

Transport and Environment Committee

10.00am, Tuesday, 13 January 2015

Objections to Traffic Regulation Order – Casselbank Street

Item number	7.21
Report number	
Executive/routine	Executive
Wards	Leith

Executive summary

The Leith Programme consists of approximately £9 million of road, footway and cycle improvements along the whole length of Leith Walk, which will transform the nature and operation of these streets.

In order to facilitate the changes on Leith Walk between Pilrig Street and Duke Street, it is necessary to make permanent the current position of the City Car Club bay and Doctor's parking bay on Casselbank Street. These were previously moved from their pre-Tram works location on a temporary basis during the tram works to enable the relocation of a taxi stance from Leith Walk onto Casselbank Street.

One objection was received in response to the advertised Traffic Regulation Order, and this objection is considered within this report.

Links

Coalition pledges	
Council outcomes	CO19 , CO22
Single Outcome Agreement	SO4

Objections to Traffic Regulation Order – Casselbank Street

Recommendations

- 1.1 It is recommended that the Committee:
 - 1.1.1 notes the objection received to the advertised Traffic Regulation Order, and the Council's comments in response;
 - 1.1.2 sets aside the parts of the objection relating to the City Car Club and Doctor's parking bays, and gives approval to make the Order as advertised;
 - 1.1.3 notes that a separate statutory process is being progressed for the appointment of the taxi stance on Casselbank Street, and that objections to this, including the part of the objection considered in this report that relates to the taxi stance, will be reported to the Regulatory Committee.

Background

- 2.1 The position of the City Car Club and Doctor's parking bays on Casselbank Street were altered during the tram works on Leith Walk under a Temporary Traffic Regulation Order. This was necessary to accommodate the relocation of a taxi stance from Leith Walk onto Casselbank Street.
- 2.2 It had been intended that these changes would be made permanent under the Tram Traffic Regulation Order, but this did not happen due to the current phase of the tram being curtailed at York Place. As such, it is now intended to make permanent the current position of the City Car Club bay, Doctor's parking bay and taxi stance as part of the Leith Programme.
- 2.3 The Leith Programme consists of approximately £9 million of road, footway and cycle improvements along the whole length of Leith Walk, which will transform the nature and operation of these streets. The programme is being delivered in a number of phases in financial years 2013/14, 2014/15 and 2015/16.

Main report

- 3.1 Works to Constitution Street were completed in November 2013. Improvements to Leith Walk, between Duke Street and Pilrig Street, were completed in December 2014. The next phase of the Programme (Phase Three) will be improvements to the Foot of the Walk junction.
- 3.2 The improvements on Leith Walk include creating more space for pedestrians by widening footways and introducing more pedestrian crossings. It was decided that the original position of the taxi stance on Leith Walk was not compatible with the Leith Programme design, as it would give rise to safety concerns arising from the potential interaction of U-turning taxis with other road users. A taxi stance in this location would have a new pedestrian crossing immediately to its south, a significantly altered Foot of the Walk junction immediately to the north, and a new bus stop on the opposite side of the road.
- 3.3 An investigation was carried out into possible alternative locations for the stance in the surrounding area, however no viable locations were identified other than the current position on Casselbank Street.
- 3.4 As such, it is proposed to permanently locate the taxi stance at its existing temporary location at the east end of Casselbank Street. This requires the revocation of the taxi stance on Leith Walk, and appointment of a new stance on Casselbank Street.
- 3.5 This also requires the permanent location of the City Car Club bay and Doctor's parking bay to be at their current temporary locations further west on Casselbank Street.
- 3.6 Two separate statutory processes require to be undertaken in parallel to enable the proposed changes:
 - a Traffic Regulation Order is required to make permanent the position of the Doctor's parking bay and the City Car Club bay. It is also proposed to add a short section of double yellow line restrictions to an adjacent existing waste container bay, which also falls under this process; and
 - the relocation of the taxi stance is being promoted under the Civic Government (Scotland) Act 1982.
- 3.7 This report concerns objections relating only to the City Car Club and Doctor's parking bays. A separate report will be made to the Council's Regulatory Committee relating to the objections received to the separate taxi stance procedure. The part of the objection considered in this report that relates to the taxi stance will also be reported to the Regulatory Committee.
- 3.8 The Council considers that the current road layout on Casselbank Street works satisfactorily. However should any new issues come to light following a decision to make the layout permanent, these will be investigated.

- 3.9 The possibility of providing additional signs on Leith Walk, to highlight the existence of the taxi stance, will also be investigated.
- 3.10 Plans showing the pre-Tram works layout and proposed permanent layout on Casselbank Street are appended to this report.

Statutory Consultation

- 3.11 In line with the statutory requirements for consultations being carried out under the terms of the Road Traffic Regulation Act 1984, the draft Traffic Regulation Order was advertised between 1 August and 22 August 2014. The Council received one objection in response. A copy of this objection is included in Appendix 1, along with the Council's written response to the objector.
- 3.12 The objection received to the advertised proposals was submitted by a local resident who did not support making permanent the location of the taxi stance on Casselbank Street. The objector raised concerns over the potential for conflicts between vehicles passing the stance and oncoming traffic entering Casselbank Street from Leith Walk, and also between pedestrians and vehicles in the vicinity of the stance. In response to these concerns road collision data for the last five years has been reviewed, and there have been no collisions involving personal injury at this location which are attributable to the taxi stance. The Council therefore considers that the current location of the stance does not cause any significant road safety concerns.
- 3.13 As stated above, a separate statutory process is being progressed which relates specifically to the relocation of the taxi stance. Objections to this proposal will be reported to the Regulatory Committee on 2 February 2015, and the objectors concerns relating to safety issues arising from the taxi stance will be reported to this Committee.

Measures of success

- 4.1 The measure of success for the Leith Programme will be an improved, more attractive environment along the Leith Walk and Constitution Street corridors, particularly for pedestrians and cyclists.

Financial impact

- 5.1 The costs associated with the Traffic Regulation Order are estimated at £1,000.
- 5.2 The costs to implement the proposed changes on Casselbank Street will be a maximum of £500. These costs will be met from Capital funding allocated to the Leith Programme, which is being supplemented by an external funding award from the Scottish Government.

Risk, policy, compliance and governance impact

- 6.1 There are not expected to be any risk, governance, compliance or regulatory implications arising from the proposals set out in this report.

Equalities impact

- 7.1 An Equalities and Rights Impact Assessment (ERIA) for the full Leith Programme commenced during the consultation stage of the scheme and will be in effect throughout the delivery of the project.

Sustainability impact

- 8.1 The impacts of this report in relation to the three elements of the Climate Change (Scotland) Act 2009 Public Bodies Duties have been considered.
- 8.2 The proposals in this report are in support of the Leith Programme which will provide new and improved transport infrastructure for both cyclists and pedestrians.

Consultation and engagement

- 9.1 Statutory consultation was carried out between 1 August and 22 August 2014. This gave any interested parties the opportunity to submit formally any comments or objections to the Council.
- 9.2 A meeting was held with representatives of taxi operators on 8 January 2015 to discuss issues arising from making permanent the location of the taxi stance on Casselbank Street.
- 9.3 As part of the wider Leith Programme, extensive consultation has been undertaken for the project with a wide range of stakeholders. A dedicated webpage has been set up and provides regular updates on the proposals. Neighbourhood Partnerships, local Members, Community Councils, cycling organisations, Lothian Buses and other community groups were all consulted on the wider proposals.
- 9.4 In addition, monthly Key Stakeholder Group meetings are ongoing, and the Elected Member Oversight Group also meets at key stages of the project.
- 9.5 Local ward members have been consulted on the contents of this report, and no issues have been raised.

Background reading/external references

Appendix 1 – Objection received, and Council response to this objection

Appendix 2 – Casselbank Street – Pre-Tram works layout

Appendix 3 – Casselbank Street – Proposed layout

John Bury

Acting Director of Services for Communities

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Links

Coalition pledges

Council outcomes **CO19** – Attractive Places and Well-Maintained – Edinburgh remains an attractive city through the development of high quality buildings and places and the delivery of high standards and maintenance of infrastructure and public realm
CO22 – Moving Efficiently – Edinburgh has a transport system that improves connectivity and is green, healthy and accessible.

Single Outcome Agreement **SO4** – Edinburgh’s communities are safer and have improved physical and social fabric

Appendices
Appendix 1 – Objection received, and Council response to this objection
Appendix 2 – Casselbank Street – Pre-Tram works layout
Appendix 3 – Casselbank Street – Proposed layout

Callum Smith2

From: John Murphy on behalf of Traffic Orders
Sent: 22 August 2014 10:47
To: Callum Smith2
Subject: FW: Traffic order objection - TRO/14/34 & TRO/14/20

Callum

Another objection to TRO/14/20 and the related 14/34. I have sent an acknowledgement.

John

From: [REDACTED]
Sent: 22 August 2014 10:38
To: Traffic Orders
Cc: Chas Booth
Subject: Traffic order objection - TRO/14/34 & TRO/14/20

Dear Sirs,

I object to the proposals set out in The City of Edinburgh Council (Doctors' Parking Places) and (Edinburgh City Car Club)(Variation No -) Order 201 - - TRO/14/34 and to the related elements of TRO/14/20 which were in available to view on the Council's website as at today's date.

The statement of reasons in TRO/14/34 provides:

"In order to facilitate the changes being implemented on Leith Walk it is necessary to make permanent the current position of the City Car Club and Doctor's parking bay on the NE side of Casselbank Street. These were moved pre-Tram works to allow the relocation of a taxi stance from Leith Walk onto Casselbank Street. It was originally intended that this would be a temporary arrangement but it is now proposed that this becomes permanent to accommodate the Leith Programme improvement works."

The implication of the above is that the taxi stance is to remain permanently at the junction of Casselbank Street and Leith Walk (I am assuming that the position of the taxi stance is covered in TRO/14/20 or elsewhere, although this is not obvious from the plans currently available on the website). As a resident of Kirk Street, I am deeply concerned with this decision both as a pedestrian and as a motorist.

During the period in which the taxi stance has been 'temporarily' relocated to Casselbank Street, I have experienced several near-misses when pedestrians have stepped out from behind taxis into the path of my car and when other vehicles have turned quickly into Casselbank Street from Leith Walk. Since the road is not wide enough to accommodate three vehicles, if a vehicle is on Casselbank Street approaching Leith Walk, it has to cross onto the opposite lane whenever a taxi is present at the stance. This represents a major hazard for both pedestrians and motorists. The hazard to pedestrians is compounded by the following: (i) pedestrians crossing the road from the taxi stance side tend to look left, not expecting traffic to be approaching on the other side of the road from their right, (ii) since taxis are relatively tall vehicles, it makes it difficult for drivers approaching Leith Walk to see pedestrians and vice versa, and (iii) on sunny mornings, visibility can be significantly reduced for any driver approaching Leith Walk from Casselbank Street anyway.

For motorists, the walls on either side of Casselbank Street mean that it is not possible for a driver to obtain a clear view of Leith Walk until he or she is right upon the junction. When taxis are present, drivers are forced to

commit to the opposite lane well in advance of the junction and well before it is possible to see approaching traffic. Joining Leith Walk from Casselbank Street can be challenging enough even when one does have a clear view since there are two lanes of traffic in both directions, a bus stop on either side of the road and another junction close by on the opposite side of the road. The area is generally very busy with both pedestrian and vehicular traffic. Vehicles turning into Casselbank Street generally have to do so quickly to take advantage of short gaps in the traffic and are often met with another vehicle approaching the junction from the opposite direction. This represents a hazard to motorists travelling in both directions. The volume of traffic turning into Casselbank Street is also increased by the taxis themselves.

When the doctors' and City Car Club bays were in their original location, they were sufficiently far back from the junction to allow drivers approaching the junction to pass safely and to be on the correct side of the road at the junction itself. At most, there would be three normal-height cars parked in the bays. Since the taxi stance was relocated onto Casselbank Street, there can be several taxis parked in a line all the way back to Cassel's Lane and often beyond. This means that drivers approaching Leith Walk have to commit to the other side of the road much sooner.

The markings for the taxi stance leave around one car's length at the junction itself. Despite this, throughout the whole period in which the stance has been operating on Casselbank Street, taxis have invariably parked well forward of the marked area, leaving little more than half a car's length at the junction. The drivers might be doing this to maximise the amount of space available at the stance and to allow them to see, and to be seen by, approaching customers but this makes the junction more hazardous for other drivers and pedestrians than it might otherwise be if the stance markings and double red lines were properly observed. Short of employing constant monitoring and strict enforcement measures, it is very difficult to see how this practice could be eradicated. It is notable that there was no such difficulty when the stance was located on Leith Walk.

A further concern is that the plan appears to show a two-car City Car Club bay rather than the one-car bay that exists at present.

For the above reasons, I should be grateful if you could take note of my objections and find a suitable location for the taxi stance on Leith Walk itself, as before.

Yours faithfully,

██████████
██████████

Date 12 September 2014

Your ref

Our ref TP/01/002/2/CS

Dear [REDACTED]

OBJECTION TO TRO/14/34 – CASSELBANK STREET

Thank you for your email of 22 August 2014 stating your objection to the above Traffic Regulation Order and the proposal to make permanent the position of the taxi stance on Casselbank Street. Please find some information below which relates to your objection.

Taxi Stance

It had been intended that the relocation of the stance would be made permanent under the Tram Traffic Regulation Order, but this did not happen due to the current phase of the tram being curtailed at York Place. As such, the current proposals are being pursued as part of the Leith Programme improvements

Originally, the Leith Programme planned to reinstate the pre-Tram layout on Leith Walk. However, following subsequent consultations with elected members, stakeholders and the general public, it was decided that a more comprehensive and ambitious programme of works was required which would make significant changes to the layout and operation of Leith Walk This would better balance the needs of all road users, and improve facilities for pedestrians and cyclists.

Under the Leith Programme design, as kerbside road space (including parking and loading bays) has been rationalised in order to facilitate the improvements, it is now proposed to retain the taxi stance at its current position on Casselbank Street.

The Council feels that the stance works satisfactorily at this location and does not give rise to any specific safety concerns. Road collision data for the last five years has been reviewed and there have been no collisions involving personal injury at this location which are attributable to the taxi stance.

Callum Smith, Senior Professional Officer, (Projects Development), Services for Communities

Transport, C2, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG

Tel 0131 469 3592 Fax 0131 529 6201 transport.projectsdevelopment@edinburgh.gov.uk



However, a stance at the previous location on Leith Walk would lead to citybound taxis leaving the stance performing U-turns in the immediate vicinity of the Foot of the Walk junction, a new pedestrian crossing and a busy bus stop. As such, it is expected that there would be safety concerns should the stance be reinstated on Leith Walk. The alternative for citybound taxis would be to divert via Great Junction Street or Duke Street, which would result in lengthier journeys.

I can confirm that consideration was given to whether there were any other locations nearby which would be suitable for the taxi stance, however no sites were identified.

City Car Club Bay

Please note that the City Car Club bay is shown as 11 metres in length within the existing legal Order, although I appreciate that this is not what is currently marked on site. It is however our intention to mark the bay at its full length as part of the proposals.

Statutory Processes

Please note that two separate statutory processes require to be undertaken in parallel to enable the proposed changes:

- the advertised Traffic Regulation Order (TRO/14/34), to which you have objected, is required to change the position of the Doctor's parking bay and the City Car Club bay;
- the relocation of the taxi stance is being promoted under a second process which is governed by the Civic Government (Scotland) Act 1982

I can confirm that we are considering your objection as part of both processes.

Next Steps

Should the information provided above be sufficient to allow you to withdraw your objection to either or both of the two statutory processes, please could you reply in writing (letter or email) within 14 days of receipt of this letter. If we do not hear from you within this period, it will be assumed that you wish to maintain your objection to both.

A report on the maintained objections relating to the Traffic Regulation Order will be made to the Council's Transport and Environment Committee on 28 October 2014. A separate report will be made to the Council's Regulatory Committee on 21 November 2014 relating to the taxi stance procedure. Your objection to both processes will be considered by the relevant Committee. The reports will be available on the Council's website seven days prior to the Committee meetings - these can be viewed at:

<http://www.edinburgh.gov.uk/cpol>

Should you wish to discuss this matter further, please do not hesitate to contact me using the details below.

Yours sincerely



Callum Smith
Senior Professional Officer
(Projects Development)



NOTES:

Legend

- Doctors parking bay
- City Car Club parking bay
- Taxi stance

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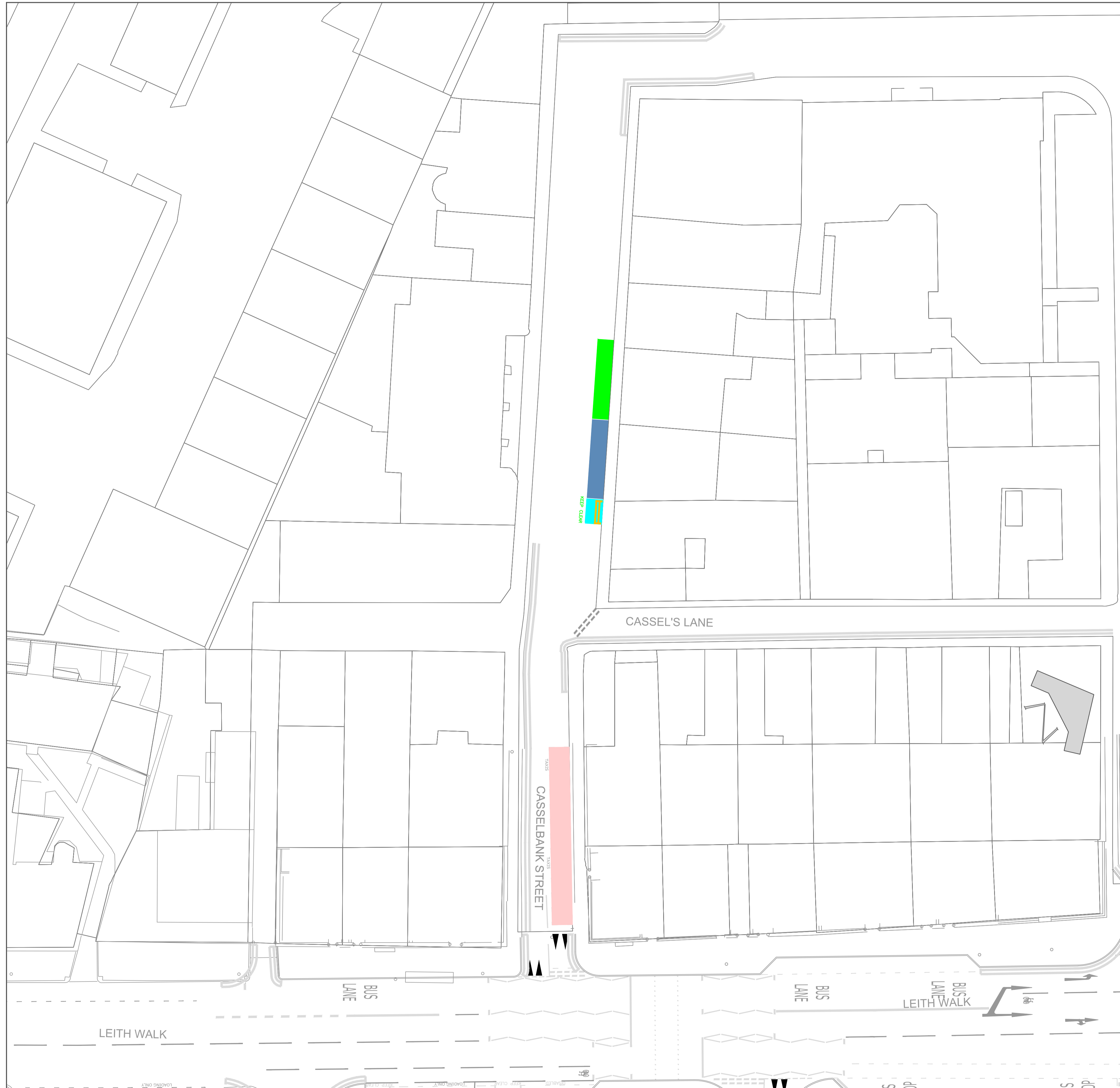
A	Taxi stance detail added	AP	11/9/14	CS
REVISION	DETAILS	BY	DATE	CHECKED



SERVICES FOR COMMUNITIES The City of Edinburgh Council Waverley Court, 4 East Market Street Edinburgh, EH8 8BG Telephone: 0131 200 2000	TRANSPORT TRAFFIC & ENGINEERING NEW WORKS Roads & Transport Design
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THE LEITH PROGRAMME
 LEITH WALK
 CASSELBANK STREET
 TRAFFIC REGULATION ORDER
 PRE TRAMWORKS LAYOUT

Date: March 2013	Job No.: 636045	Drawn by: S MACKENZIE
Scale: 1:500		Checked by: D WILSON



NOTES:

Legend

- Doctors parking bay
- City Car Club parking bay
- Domestic bin bay
- Taxi stance
- Double yellow line markings

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A	Taxi stance detail added	AP	11/9/14	CS
REVISION	DETAILS	BY	DATE	CHECKED



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THE LEITH PROGRAMME
LEITH WALK
CASSELBANK STREET
TRAFFIC REGULATION ORDER
LEITH PROGRAMME LAYOUT

Date: March 2013	Job No.: 636045	Drawn by: S MACKENZIE
Scale: 1:500		Checked by: D WILSON