

Late Deputation Requests

Transport and Environment Committee

10.00 am Thursday, 28th January, 2021

Virtual Meeting - via Microsoft Teams

Late Deputation Requests

Contacts

Email: veronica.macmillan@edinburgh.gov.uk / martin.scott@edinburgh.gov.uk

Tel: 0131 529 4283 / 0131 529 4237

Andrew Kerr

Chief Executive

This page is intentionally left blank

CITY OF EDINBURGH COUNCIL
TRANSPORT AND ENVIRONMENT COMMITTEE

Item No 3

28 January 2021

LATE DEPUTATION REQUESTS

Subject	Deputation
3.1 In relation to Item 7.1 on the agenda – Spaces for People Update - January 2021	Late Deputation Requests: Get Edinburgh Moving South West Edinburgh in Motion Tartan Silk Low Traffic Corstorphine



Get Edinburgh Moving

e: GetEdinMoving@gmail.com

w: <https://getedinburghmoving.godaddysites.com/>

The City of Edinburgh Council
City Chambers
High Street
Edinburgh
EH1 1YJ

Date: 27th January 2021

Dear Councillors & Officials,

RE: CITY OF EDINBURGH COUNCIL (CEC) TRANSPORT & ENVIRONMENT COMMITTEE MEETING 28/01/21 – COMMUNITY DEPUTATION IN RELATION TO EAST CRAIGS LOW TRAFFIC NEIGHBOURHOOD & SPACES FOR PEOPLE (AGENDA ITEM 7.1)

I am writing on behalf of the Get Edinburgh Moving (GEM) community group, in relation to the Council's continuing proposal to for a Low Traffic Neighbourhood in East Craigs, and also its announcement of its intention to make many Spaces for People schemes across the city permanent.

As you are aware, GEM has now made several written deputations to both TEC Committee and full Council – these are therefore available to councillors and officials in terms of context, and so I do not append them here.

Spaces for People

The Transport Convener and Council Leader have repeatedly assured Edinburgh residents that the Spaces for People measures, introduced using Covid emergency powers, were purely temporary in nature and would be removed following the pandemic. There are many media sources, written minutes and recordings attesting to these repeated statements. Based on Scottish Government targets for vaccinating the population therefore, it is clear that restrictions will ease relatively soon, and any supposed temporary need for these schemes will have run its course.

The conditions of the national programme and funding were absolutely clear that these schemes were to be temporary and 'pop up' in nature. Cabinet Secretary for Transport, Infrastructure and Connectivity Michael Matheson said on 28 April 2020: "I'm pleased we are able to put forward a package of support for our local authorities to implement temporary active travel measures".

Of course CEC tripped itself up repeatedly on this point. Council Leader McVey insisted publicly in the Policy & Sustainability Committee that the Council was using the guise of Covid to implement long-held aspirations. The documents supporting the East Craigs scheme also confirmed the pre-meditated nature of the scheme. These facts in part led to the legal opinion that using a TTRO to introduce the LTN would have been unlawful – a verdict with which CEC legal opinion concurred, leading to the TTRO being heavily watered down.

Schemes cannot be temporary if they are intended to be permanent, and vice versa. The Council Leader's statement in August, and other evidence in the public domain, suggests that CEC has intended for some time to make a number of these schemes permanent. Therefore it is difficult to read Cllr MacInnes' assertion last week that "we're beginning to think about the potential for retaining some of the schemes" in any way other than that she is misleading the people of Edinburgh. If some of the schemes were intended to be made permanent all along, as we strongly suspect, then using Covid powers and money provided on the condition of being used for temporary schemes, represents misuse of public funds and powers. If so, the schemes must



be removed immediately, and proper process followed to consult fully on permanent schemes. If on the other hand the schemes are intended to be temporary, then CEC must commit to removing them unconditionally as soon as restrictions ease.

Notwithstanding the above, GEM also notes with great concern that CEC's plan is for a single, city wide consultation in relation to the permanent introduction of these schemes. People in Portobello shouldn't have the same say as local residents in Comiston Road on permanent introduction of a scheme there, and vice versa. We can imagine CEC's intention is to speed up, simplify and divide and conquer. This is unacceptable. Each scheme should have a full statutory consultation, following due process, and involving local residents directly affected by that scheme. We acknowledge with regret rising anger in social media and through conversations we have had with residents in other areas of Edinburgh, in relation to the new plan.

In summary, GEM calls on the Transport Convener to honour what she told us all along, and which was a condition of the funding. These temporary schemes should be removed, as agreed, as we come out of the pandemic, and full consultations should take place with affected local residents before any schemes are implemented or reinstated. The best way to ensure this would be via a series of local referendums on each scheme – something that surely will appeal to this council administration. It's high time that the Council started putting local residents and all road users first, not just cycling pressure groups.

East Craigs LTN

In November, GEM received a clear commitment from the Transport Convener that a full public consultation would be held in relation to the revised proposals before any scheme is implemented. In order to remove any unintentional scintilla of doubt, we request that she confirms the East Craigs LTN proposals will be subject to a separate, full formal public consultation of local, directly affected residents only – where local residents views are of paramount importance. Cycling campaigners in Portobello, or Murrayfield, should not have a say in whether East Craigs gets a LTN.

While this is a committee deputation, GEM respectfully requires a formal reply to this important question. I am sure the Committee will appreciate the strength of feeling in the local community on this point.

Spaces for People – official complaints

GEM notes CEC's response to a recent Freedom of Information request, in which it stated that only two official complaints had been received in relation to the Spaces for People programme.

CEC has quite simply misled the public with its response, even if we set aside the 400-plus objections received by Spaces for People by email, the 2,650 petition signatories, and the hundreds of complaint emails to councillors – and all of these only in relation to East Craigs. To be absolutely clear, there are many more than two people in the East Craigs community alone that have evidence of acknowledgment emails from the council in response to their complaints lodged via the council's official complaints webforms portal (<https://webforms.edinburgh.gov.uk/site/portal/request/complaint>). GEM has proof of many more complaints. In many cases, we have reference numbers for the complaint, in some cases only the auto-generated acknowledgment email because a reference email was never sent.

Unacceptably, it seems to be a common theme that no substantive responses to the complaints have been received beyond initial confirmation of receipt – one particular highlight was a response from customer care asking if the complainant could confirm what they meant by a 'LTN'. We would highlight the likely intention to confuse – despite the URL clearly stating 'complaint', when following the link the form defaults to the selection of the very similar word 'compliment', which is the first choice. We find this a strange process for a complaint form. The user has to then manually select 'complaint'. We understand how the psychology of these forms work – they are designed to confuse.

Nonetheless, as mentioned we have evidence of many more complaints, including email acknowledgments and reference numbers. Please receive this letter as a formal request by GEM for CEC to:

- Apologise to the people of Edinburgh for misleading them in their FOI response, and for not responding to the multiple formal complaints recorded
- Check its web portal again for both complaints, and 'compliments' that are clearly intended to be complaints, and advise us of the results and next steps



We look forward to a reply to our requests from CEC at its earliest convenience.

With many thanks and regards,

David Hunter

Chairperson

On behalf of,

Get Edinburgh Moving

Community Group

e: GetEdinMoving@gmail.com

w: <https://getedinburghmoving.godaddysites.com/>

cc: Nick Smith, CEC Head of Legal and Risk;
Paul Lawrence, Executive Director of Place;
Councillor Mark Brown
Councillor Robert Aldridge
Councillor Claire Bridgman
Councillor Susan Webber
Councillor Kevin Lang
Alex Cole-Hamilton MSP



SWEM

South West Edinburgh in Motion

27 January 2021

Written Deputation to the T&E Committee 28 January 2021 meeting on behalf of South West Edinburgh in Motion

Dear Councillors,

South West Edinburgh in Motion (SWEM) represents the interests of residents, business-owners and business / amenity users in the areas of Lanark Road, Longstone Road and Inglis Green Road affected by the Council's Spaces for People implementations in these areas.

We are submitting this deputation to make you aware of our complaints, previously submitted earlier this week to Cllr Macinnes, that:

- (a) These changes make no provision for the rights of disabled, elderly, chronically ill or otherwise limited-mobility individuals;
- (b) The implementation of the SfP scheme in Lanark / Longstone / Inglis Green Road is proceeding without a road safety audit, despite this being a statutory requirement for a scheme of this duration (more than 6 months) and this scope (causing physical changes to the highway that would affect the outcome of an accident).

In detail:

- a. **COMPLAINT: The planned shape of the implementation fails to mitigate the impact on residents, disabled people and the elderly which were identified in the localised Integrated Impact Assessment.** We are particularly concerned that the SfP team asked SWEM for details of people impacted in these categories, who include residents with chronic health conditions, or who are elderly, or who otherwise have limited mobility. We have been copied into emails that these people have sent to the SfP team, so SfP should know about them and should be actively engaging with them, yet we are told that emails have been unanswered. Many of those affected do not qualify for a blue badge, or have had no need to apply for such, because of nearby unrestricted parking. The lack of advance notification and lack of engagement from the council is highly distressing for these vulnerable individuals.

We have provided a number of anonymised comments and examples directly to Joanna Cherry's office, but again emphasise that these are often from people who have already written to SfP and have either received a holding response or no reply at all. You have a responsibility not only to attempt to mitigate the issues raised by those individuals who wrote to you, but also a duty of care to ensure that the scheme does not negatively impact vulnerable individuals, regardless of whether they have written to you prior to the scheme's implementation.



SWEM

South West Edinburgh in Motion

- b. **COMPLAINT: Despite the minimal cost and 4-week timescale needed to conduct an independent Stage 2 Road Safety Audit, this has not been done.** Many businesses and residents – including cyclists – have raised several different safety concerns with the SfP team, with the response that these will be addressed post-implementation. Lanark Road and Longstone Road differ from other SfP schemes in the high number of children-centred businesses and volunteer groups, which materially changes the risks involved, and is not recognised in the IAA which you sent me. We fail to understand why this approach to health and safety is thought to be acceptable. It shows a reckless disregard for the safety of residents and visitors to our locality.

South West Edinburgh in Motion commissioned a professional opinion from a road safety consultant, requesting comments on the safety of the proposed segregated cycling infrastructure to be installed on Lanark, Inglis Green and Longstone Roads. The details are provided in an attachment to this letter, but **you should note that the 18-month stated scope of the proposed scheme places it automatically in the category of schemes which should be subject to the full road safety audit cycle.** To comply with the Design Manual for Roads and Bridges (DMRB) GG 119 Road Safety Audit, the council should have documented an exemption file note. SWEM has requested evidence that this was completed but has not received this.

The Designers Risk Assessment which was published with the revised plans, and is a self-assessment exercise, is no substitute for an independent safety assessment. This approach to risk assessment is fundamentally flawed, since the DRA did not consider whether the overall design concept for placing parking between a live cycle lane and a live road carriageway is sensible. On the use of such floating parking arrangements beside nurseries, the DRA notes a "Hazard" of "Cyclists and pedestrians, including young children, in the same space when exiting and entering vehicles. Potential for doors to be open wider and for longer at these locations." It attributes a "Risk Severity" of 1 i.e. a risk of minimal severity. **We strongly question the validity of claiming that a bike hitting a child or a cyclist hitting a car door is a risk with minimal severity.** If this is the level of accuracy in the rest of the DRA then it undermines the credibility of the entire assessment. SWEM has asked the SfP team for a justification of this assessment but has not received it yet.

Furthermore, while noting only one "Residual" road-safety risk – "Drive Way Access" – the risk assessment fails to account for the frequency of driveway access and the number of driveways, which means that over the course of time and along the full road, the risk is far from "Residual".

Noting the very real safety and accessibility concerns that the scheme presents in its current format, we wish to make a formal request that all work on Lanark Road and Longstone Road is put on hold until a Stage 2 Road Safety Audit is completed and until impacts on directly impacted residents with mobility issues are identified and resolved.

Yours sincerely,

Prof. Derryck Reid (Chair, SWEM)

Professional opinion commissioned by SWEM (January 2021)

I have been asked by SWEM to provide a professional opinion on the need for a Road Safety Audit (RSA) of the Lanark Road *Spaces for People* scheme proposals in advance of installation (Stage 2).

It is my understanding that the City of Edinburgh Council have undertaken to complete a post installation Road Safety Audit on the scheme (a Stage 3) but not a Stage 2. A designer's risk assessment has been provided by the Council to demonstrate the approach to safety and risk. This is useful, but it is a requirement of CDM 2015, and is by the designer and not an independent assessment on safety.

The requirements for Road Safety Auditing are outlined in the Design Manual for Roads and Bridges (DMRB) GG 119 Road Safety Audit. The document states that it should be used for any Road Safety Audit on 'motorways and all-purpose trunk roads'

Lanark Road and Inglis Green Road / Longstone Road do not come into this category, but it is considered good practice for local authorities to carry out audits of road schemes on their road networks. Many Councils have this written into their policies and procedures that RSA's are carried out for all road schemes and it is expected that this will be the case for Edinburgh Council.

To assess the applicability of the RSA process, it is necessary to consider the scheme proposals in detail. The scheme proposes the installation of segregated cycle lanes on both sides of Lanark Road, Inglis Green Road and Longstone Road. The extent is circa 2km on Lanark Road and just over 1 km on Inglis Green Road / Longstone Road. The lanes will be formed within the existing carriageway, with the footway kerb on one side, and delineated by a combination of road markings and bollards with grey plastic base blocks on the other side. The roads concerned will generally be reduced to a single through lane in each direction for vehicular traffic by changes to road markings. Road markings will be also be used for parking areas, where allowed, and for the numerous junctions, private accesses, bus lanes and laybys the cycle lanes pass on these routes.

Section 2 of DMRB GG 119 provides guidance on the applicability of road safety audit. I have extracted statements from this section and tabulated below together with my commentary in relation to the *Spaces for People* scheme being considered:

DMRB GG 119 Section 2 – Applicability of RSA	Comment in relation to Lanark Road scheme
2.1 Where there are physical changes to the highway impacting on road user behaviour or resulting in a change to the outcome of a collision on the trunk road and motorway network, road safety audit (RSA) shall apply, regardless of the procurement method.	In my professional opinion the scheme very definitely proposes physical changes that will impact on road user behaviour. Cyclists, pedestrians and drivers are required by the scheme to change how they interact with other road users and there is the potential for a change in the incidence of collisions within the scheme extents.
NOTE Temporary traffic management and temporary changes to the highway not associated with the construction of a highway scheme, and that last longer than 6 months in duration, are considered to be physical changes to the highway.	The scheme is identified as temporary by the Council, but intended to be in place for circa 18 months. According to the definition, this timescale would identify the scheme as comprising physical changes to the highway (or roads in Scotland)
2.2 RSA shall not apply where a physical change to the highway will not impact on road user behaviour, or change the outcome of a collision on the trunk road and motorway network.	As noted above, in my professional opinion, the scheme will impact on road user behaviour and may increase the incidence of collisions.
2.3 The Overseeing Organisation shall produce an exemption file note to be kept on the scheme file (or	I am not aware that the City of Edinburgh Council has produced an exemption file for this scheme, although

equivalent) where there is no need to apply RSA on the trunk road and motorway network (Refer to exemption file note template in Appendix A)	this may of course be the case. I would welcome being sent a copy of this document if it exists.
Appendix A. Exemption file note template A2 Exemption statement In accordance with GG 119 road safety audit I have examined the details of the above highway scheme. For the reason/s set out below, the highway scheme is considered exempt from road safety audit as there is no impact on road user behaviour for all potential road users in this location and there will be no adverse changes to the outcome of a collision.	This is the key exemption statement in the Appendix A template. A scheme that may come into this category, and could be justified, would be a structural maintenance scheme where 40mm of blacktop surface was being planed off, replaced to pre-existing levels, and the road markings re-installed unchanged. In my professional opinion it would not be reasonable to justify exemption from a road safety audit for the Lanark Road scheme on this basis.

On the basis of the above, I would suggest that a RSA is appropriate for the Lanark Road *Spaces for People* scheme, and that a Stage 2 Road Safety Audit (Completion of detailed design) should be undertaken. Nonetheless the City of Edinburgh Council may have concerns on the cost/programme implications of completing the same given that construction is anticipated to start in early course and may have to be delayed.

Based on my knowledge of the process, I would outline a programme below for completion of a Stage 2 Road Safety Audit on the scheme:

Activity No.	Activity	By?	Timescale (Approx)
1	Prepare Audit Brief and submit	Design organisation	2 working days say
2	Produce Audit drawings and submit with Audit brief	Design organisation	0 days (should be available for scheme with imminent construction)
3	RSA team submit CVs for approval (this may already be in place in respect of other similar schemes)	RSA team	1 working day say
4	Approval of Audit Brief & RSA team CVs and instruction to RSA team	Overseeing Organisation (council)	2 working days
5	RSA team complete site visit to assess scheme, take notes/photographs	RSA team	10 working days (including time to arrange visit, RAMS, etc)
6	RSA team complete report and submit to Overseeing Organisation	RSA team	12 working days
Total timescale			27 working days (approx.)

This outline programme would suggest that just over a month would be required to complete a Stage 2 RSA on the scheme. Procurement/tendering timescales are not included as it is assumed that the City of Edinburgh Council have a call-off consultant available which would allow this service to be progressed quickly. Timescales for the designer's response, completion of the action log and any subsequent re-design and updating of drawings are also not included as it is difficult to estimate this precisely until the RSA report is completed.

The potential cost to the Council for a Stage 2 Road Safety Audit is difficult to assess accurately, as it depends on the contractual arrangements they have in place, but a rough estimate for the professional fees that would likely apply would be £2,500 excluding VAT.

In summary, in my professional opinion, a timescale of just over a month, and cost of £2,500, to complete a Stage 2 RSA is reasonable and proportionate. It is incumbent on the Council to adequately assess schemes they install on their network to ensure they are as safe as they

can be for all road users and to comply with their own procedures as a Design Organisation. The scheme proposals involve fundamental changes to the existing traffic management arrangements on these roads that will impact on all road users. An independent Stage 2 Road Safety Audit is fully appropriate to identify any potential issues so they can be addressed by the Council's Design Team prior to construction. This exercise would provide reassurance to both the Council's Elected Members and the local community who are being impacted on.

---Ends---

The City of Edinburgh Council
City Chambers
High Street
Edinburgh
EH1 1YJ

27/01/2021

Submission to Transport and Environment Committee Meeting, Thursday 28th January 2021

Dear Councillors and Officials,

RE: Agenda Item 7.1 – Spaces for People Update, January 2021

We are writing to request a dedicated platform to allow those with mobility issues to alert the Council of missing or poorly maintained dropped kerbs in Edinburgh which prevent them from accessing vital services at this difficult time. We are aware that the funding for the Spaces for People initiative is to allow residents to move safely and ask that the Council give consideration to those with mobility issues.

On the Edinburgh City Council website there is a map-based system used by constituents to alert the council of paving defects. We would like to propose a dedicated platform based on this existing system to allow those with mobility issues to alert the Council of kerbs which prevent them from safely traveling from their homes to places of work, education or to access health services and vaccination centres.

Edinburgh resident and disability advocate Keith Falconer shared his experiences of being unable to access vital services due to missing dropped kerbs in central Edinburgh. *“I have lost count of the number of times my path was blocked by a lack of, or inadequate provision of a dropped kerb. For example, on Chester Street on the way to my GP surgery.”*

Whizz-Kidz, a UK Charity supporting disabled young people, spoke with Ruth who is the parent of a young child with Downs Syndrome in Edinburgh noted that a brand-new footpath has been installed outside Queensferry High School without a dropped kerb.

Disabled Scottish Travel Blogger, Simply Emma was kind enough to tell us of her experiences visiting central Edinburgh. *“Accessibility in Edinburgh is something I've found is lacking. I don't find it particular easy to get around in terms of kerbs...”*

In these challenging times we would like to ask the Council to show their support to local residents with mobility issues to access vital services by providing a platform where they can alert the Council to areas where change is necessary and for the Council to demonstrate their desire to ensure Edinburgh has improved accessibility for all.

Kind Regards,

Martin Hunt and Megan Williams
Tartan Silk



27th January 2021

Low Traffic Corstorphine

lowtrafficcorstorphine.org.uk | @TrafficLow

In support of the Spaces for People programme

The Spaces for People programme has seen many temporary schemes pop up in Edinburgh to enable more people to walk, wheel and cycle safely through the Covid-19 pandemic. We've seen some of these temporary measures in Corstorphine and think they have been positive, especially for children and families.

We welcome plans to install a segregated cycle path on Meadowplace Road and Ladywell Road and hope that the suitable measures are installed at the major junctions on this route to enable safe door to door cycling for all ages.

The pandemic has seen big shifts in travel, but it's obvious that Spaces for People projects have benefits that are not just related to social distancing. The climate crisis, physical inactivity, air pollution, road danger and congestion can all be addressed with more people making active journeys. Corstorphine residents have been desperate for many years to reduce traffic, improve road safety and have clean air for our children to breathe.

Over 100 Spaces for People schemes have been implemented to date, and their trial nature means communities have experienced benefits and drawbacks first-hand. Low Traffic Corstorphine is very supportive of a wider city consultation to see which schemes benefit from permanence, either remaining as they are or modified based on feedback. As well as being great to help folk get about, good-quality, permanent improvements would help Edinburgh fight the big issues previously mentioned.

It's worth remembering that over 40% of Edinburgh residents don't have access to a car and communities need to be more supportive of opportunities for people to walk, wheel and cycle, despite some very vocal opposition voices who are reluctant to allow the rebalancing of the transport hierarchy to meet the needs of other road users.

We are keen to see that measures already implemented – such as improved safety for children at primary schools and widened pavements on St John's Road – are kept, enhanced and added to wherever possible. Through the implementation of Low Traffic Neighbourhoods, segregated cycle lanes on arterial routes (in particular an A8 cycle lane from Maybury to the City Centre), improved safety for vulnerable road users at major junctions in the area (such as Maybury and Drumbrae roundabout) and public realm improvements such as urban greening, 'pocket places' and further speed reduction measures, many more people would choose to move around on foot, wheel and cycle.

In light of the continued effects of Covid-19 along with the huge new housing developments planned for West Edinburgh, it is imperative that action is taken now to ensure that people have genuine alternatives to using private motor vehicles for journeys within the city.

Yours sincerely
(on behalf of Low Traffic Corstorphine)

Janis Ross-Williamson

Janis Ross-Williamson

Chris Young
Page 13

This page is intentionally left blank