds as in my recommendation, I am reasonably satisfied that the scale of the change involved in this modification is sufficiently small to obviate the risk of prejudice to any third party. My recommendation below reflects these points.

4.7 I draw the council's attention to the following if it wishes to make the order. Regulation 16(3) of The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999 specifies that no order shall be made after the expiry of two years beginning with the date on which a notice of proposals is first published under regulation 5. The regulation 5 notice was published on 20 April 2018, and so the time limit expires on 20 April 2020. However, the 1999 Regulations are amended by The Local Authorities' Traffic Orders (Procedure) (Scotland) Amendment Regulations 2005 which specify that the time limit shall not apply where an application for an extension has been made by the authority to the Scottish Ministers and the limit is extended by them.

4.8 I **recommend** that

(a) the loading and unloading provisions on Roseburn Terrace, Murrayfield Place, Haymarket Terrace and Morrison Street in THE CITY OF EDINBURGH COUNCIL (VARIOUS STREETS) (PROHIBITION OF WAITING) AND (TRAFFIC REGULATION; RESTRICTIONS ON WAITING, LOADING AND UNLOADING, AND PARKING PLACES) AND (VARIOUS ROADS, EDINBURGH) (PROHIBITION OF WAITING AT JUNCTIONS) AND (GREENWAYS) AND (EDINBURGH TRAM) (PROHIBITION OF ENTRY, MOTOR VEHICLES AND TURNING, ONE-WAY ROADS, BUS/TRAM PRIORITY LANES AND WEIGHT LIMIT) AND (EDINBURGH TRAM) (TRAFFIC REGULATION; RESTRICTIONS ON WAITING, LOADING AND UNLOADING, AND PARKING PLACES) (VARIATION NO -) (VARIATION NO -) ORDER 201- - TRO/17/91 be modified as follows:

In Schedule 6, in respect of the amendments to Schedule 1 of The City of Edinburgh Council (Edinburgh Tram) (Traffic Regulation; Restrictions on Waiting, Loading and Unloading, and Parking Places) Designation and Traffic Regulation Order 2010 (the "2010 Order"), the text "*In item Morrison Street North side (Excluding) for the word "80" there was substituted the word "41"*" shall be deleted and substituted with: "*In item Morrison Street North side (Excluding) for the word "80" there was substituted the word "45"*".

In Schedule 6, in respect of the amendments to Schedule 2 of the 2010 Order, the text "*In item Morrison Street North side for the words "105 metres thereby east of the east kerbline" there were substituted the words "66 metres or thereby west of the west kerbline"*" shall be deleted and substituted with the following wording: "*In item Morrison Street North side for the words "105 metres thereby east of the east kerbline" there were substituted the words "70 metres or thereby west of the west kerbline"*".

In Schedule 6, in respect of the amendments to Schedule 3 of the 2010 Order, the text "*In item Morrison Street North side for the words "80" there was substituted the word "41"*" shall be deleted and substituted with the following wording: "*In item Morrison Street North side for the words "80" there was substituted the word "45"*".

In Schedule 6, in respect of the amendments to Schedule 5 of the 2010 Order, the text *"In item 44 Morrison Street in column 2 for the word "65" there was substituted the word "41" and in column 3 for the word "5" there was substituted the word "3" respectively"* shall be deleted and substituted with the following wording: *"In item 44 Morrison Street in column 2 for the word "65" there was substituted the word "45" and in column 3 for the word "5" there was substituted the word "3" respectively"*.

(b) the map prepared under Regulation 15 of The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999 be amended in accordance with recommendation (a) above; and

(c) the TRO so modified be made as drafted with regard to the loading and unloading provisions on Roseburn Terrace, Murrayfield Place, Haymarket Terrace and Morrison Street.

Mike Croft
Reporter

Appendix 1. Changes to my preliminary allocation of objections affecting my consideration of the TRO

Objector	Suggested change to allocation	My revised allocation
Ms Le Giang	Council suggested text allocated as TRO loading objection should be unallocated.	Allocation unchanged.
Mr D and Ms J Glasby	Council suggested text allocated as Redetermination Order objection should also be allocated as TRO loading objection.	Allocation changed in line with council suggestion.
Murrayfield Community Council	Objector sought unallocated text to be allocated as TRO loading objection. Request resisted by council.	Allocation unchanged.
Ms S Johnston	Council suggested text allocated as Redetermination Order objection should also be allocated as TRO loading objection.	Allocation changed partially in line with council suggestion.
Mr J Welsh	Council suggested text allocated as objection to both Orders should be allocated as Redetermination Order objection only.	Allocation unchanged.
Mr J Welsh	Council suggested text allocated as TRO loading objection should be unallocated.	Allocation unchanged.

Appendix 2. List of objectors

Name	Substantive objection to TRO ⁹
Mr B D Allingham	No
Ms A Anderson	No
Ms H Barbour	No
Mr J D Berry	Yes
Mr M Dawson	No
Donaldson Area Amenity Association	No
Ms E East	Yes
Mr A Easton	No
Mr M Findlay	No
Mr H D Frew	Yes
Ms T Le Giang	Yes
Mr D and Ms J Glasby	Yes
Mr T Glasby	Yes
Mr P Gregson	Yes
Ms J and Mr C Hardie	No
Mr E Housley	No
Ms P Housley	Yes
Ms S Ingham	No
Mr B Johnston	No
Ms S Johnston	Yes
Ms S Kelman	No
Mrs R Kennedy	No
Mr J McBrinn	No
Mr S McKenzie	No
Ms A Milne	Yes
Ms S Murray	Yes
Murrayfield Community Council	No
Ms L and Mr S Paterson	No
Ms J Pickard	No
Mr G Rendall	Yes
Roseburn Traders	Yes
Ms K Stephen	No
Mr V Le Sueur	No
Mr A Weatherston	No
Mr J Welsh	Yes
Dr J L G Wight	No
Mr J Yellowleas	No

⁹ As indicated in my allocations of objections.

Appendix 3. List of TRO hearing session participants, 5 November 2019

City of Edinburgh Council

Mr M McMurray	Partner, CMS Cameron McKenna Nabarro Olswang LLP
Mr E Kennedy	Transport Policy and Planning Manager, City of Edinburgh Council
Mr R McMeddes	Transport Officer, City of Edinburgh Council
Mr P Noble	Active Travel Team Leader, City of Edinburgh Council

Objectors

Mr P Gregson
Ms P Housley
Mr G Rendall

Others

Ms H Barbour	Secretary, Murrayfield Community Council
Mr R Smart	Member, Murrayfield Community Council

Appendix 4. City council's list of documents¹⁰

CEC 1. The City of Edinburgh Council (Roseburn to Haymarket Area, Edinburgh) (Redetermination of Means of Exercise of Public Right of Passage) Order 201_ RSO/18/05 [<https://www.dpea.scotland.gov.uk/Document.aspx?id=564964>]

CEC 2. Statement of Reasons – RDO
[<https://www.dpea.scotland.gov.uk/Document.aspx?id=564965>]

CEC 3. RSO_18_05 Advert, The Scotsman, 20 April 2018

CEC 4. RSO_18_05 Advert, The Gazette, 20 April 2018

CEC 5. RSO-18-05 List of Consultees

CEC 6. The City of Edinburgh Council (Various Streets) (Prohibition of Waiting) and (Traffic Regulation: Restrictions on Waiting, Loading and Unloading, and Parking Places) and (Various Roads, Edinburgh) (Prohibition of Waiting at Junctions) and (Greenways) and (Edinburgh Tram) (Prohibition of Entry, Motor Vehicles and Turning, One-Way Roads, Bus/Tram Priority Lanes and Weight Limit) and (Edinburgh Tram) (Traffic Regulation; Restrictions on Waiting, Loading and Unloading, and Parking Places) (Variation No -) (Variation No -) Order 201- - TRO/17/91
[<https://www.dpea.scotland.gov.uk/Document.aspx?id=568699>]

CEC 7. Statement of Reasons - TRO
[<https://www.dpea.scotland.gov.uk/Document.aspx?id=568701>]

CEC 8. TRO-17-91 List of Consultees

CEC 9. TRO_17_91 Advert, The Scotsman, 20 April 2018

CEC 10. Report - Development of Major Cycling and Walking Projects – Implementation Plan, The City of Edinburgh Council Transport and Environment Committee, 3 June 2014

CEC 11. Minutes - The City of Edinburgh Council Transport and Environment Committee, 3 June 2014

CEC 12. Business Bulletin – The City of Edinburgh Council Finance and Resources Committee, 30 September 2014

CEC 13. Report - Roseburn to Leith Walk Cycle Route and Street Improvement Project – Public Consultation for the Preliminary Design, The City of Edinburgh Council Transport and Environment Committee, 27 October 2015

CEC 14. Minutes - The City of Edinburgh Council Transport and Environment Committee, 27 October 2015

¹⁰ This is a combined list for the TRO and the Redetermination Order.

CEC 15. Report - City Centre West to East Cycle Link and Street Improvements: Consultation Results and Potential Project Amendments, The City of Edinburgh Council Transport and Environment Committee, 30 August 2016
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601107\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601107)

CEC 16. Minutes - The City of Edinburgh Council Transport and Environment Committee, 30 August 2016
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601106\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601106)

CEC 17. Report - City Centre West to East Cycle Link and Street Improvements Project, Report to The City of Edinburgh Council Future Transport Working Group, 16 December 2016
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601101\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601101)

CEC 18. Decision - City Centre West to East Cycle Link and Street Improvements Project, The City of Edinburgh Council Future Transport Working Group, 16 December 2016
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601102\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601102)

CEC 19. Report - Melville Crescent Public Realm Project - Update, The City of Edinburgh Council Transport and Environment Committee 1 March 2018

CEC 20. Minutes - The City of Edinburgh Council Transport and Environment Committee 9 March 2018

CEC 21. Report - City Centre West to East Cycle Link and Street Improvements Project – Section 1 (Roseburn Place/Murrayfield Avenue to Rosebery Crescent/Morrison Street) – Representations to Traffic Regulation Order and Redetermination Order, The City of Edinburgh Council Transport and Environment Committee, 20 June 2018
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=564791\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=564791)
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=572869\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=572869)

CEC 22. Minutes - The City of Edinburgh Council Transport and Environment Committee, 20 June 2018
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601106\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601106)

CEC 23. Scotland's National Transport Strategy, December 2006

CEC 24. National Transport Strategy, January 2016

CEC 25. National Transport Strategy 2 (NTS2) - Draft Strategy for Consultation, July 2019

CEC 26. Cycling Action Plan for Scotland 2017-2020, Transport Scotland, January 2017

CEC 27. Regional Transport Strategy 2015 – 2025 Refresh, SEStran, July 2015

CEC 28. Local Transport Strategy 2014 – 2019, The City of Edinburgh Council
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601108\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601108)

CEC 29. Active Travel Action Plan, The City of Edinburgh Council, 2016 Refresh
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601096\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601096)

CEC 30. Edinburgh City Centre Transformation Proposed Strategy for consultation, The City of Edinburgh Council, May 2019

CEC 31. Edinburgh Design Guidance, The City of Edinburgh Council, October 2017 – (Chapter 4. Designing streets: Edinburgh Street Design Guidance)
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601100\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601100)

CEC 32. Roseburn Action Plan, Murrayfield Community Council, October 2014

CEC 33. CCWEL and Roseburn Action Plan

CEC 34. Rejuvenating Roseburn, Delivering the Roseburn Action Plan, Public Consultation Summary Report, June 2019

CEC 35. Bike Life Edinburgh – 2017 – Sustrans and The City of Edinburgh Council

CEC 36. Roseburn to Leith Walk Cycle Study Edinburgh, Route Options Feasibility Assessment & User Impact Appraisal, WSP for The City of Edinburgh Council, March 2014
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=592430\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=592430)

CEC 37. City Centre West to East Cycle and Street Improvement Scheme, VISSIM traffic modelling, Jacobs Report for The City of Edinburgh Council, 12 December 2016
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601099\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601099)

CEC 38. Stakeholder Group Registration Lists, Slides and Meeting Notes

[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601115\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601115)

[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601114\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601114)

[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601105\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601105)

[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601104\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601104)

[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601117\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601117)

[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601116\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601116)

[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601119\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601119)

[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601118\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601118)

[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601121\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601121)

[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601120\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601120)

[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601110\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601110)

[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601111\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601111)

[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601109\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601109)

CEC 39. Outer House Decision - Elizabeth Fairley against Edinburgh Trams Limited and The City of Edinburgh Council; and Iain Lowdean against Transport Initiatives Edinburgh Limited and The City of Edinburgh Council – 28 June 2019

CEC 40. Proposed Monitoring Plan - City Centre West to East Cycle Link and Street Improvements Project (CCWEL)

CEC 41. Report - Benefits of Investing in Cycling by Dr Rachel Aldred for British Cycling

- CEC 42. TfL Report - Walking & Cycling - The Economic Benefits
- CEC 43. New York City Department of Transport (2014) Study - Protected Bicycle Lanes in NYC
- CEC 44. Cycling by Design 2010 (Revision 1, June 2011), Transport Scotland
- CEC 45. Designing Streets, A Policy Statement for Scotland, 2010
[\[https://www.gov.scot/publications/designing-streets-policy-statement-scotland/\]](https://www.gov.scot/publications/designing-streets-policy-statement-scotland/)
- CEC 46. A rolling walking stick - why do so many disabled people cycle in Cambridge - The Guardian, 2 January 2018
- CEC 47. Roseburn to Leith Walk Cycle Route and Street Improvements Consultation Report, The City of Edinburgh Council, Revised July 2016
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601097\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601097)
- CEC 48. Planning Application Ref: 19/02623/FUL Haymarket Edinburgh - Proposed Transport Strategy, Sweco UK Limited, 19 March 2019
- CEC 49. Parking Survey
CCWEL Parking Survey Results (Table)
CCWEL Parking Survey Results (Roseburn Area Infographic)
- CEC 50. Consumer Behavior and Travel Choices: A Focus on Cyclists and Pedestrians
- CEC 51. Bicyclists as Consumers, Article in Transportation Research Record Journal of the Transportation Research Board · December 2014
- CEC 52. Modifications to Redetermination Order in Response to Representations
- CEC 53. CCWEL Integrated Impact Assessment
- CEC 54. AECOM LinSig Outputs
- CEC 55. EnViver and ADMS Air Quality Reports
- CEC 56. Road Safety Audit Stage 1 & Council Design Response
- CEC 57. Seville: How a small Spanish city became a cycling hub for all
- CEC 58. Bike Life, Bristol 2017, Sustrans
- CEC 59. Council update on £6m cycling scheme which will 'improve connectivity' around Boots site, Nottinghamshire Post, April 2018
- CEC 60. Segregated Cycling Infrastructure – Understanding cycling levels, traffic impacts and public and business attitudes. City Planning, Transport for London

CEC 61. Cycling in London at record levels, new figures reveal, Evening Standard, 3 July 2019

CEC 62. Factors influencing the propensity to cycle to work, Wardman, Tight and Page Institute for Transport Studies, University of Leeds
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=604146\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=604146)

CEC 63. Transport and Environment Committee, Business Bulletin for Thursday 16 May 2019 Meeting

CEC 64. Department for Transport, Transport Analysis Guidance, TAG Unit A5.1, Active Mode Appraisal, May 2018

CEC 65. Mail and Telegraph suggest Birmingham cycle lane has somehow caused congestion despite zero change to motor vehicle capacity, published by Road.cc on 14 June 2019 [<https://road.cc/content/news/262237-mail-and-telegraphsuggest-birmingham-cycle-lane-has-somehow-caused-congestion> accessed on 9 September 2019]

CEC 66. CCWEL - Roseburn Terrace, Air Quality Modelling Report - Aecom

CEC 67. City Centre West-East Link and Connections

CEC 68. Map showing areas from which bulk of modelled use of CCWEL western section originated

CEC 69. Current Extent of Cycle Use

CEC 70. Extract from Transport for London Programmes and Investment Committee - 30 November 2016

CEC 71. Traffic Count 24 October 2019

CEC 72. Roseburn Vision Survey of Autumn 2016 – Cycle growth forecast

CEC 73. Cycle use and climate comparisons

CEC 74. CCWEL-NCN1 Route Comparison

CEC 75. Option A - Connection to North

CEC 76. Traffic and NO2 Map

CEC 77. Modelled Options

CEC 78. Crossings on the A8

CEC 79. CCWEL Cycle Use Forecasting – Trip matrices and supplementary commentary

CEC 80. Cycle counts 8 to 13 November 2019

CEC 81. Roseburn Terrace - Parking Survey Results - Loading