

# Deputations

## Transport and Environment Committee

10.00 am Thursday, 22nd April, 2021

Virtual Meeting - via Microsoft Teams

### Deputations

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**Andrew Kerr**

Chief Executive

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**CITY OF EDINBURGH COUNCIL**  
**TRANSPORT AND ENVIRONMENT COMMITTEE**

**Item No 3**

**22 April 2021**

**DEPUTATION REQUESTS**

<b>Subject</b>	<b>Deputation</b>
<b>3.1 In relation to Item 6.1 on the agenda – Business Bulletin</b>	Capital Cars and ECPH (written submission attached)
<b>3.2 In relation to Item 7.1 on the agenda – Spaces for People – April 2021 Update</b>	Capital Cars and ECPH (written Submission attached)  Newington Hotel Group (written Submission attached)  South West Edinburgh in Motion (written Submission attached)  Spokes Party (written Submission attached)
<b>3.3 In relation to Item 7.2 on the agenda – Delivery of the Road Safety Improvements Programme – Report by the Executive Director of Place</b>	Ratho & District Community Council (written Submission attached)
<b>3.4 In relation to Item 7.6 on the agenda – Wardie Bay and Beach – Response to Motion</b>	Wardie Bay Beachwatch (written submission attached)
<b>3.5 In relation to Item 7.7 on the agenda – Communal Bin Review Update – Report by the Executive Director of Place</b>	New Town and Broughton Community Council (written submission attached)
<b>3.6 In relation to Item 7.8 on the agenda – Future Provision of Public Conveniences – Report by the Executive Director of Place</b>	Scottish Tourist Guide Association (written submission attached)

**CITY OF EDINBURGH COUNCIL**  
**TRANSPORT AND ENVIRONMENT COMMITTEE**

**22 April 2021**

**DEPUTATION REQUESTS**

<b>3.7</b> <b>In relation to Item 9.1 on the agenda – Motion by Councillor Webber - Proposed Changes to Roads in Juniper Green</b>	Juniper Green & Baberton Mains Community Council (written submission attached)
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**Item 6.1 Business Bulletin.**

Thank you to the Committee for giving me the time today.

On Page 99 of the overall Report, and as part of Item 6.1, reference is made to a Report being commissioned to look at the following information relating to Taxi's. The role of Taxi's in Edinburgh City Centre, currently and in the future. It then says the impact of the Edinburgh City Centre transformation on the hackney and Private Hire Trade.

I am seeking confirmation today from this Committee that the Report referred to in the Business Bulletin which references "The role of taxis in Edinburgh city centre currently and in the future" relates to **both** hackney and private hire vehicles.

As a further part of the Business Bulletin the development of the GNT has, to date, not involved any consultation with the Hackney and Private Hire Taxi Trade to consider the implications of the proposals, although engagement has already taken place with other Key Stakeholders.

It is essential that there is engagement with **both** The Hackney and Private Hire Taxi trade bodies as the project moves towards implementation and before any final decisions are taken. This accords with Policy Measure MOVEMENT 17 - Taxis and Car Share Partnerships of the Council's recently approved City Mobility Plan where the Council committed to "Strengthen partnerships with the taxi trade and car sharing partners to support the shift to zero emission vehicles and the introduction of new technology to improve safety, standards and accessibility." Also, as set out in Policy Measure MOVEMENT 16 – Shared Mobility of the recently approved City Mobility Plan) to "support the expansion of shared mobility options [including private hire taxis] across the city and maximise their integration to support the broader public transport system."

Once again, I ask this Committee to commit to engagement with **both** the Hackney and Private Hire Taxi Trade on all aspects of the new George Street Project.

Furthermore, commit to recognising **both** the Hackney and Private Hire Taxi's as "a crucial part of the Public Transport Infrastructure for Edinburgh" now and in the future, as stated by Councillor Kate Campbell on the Press Release for the very welcome additional Grant of £1000 given to **both** Hackney and Private Hire Taxi drivers.

We thank you for your time today.

Deputation to Transport and Environment Committee 22<sup>nd</sup> of April 2021

**Item 7.1 Spaces for People Update Deputation.**

Agenda Item 7.1, reference to Page 219 of the Report, and specifically to the Bus Gates at the East End of Princes Street and at South St David Street.

When the South Bridge TTRO was proposed, which has since been abandoned after our Legal interventions, I might add, we obtained factual evidence that the number of Private Hire Taxi's as a percentage of all vehicles in the area is very small (3% - 4%) and slightly lower on average than the percentage of Hackney's using the route. We also clarified that the proposed bus gate for the South Bridge had not been justified for pedestrian or cycle safety and we believe that the Council is today to take a further decision on whether to continue with the operation of the Bus Gates at Princes Street and South St David's Street, given that the Report states that the next Review will be taken by the end of April, have the Officers considered **any evidence of impact** on these 2 Bus Gates, in order to arrive at the conclusion that things should stay as they are, and Private Hire Taxi's be excluded.

Given that the impact of Private Hire Taxi's is shown in this same area to be in very small numbers, we formally request that this Committee allows for these Bus Gates at Princes Street and South St David Street to allow Private Hire Taxi's access as long as these Bus Gates are in operation.

We thank you for your time today.



20 April 2021

**For the Attention of the Transport and Environment Committee  
Meeting 22nd April 2021  
Item 7.1 Spaces for People - April 2021 Update**

Dear Councillors and Officials,

Newington Hotels Group does not oppose Active Travel in principal as we can see great benefits in cycling for our guests and our community. We do however oppose the design of the Cycle Lane Defenders and the scale of installation along the Craigmillar Park Corridor.

## **1. Severely Reduced Access to Guest Houses**

- a) Our group refers to 'Appendix 1 – Project List / Review Recommendations' regarding the comments about our Craigmillar Park Corridor: "Dialogue ongoing with local businesses regarding segregation unit removal to improve access "

We are pleased and thank CEC for working with us regarding segregation unit removal to improve access along the Craigmillar Park Corridor.

Lockdown is coming to an end. All business support for our 21 Hotels, Guest Houses and B&B's has ceased and we have been permitted to reopen on the 26<sup>th</sup> April 2021. Given the fast approach of our reopening date, we look forward to the swift removal of our requested segregation units as soon as possible.

Currently, access has been reduced due to poor placement of Cycle Lane Defenders along the Craigmillar Park Corridor, severely inhibiting 'reverse parking' in a safe manner for many Guest Houses.



## **2. Unlawful installation of Cycle Lane Defenders:**

- a) It is City of Edinburgh Council's Statutory Duty under planning law to protect the Character and Appearance of the Craigmillar Park, Waverley Park and Blacket Conservation Areas and an alternative cycle lane option, more suitable to maintaining the character and appearance of the Conservation Areas must be found.

We believe City of Edinburgh Council in partnership with Sustrans are breaking Planning Law and endangering Edinburgh's Historic Environment by not complying with Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

- b) 'Cycle Lane Defenders' of poor design quality, constructed of rubber and plastic have been installed in an excessive layout throughout Craigmillar Park, Waverley Park and Blacket Conservation Areas and are not sympathetic to the Historic Environment.
- c) City of Edinburgh Council in partnership with Sustrans have used the Emergency Covid-19 TTRO's to change the way our roads function. The TTRO's enable the change of traffic flow, loading and parking permissions but **do not cover the 'Cycle Lane Defenders'**.

City of Edinburgh Council have confirmed, the 'Cycle Lane Defender' used for cycle segregations and pedestrian social distancing measures have been installed on a temporary basis under 'Class 30' of The Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2014.

### **The Town and Country Planning (General Permitted Development) (Scotland) Order 1992**

#### **SCHEDULE 1**

#### **CLASSES OF PERMITTED DEVELOPMENT**

#### **PART 12**

#### **DEVELOPMENT BY LOCAL AUTHORITIES**

##### **Class**

**30.** The erection or construction and the maintenance, improvement or other alteration by a local authority of— (a) any building, works or equipment not exceeding 4 metres in height or 200 cubic metres in capacity on land belonging to or maintained by them, being building works or equipment required for the purposes of any function exercised by them on that land otherwise than as statutory undertakers;

(b) lamp standards, refuse bins, public shelters and similar structures or works required in connection with the operation of any public service administered by them.



- d) Class 30 General Development Order, in which the Cycle Lane Defenders are installed, is for the use of small development on a small scale. The Council are abusing the use of Class 30 GDO to install unsympathetic Cycle Lane Defenders on the current scale. This large scale of development, specifically the prolific installation of Cycle lane Defenders throughout the Craigmillar Park, Waverley Park and Blasket Conservation Areas, significantly degrades the character and appearance of the Historic Environment.

The use of 'Class 30' General Development Order above, does not automatically give the right to install anything one likes in any fashion. All planning requirements for the completed article, in relation to Conservation Areas must still be adhered to. Local Authorities can use 'permitted development' to physically install infrastructure, however any building works completed must still comply with requirements under a Conservation Area in the relevant planning acts.

In other words, just because City of Edinburgh Council and Sustrans have the right to install the defenders does not mean City of Edinburgh Council and Sustrans have the right to destroy and deface Conservation Areas, in the process.

Planning Law states:

### ***'General duties of planning authorities'***

#### **Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997**

##### **General duty as respects conservation areas in exercise of planning functions.**

(1) In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions in subsection (2), **special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.**

(2) Those provisions are—

(a) the planning Acts, and

(b) Part I of the [M1](#) Historic Buildings and Ancient Monuments Act 1953.



e) Scottish Planning Policy (SPP 2014, revised Dec 2020, p33) states:

**Valuing the Historic Environment**

**136.** The historic environment is a key cultural and economic asset and a source of inspiration that should be seen as integral to creating successful places. Culture-led regeneration can have a profound impact on the well-being of a community in terms of the physical look and feel of a place and can also attract visitors, which in turn can bolster the local economy and sense of pride or ownership.

**137** (Point 2) enable positive change in the historic environment which is informed by a clear understanding of the importance of the heritage assets affected and ensure their future use. Change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the asset, and ensure that its special characteristics are protected, conserved or enhanced.

f) The Scottish Government NPF3 2014 states:

The Scottish Government “will respect, enhance and make responsible use of our natural and cultural assets” (NPF3 2014, 42) and that the “historic environment is an integral part of our well-being and cultural identity” (NPF3 2014, 43).

g) CEC’s own guidance in Edinburgh Street Design Guidance 2018, p118 states:

Edinburgh has a legacy of original street layouts, fabrics, materials and furniture. Locally quarried sandstone, Caithness paving, original whinstone kerbs, granite setts, honored paving, original cast iron street lamps and street features such as mounting blocks, lighting plinths and coal chutes have been retained in many parts of the city.

These features form part of the overall values that underpin World Heritage status and create the essential character of the city’s conservation areas. **It is important that changes to streets aim to preserve and enhance this historic fabric.**

### **3. Not Acceptable on a Temporary Timeframe**

Temporary basis or otherwise, Local Authorities have a Statutory Duty to preserve or enhance the character and appearance of Conservation Areas.

a) The placement of the Cycle Lane Defenders along the Craigmillar Park Corridor are overbearing on the historic environment and is unlawful development for the Conservation Area under Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.



b) We question the risk of transmission of COVID-19 as an immediate danger to the public and the need to mitigate that risk as a matter of urgency under a TTRO, given the successful roll out of over 32 million COVID-19 vaccinations and the timetable for easing coronavirus restrictions announced by the First Minister on the 16 March 2021.

c) **Sustrans Own Guidance:**

Sustrans provides guidance for support partners on the implementation of temporary active travel facilities in Scotland, through Scottish Government’s Spaces for People fund, which is administered by Sustrans. (Source: <https://www.showcase-sustrans.org.uk/design-guidance/>)

Sustrans highlights ‘Conservation Area considerations’ when ‘Separation Features’ are considered.

**Separation Features**

Separation features improve the level of service afforded to users by increasing the perception of safety and helping avoid conflict.

These include features both within and between user groups.

Options for cycle lanes may include markings, lines, moveable infrastructure (e.g. cones) and physical infrastructure.



Figure 11. Cycle lane separators



Figure 12. Temporary lines in Berlin



Figure 13. Cycle lane defenders



Figure 14. Lining and cones in Glasgow

**Key Considerations**

- **Markings and easily moved objects** such as cones are likely to be subject to misuse.
- **Continuous separation** removes possibility for users to extend into other areas to maintain social distancing and could also restrict permeability in some cases.
- Length of time segregation will be in place (e.g. **short-term, medium term, long term**).
- Procurement, installation, and maintenance.
- **Conservation area considerations.**
- Some separation features may have an adverse on other road users such as motorcyclists.

d) Temporary or otherwise, all of the above designs of ‘Segregation Materials’ do not comply with preserving Edinburgh’s Conservation Areas. Rubber and plastic are not acceptable Materials, and should not be used on the current scale of development. The placement of the ‘Cycle Lane Defenders’ are dominant and overbearing on the Historic Environment.



- e) Visual evidence of damage to the preservation of the character and appearance of the Craigmillar Park, Waverley Park and Blacket Conservation Areas along the Craigmillar Park Corridor.

Cycle Lane Segregators of inappropriate design have been placed in an overwhelming manner, severely impacting on the Historic Environment:









#### **4. Absence of Heritage Statement and/or Conservation Plan**

- a) City of Edinburgh Council has been repeatedly asked to provide evidence of what measures have been taken to ensure the protection of the Historic Environment. To date, no evidence has been produced.
- b) For a development of this type and scale a Heritage Statement and/or Conservation Plan should have been undertaken by CEC. We request the publication of the Heritage Statement and/or Conservation Plan detailing the impacts of the Craigmillar Park Corridor Spaces for People scheme on the protected Historic Environment.
- c) Cycle Lanes need to be created with minimal impact on Conservation Areas in mind, this has not been achieved under the current City of Edinburgh Council and Sustans 'Spaces for People' scheme along the Craigmillar Park Corridor.
- d) The use of the current 'Cycle Lane Defenders' is causing material damage to the Historic Environment. Temporary or otherwise, they should never have been installed. It is the Statutory Duty of City of Edinburgh Council in partnership with Sustrans to find an unobtrusive cycle lane measure to maintain the integrity of the protected Historical Environment.

#### **5. Adverse Impact on the Tourism Sector:**

- a) The presence of the 'Cycle Lane Defenders' in Craigmillar Park, Waverley Park and Blasket Conservation Areas are causing damage every single day. The Tourism sector is due to reopen in less than one week and the impact of the 'Cycle Lane Defender's on Edinburgh's Historic Environment through tourism will be felt immediately.
- b) Immediate removal is required as they have been installed using an abuse of 'Class 30' General Development Order powers, dishonouring City of Edinburgh Council's statutory duty to preserve or enhance the character or appearance of Conservation Areas.
- c) There is an economic cost to defacing Edinburgh's Conservation Areas. Tourism relies heavily on Edinburgh's Historic Environment, tourists visit Edinburgh to specifically experience the UNESCO World Heritage Site and Conservation Areas.

#### **UNESCO States:**

"Research has shown that World Heritage status can have a major socio-economic impact. For instance, in a recent report published in 2015, the UK National Commission for UNESCO finds that UNESCO projects in Scotland generated an



estimated £10.8 million from April 2014 to March 2015 through their association with UNESCO”

(Source: <https://whc.unesco.org/en/socio-economic-impacts>)

‘UNESCO World Heritage Site’ status can be revoked or inscribed on the ‘List of World Heritage in Danger’ if UNESCO finds that the condition of an area corresponds to at least one of a list of criteria.

Edinburgh Council in partnership with Sustrans have caused damage to Edinburgh’s World Heritage Site under the following UNESCO criteria:

- serious deterioration of architectural or town-planning coherence;
- serious deterioration of urban or rural space, or the natural environment;
- significant loss of historical authenticity
- threatening effects of town planning

(Source: <https://whc.unesco.org/en/158/>)

d) **Built Environment Forum Scotland states:**

**The historic environment is one of Scotland’s most precious assets:**

- Edinburgh as a World Heritage Site is worth between £1.2 – £1.4 billion (EWH 2016)
- 68% of visitors to Edinburgh come because of its historic vernacular, bringing an estimated expenditure of £1.16 billion p. a. (EWH 2016)
- The historic environment contributes in excess of £2.3 billion to Scotland’s economy, with £1.9 billion in Gross Value Added (SHEA 2018)
- The historic environment receives 18 Million visits per year, and these visits support a network of 66,000 jobs (SHEA 2018)
- Total spend by visitors to Scotland in 2015 was £8.87 billion.

(Source: <https://www.befs.org.uk/scotlands-historic-environment/facts-figures/>)

## **6. Suggested Cycle Lane solution for the Craigmillar Park Corridor:**

- a) Given the nature of our corridor being one of the busiest A roads in Edinburgh, where emergency services, 10 x Bus Routes and 21 Hotels / Guest Houses / B&B’s are in operation, we question the appropriateness of reducing 4 transit lanes down to 3. As we reopen in only 6 days time, mayhem along our corridor will slowly grow. Traffic congestion and a fight between all parties to use the road space will severely impact everybody.



- b) We collectively implore CEC to implement down our corridor a more appropriate “advisory” cycle lane measure. When considering our Historic Environment within our affected Conservation Areas as well as the facts raised in point 6. a) above, it is totally inappropriate to install these illegal, physical obstructions to block kerb access for everyone except 1 group. The cyclists.
  
- c) The transport committee need to be reminded that we are an inclusive community and are required to plan infrastructure to include everyone. The Transport Committee must not continue to be influenced by the bias agenda of Sustrans and cycling lobbyist groups like Spokes. The CEC must plan for all its citizens, not just one group.

Thank you for taking your valuable time to read our deputation.

Our best wishes,

Newington Hotels Group.



# SWEM

South West Edinburgh in Motion

20 April 2021

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

**Transport & Environment Committee Deputation  
South West Edinburgh in Motion (SWEM)  
Item 7.1 Spaces for People update - April 2021  
Thursday 22 April 2021**

Thank you, Convenor, for allowing our deputation.

South West Edinburgh in Motion (SWEM), is a community group formed by residents and businesses in November 2020 following the Council approving spaces for people schemes for Lanark and Longstone Roads.

SWEM is bringing this deputation to ask for the removal of the Spaces for People Scheme on Lanark and Longstone Roads.

Here we present the basis for our request under the following headings:

- The installation is unlawful
- The installation has no relevance to mitigating the risk of Covid transmission
- The absence of a safety issue to be addressed
- Community majority opinion has been ignored
- New and real safety issues are being presented by the installation
- Discrimination against those with mobility issues or disabilities

## **1. The installation is unlawful**

The November Transport and Environment Committee report (and later full Council), recorded the sole justification for the Lanark Road order in four lines at 4.7.2. That justification is to provide a safe alternative route to the canal towpath and Water of Leith shared use path.

QC opinion obtained by SWEM states, "...this is legally questionable. There is no suggestion of greater use of Lanark Road or Longstone roads by cyclists or pedestrians as a result of the current crisis or that it cannot cope or that the risk of accident has increased."

Key excerpts from our legal opinion now follow:



# SWEM

South West Edinburgh in Motion

1. Section 14(1) of the 1984 Act permits a TTRO for three purposes, the second of which is relevant in current circumstances – “(b) because of the likelihood of danger to the public or serious damage to the road”.

2. The English Court of Appeal has considered this provision in the case of R v London Borough of Greenwich ex p W (A minor) and Others [1997] Env LR 190 (copy attached). That case involved a claim that removing or reducing danger to the public from air pollution could come within section 14(1)(b) of the 1984 Act. The Court held to the contrary, i.e. that the phrase “likelihood of danger to the public or serious damage to the road” referred only to injury or damage directly caused by motor vehicles to persons in vehicles, pedestrians or the road itself. Public health was not included as a relevant danger.

3. In our view, in general terms, that would exclude Covid as a direct justification for a TTRO – it is after all a public health issue. Whilst Scottish Courts are not bound by English ones, the decision is likely to command considerable respect and, we consider, is likely to be followed.

Further, the use of a TTRO on Lanark Road or Longstone roads to avert a perceived safety issue on the Water of Leith path or the canal is also stated to be unlawful:

8. We do not consider that provision of alternative routes justifies a TTRO. In our view, consistent with the Greenwich case, the danger that is to be averted must be on the road proposed to be the subject of the TTRO and not a wholly separate route.

It is important to realise that this QC opinion does not invalidate Scottish Government guidance. It is perfectly reasonable that a social distancing pressure on a busy commercial thoroughfare could create a danger on the road, for which a TTRO applied as advised by the Scottish Government would be appropriate, e.g. due to an overspill of people onto the road.

Rather, it is the council’s choice to interpret the Scottish Government’s guidance in a way that goes far beyond what was envisaged (and apparently disproportionately to how other councils across Scotland have applied the guidelines) which exposes it here to legal risk.

## **2. The installation has no relevance to mitigating the risk of COVID transmission**

We note that increasing evidence is now available indicating that the risk of transmission between people passing each other outside is negligible. Recently released comments from Public Health England based on a study in the Republic of Ireland shows Covid is not spread outside in normal circumstances with people walking past each other. No evidence has been presented from Public Health Scotland to the contrary.

No evidence has been presented of a Covid risk on Lanark Road being mitigated by the installation.

Bizarrely, the scheme was only installed a year after the pandemic, and is still being installed, just 10 weeks before Scotland expects to enter Level 0.



# SWEM

South West Edinburgh in Motion

No signs have gone up diverting cyclists from the Water of Leith and no signs are on the route from there; if there is a real safety risk then why has this not been done? There is either a genuine overcrowding risk which needs signage to advise the public of alternative routes, or the route is safe and requires no action.

### **3. The absence of a safety issue to be addressed**

Accident data show Lanark Road and Longstone roads are statistically very safe (one slight cyclist accident recorded in the last 6 years).

Council has refused pedestrian crossings, since Lanark Road is not sufficiently dangerous.

Speed cameras are being decommissioned because the speed and accident thresholds are not reached.

Traffic levels are lower than they've ever been, due to work from home etc.

### **4. Community majority opinion has been disregarded**

The council introduced its reasons for the installation citing the Sustrans Commonplace survey, but only 2 comments related to road layout on Lanark Road, out of over 4,000 comments received across Edinburgh. None related to Longstone.

SWEM conducted a robust independent survey of over 1000 people, and 90% stated they did not want the Longstone / Lanark Road schemes, including 73% of cyclists.

300 emails from the public opposed the scheme versus 19 in favour.

Calls to invest in walking infrastructure in the Water of Leith have been ignored.

### **5. New and real safety issues being created by the installation**

On Lanark Road a near miss between a cyclist and an infant outside Cranley Nursery is the subject of a formal complaint.

Another individual with mobility problems had a near miss with a bike and fell into the road, injuring them self.

Cyclists are put at risk when making right turns by the narrow carriageway and having to leave the cycle lane.

Floating parking makes it harder to see cyclists when turning into some entrances.

A disabled parking space was installed in Longstone of exactly the design that was installed then removed on Comiston Road following severe criticism by the police and road safety auditors.



# SWEM

South West Edinburgh in Motion

No Stage 2 road safety audit has been carried out.

The Spaces for People team has refused to include our community's local knowledge and comments on safety issues in its brief to the road safety auditors. The multiple uses of Lanark and Longstone Roads throughout the week make this knowledge an important consideration, e.g. nurseries, dance school, football parking at weekend.

Real safety issues have been neglected, including the continued poor road surface that led to a cyclist coming off in mid-February and being attended by an ambulance.

Traffic is routed closer now to traffic refuges, which were already very narrow for those in wheelchairs or with buggies.

Also, we know across Edinburgh there have been many pedestrian and cyclist injuries from collisions with bollards. However, no data are being centrally gathered on these accidents.

## 6. Discrimination against those with mobility problems or with disabilities

The IIA was too generic and appears to be led by officers who personally initiated the scheme - a clear conflict of interest.

The IIA failed to acknowledge that ALL parking suitable for people with mobility issues was being removed.

The IIA does highlight potential negative impacts on people with mobility issues, yet the council refused a request for kerbside blue badge space; and refused to provide plans with blue badge spaces marked on. Essentially the IIA has been carried out but the impacts on people with disabilities that it registered have been deprioritised.

There was no attempt to mitigate the impact of the scheme on groups with protected characteristics, specifically people with disabilities, from date of approval to date of implementation.

As a result, individuals with mobility issues, autism, and their parents and carers are being discriminated against.

## 7. Divisive nature of the scheme

The scheme is setting cyclists against other road users by its uncompromising nature.

Drivers are angry with cyclists not using the lanes because cyclists don't think they're safe.

Cyclists are abusing delivery drivers who are having to unload and walk across the lanes.

Drivers are venting frustration at residents blocking the road as they wait to turn in and out of their driveways.



# SWEM

South West Edinburgh in Motion

Residents are parking in side streets, causing resentment to residents there.

Residents' parking is being displaced by football parking at weekends, potentially creating unnecessary tension between voluntary groups and residents. This is a clear policy clash - the lack of parking makes it harder for families to attend healthy activities with their children.

## Conclusion

Our request, on the basis of the evidence presented here is that the council remove the scheme immediately and reinstate it as it was with the new reduced speed limits retained and enforced at 30mph for Lanark Road and 20mph for Longstone Road.

We look forward to working collaboratively with the council to engage the community to boost cycling and walking in the area through safe and evidence-based solutions, informed by post-pandemic travel patterns.

We expect that the council should seek legal advice on the points we have raised, however if council chooses to disregard our request then it should regard this deputation as giving clear notice of:

- The council's liability in view of the serious safety issues that have been created by the scheme and that, in our informed local opinion, there is a very high risk that a serious accident will occur if the road layouts are not reinstated as requested above.
- The illegality of the installation because of breaches of the Equality Act 2010 caused by the application of a policy which discriminates against people with disabilities.
- The illegality of the installation because of breaches of the Road Traffic Regulation Act 1984 caused by the manner in which TTRO/TTRNs have been applied by the council, overreaching Scottish Government guidance from April 2020.

We appreciate the time taken by councillors to review our submission.

Prof. Derryck Reid  
Chair  
South West Edinburgh in Motion

Written evidence to accompany the verbal deputation to the Transport & Environment Committee meeting on 22<sup>nd</sup> April 2021.

## Links to 2017 SESTRAN initial detailed appraisal of the route.

(the appendices contain the details plans and sections of the route):

[8670 Initial Report only 20.07.17 Part1](#)

[8670 Initial Report only 20.07.17 Part2](#)

[8670 Initial Report Appendices only 24.07.17 Part1](#)

[8670 Initial Report Appendices only 24.07.17 Part2](#)

## Photos discouraging children from pavement riding:



Outside the Joppa Pumping Station



Opposite Coillesdene Avenue

## Photos showing cars parked all the way along:



## Testimony from cyclists / Spokes members from Musselburgh who use the route:

Jacqueline Noltingk:

*"I knew there was some possibility and had indeed hoped that a safer cycle route between Musselburgh and Portobello would be created. As a casual, elderly cyclist I find the current road - even with the wider cycle path at the Mussie end - requires me to be feeling quite brave to use it. That without doubt will continue to make me reluctant to cycle into Portobello more often than I absolutely need to.*

*I don't feel able to appear in person but certainly support you in challenging the decision to scrap the path. Given how quickly Edinburgh seemed to implement some of the other SfPs, it seems odd they couldn't/can't do something here - or was it always something they were never really serious about?"*

Mark Cairney:

*"I'd consider it as a missed opportunity as we've just got hire bikes in Musselburgh (in fact a new set of Go-Ebikes have appeared at the Brunton Theatre). By their nature hire bikes attract users who might not be as comfortable on busy main roads as experienced cyclists (e.g. people who are new/returning to cycling and want to try before they buy)*

*My wife is a nervous cyclist and finds the Musselburgh -> Portobello stretch scary particular the point where the lane splits in 2 for the left-hand turn up Milton Rd East (Milton Rd East is another road that would greatly benefit from the SfP approach being a 40mph road and alleged dual carriageway but that's another matter).*

*Finally a segregated Musselburgh <-> Portobello link would allow you to join up with the John Muir Way network."*

Ian Orr:

*"It is very concerning to me that the Portobello cycle route may be delayed. The rate of cycling deaths in Portobello is an incredibly sad memory for all cyclists but it is particularly poignant for those who still risk their lives on Portobello roads.*

*As one of these people I am shocked to read that the plan to provide separate sections of roadway for cyclists is being delayed and hope Edinburgh Council can reconsider this priority urgently."*

Transport and Environment Committee 22.4.21

Deputation from Ratho and District Community Council

A71 Signalised Junction

We understand that the proposal to be put to the committee is for a pedestrian signalised crossing only. This arose from a petition considered by the Petitions Committee on 4 September 2014, regarding a request for the installation of traffic signals at the A71 Dalmahoy junction. This was to improve vehicular access to Ratho village, Dalmahoy Village and the Dalmahoy Hotel and Country Club and to reduce the risk to pedestrians crossing the A71 at this location. We note that the surveys undertaken in 2019 did not measure where the traffic using the access roads to and from Ratho and the Dalmahoy Hotel and Country Club was not measured even though it frequently crosses the stream of traffic on the A71.

We understood that the signalisation of the junction would include vehicular Traffic. We were only made aware of any changes at a presentation at our Community Council meeting on the 15<sup>th</sup> February 2021 when it became apparent that the pedestrian design was cost led and vehicular traffic lights would not be included.

We would ask that designs for the junction are based on vehicular signals as requested in the petition for the safety of all road users, vehicular and pedestrian, and not solely based cost alone.



## 7.6 Wardie Bay and Beach – Response to Motion’ Wardie Bay Beachwatch - Deputation

20<sup>th</sup> April 2021

FAO: Transport and Environment Committee

### Wardie Bay Beachwatch:

- Thanks Councillor Bird and Steven Cuthill wholeheartedly for their hard work resulting from the Motion to Council on 10 December 2020 and the spirit of their efforts, especially in recognition of the necessity to protect and enhance the ecology and biodiversity of the site.
- Emphasises the simple premise that water quality is an environmental imperative and that resulting development should be light touch in accordance with the special nature of the site (SSSI, SPA etc.) and respecting all stakeholders, uses and enjoyment.
- Adds to 3.7 that the Kelp bed to the east side of the beach (Wardie Bush) is a further conservation zone as defined by NatureScot – it is a Priority Marine Feature (PMF) – worthy of protection.
- Thanks officers for their recommendation that option 4.27.2 should be progressed – agrees the status quo will not be sufficient to mitigate against substantially growing pressures and impacts.
- Appreciates the full complexity of the site, and the hard work by the Wardie Bay Residents Association on highlighting the dangerous traffic pollution hotspot that is the Lower Granton Road at Wardie Bay.
- Notes the figure of ‘approximately 150 people per day’ in item 3.2 is a significant underestimate for busy days, even outwith bathing season, and could increase, even beyond the pandemic.
- Welcomes the attention given to sewage related debris at the site (30% on average on MCS Beachwatch surveys) and appeals for improved investment in Scottish Water and SEPA services to ensure licences are made fit for today’s pressures. The Marine Conservation Society reports the number of wet wipes found on beaches in Scotland (Great British Beach Clean data) has increased from 1.9 average items in 2005 (when they were first recorded as their own category on MCS Beachwatch surveys) to 3.1 in 2010 and then increases significantly to 45.8 in 2020. Investment in the Marine Litter Strategy, including actions to prevent pollution being discharged to our seas at source will, if successfully applied, result in reduced cost to cleaning our seas and beaches of harmful pollution and reduced impacts to invaluable marine life.
- Apologises for the lack of MCS Beachwatch survey data over the pandemic, having witnessed the same amount of harmful litter as previous years, particularly after winter storms – removed by the community at large. NB: cleaning up harmful sewage from our shores should not be the burden of caring citizens.
- Notes in response to 4.14 that dog waste is an issue which also affects bathing water quality and dedicated dog litter bins and fine notices might be an effective solution.
- Recommends that Bathing Water testing should extend beyond the Spring and Summer when weather events are more likely to produce harmful contaminants in the water.
- Notes the value and importance of working together and thanks landowners, neighbours, volunteer expert donors such as TRAC engineering, journalists, wild swimmers and volunteers for all support and demonstration of the success of working together (NB: landowner letters of support submitted with the Bathing Waters Appeal document, dated 30.10.2020).



- Notes that 4.50 requires good partnership working with landowners, and that the beach, sharing ownership by the Granton Harbour masterplan developer, should begin to be efficiently managed now to prevent cumulative impacts such as sewage, drainage, pollution, litter and traffic – importantly preventing further pressure on local CSOs and drains already beyond the limit of capacity.
- Sea level rise and increased storm occurrence predictions threaten more waste to land and sea – to be a consideration in all local planning developments – CSOs in the region are already beyond capacity and SuDS at the very least, must be a requirement not a recommendation of all new housing developments, to prevent more harmful waste to sea and shore.

Thank you for reading.

Karen Bates

### **Wardie Bay Beachwatch**

16<sup>th</sup> member of Flora and Fauna's Coastal Communities Network Scotland:

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MCS website: [Wardie Bay Beach](#)

**Deputation to Transport and Environment Committee meeting to be held on 22 April 2021 regarding item 7.7 Communal Bin Review**

With regard to item 7.7 Communal Bin Review and in particular the recommendation (1.1.2) to approve the change from gull proof bags and recycling boxes to the Communal Bin Hub service, **the New Town and Broughton Community Council (NTBCC) ask that this Committee does not approve this recommendation at this meeting so that the issues highlighted in the attached paper can be fully addressed.**

Why?

- There has been absolutely no warning to NTBCC, local residents and gull proof bag users that this recommendation would be coming before the committee today. As the Community Council most affected by this change we would have expected a higher level of engagement before any recommendations would be brought before the Committee.
- In our last correspondence with the Project Delivery Manager for the Communal Bin Review in November 2020, it was stated that various elements of the review had been delayed and that she would be in contact with us in early 2021 to arrange a meeting to provide an update. No such contact was made.
- NTBCC are sure that CEC would not want to be seen to ignore or avoid due process with regard to such a major change of policy that directly affects so many Edinburgh residents.
- NTBCC believe that Appendix 2 is both incomplete and misleading and so does not properly reflect the complexity of this multi-faceted issue.
- The Cockburn Association and other heritage bodies support our submission and should also be given the opportunity of commenting on the major changes proposed within the World Heritage Site as they were when the current arrangements were introduced in 2011.
- There is still time for effective consultation with NTBCC and other stakeholders within the time frame detailed for the Communal Bin Review. We request that representatives of the team responsible for the Communal Bin Review attend our next monthly NTBCC meeting in May or a specially convened meeting with the community to explain the rationale for these significant changes.

**For the reasons stated above, and to uphold the democratic principle, NTBCC ask that this committee agrees to postpone the decision regarding gull proof bags and recycling boxes.**

## NTBCC Communal Bin Review Update Background Paper

1. The removal of gull proof bags and the red/blue bins for recycling is a major change of policy but is just tagged on to a routine update about the communal bin review. There has been no prior notification or engagement with the Community Council most affected by this change despite several requests for updates from the Waste and Cleansing department.
2. The report made to the 12 November 2020 T&E Committee Meeting about engagement events that took place in August/September 2020 states that the overwhelming response was positive but none of the events were conducted in areas covered by gull proof bags. None of the comments in the report address gull proof bags. No evidence is provided that there is agreement with this aspect of the review.
3. Appendix 2 states that based on a survey conducted in September/October 2019 there were 'medium to low presentation rates' for both gull proof bags and recycling bins. It is not clear how the presentation rate has been calculated. It is also stated that lower presentation rates are associated with proximity to communal bins but does not show any causal relationship. Interestingly it does show that the presentation rates of recycling bins (and thus potentially recycling) were higher in areas covered by gull proof bags.
4. It is stated special care will be taken to place the minimum number of on street bins to minimise the visual impact across the city's World Heritage Site. This appears to be at odds with the statement that residents will not need to walk more than 50m to their nearest bin. It is also stated that an Environmental Impact Assessment (EIA) is yet to be undertaken.
5. It does not appear that there has been any consideration of the impact of this change on those with limited mobility or would otherwise struggle to carry their waste to the nearest communal bins. Most changes to Council policy require an Equality Assessment to be undertaken usually as part of a wider Integrated Impact Assessment but the report makes no mention of this having been undertaken or planned.
6. There appears to have been no involvement so far from the usual statutory consultees to significant changes affecting the Edinburgh World Heritage Site, such as Historic Environment Scotland, Edinburgh World Heritage or the Cockburn Association. Why have they been overlooked?
7. It is stated that TRO's will be required to modify parking restrictions to permit location of additional on-street bins, which will be advertised in June/July 2021 for potential implementation from 2022. It is implied that this will provide an additional opportunity to seek public comments but the TRO process only requires the Council to legally consider any relevant objections received in relation to traffic management and road safety issues – therefore objections based on siting or appearance of the bins would be outside scope of TRO process.
8. The Committee is being asked for approval of implementation of the various changes that is due to commence within weeks. This seems to be premature given that an EIA has not been completed and it is recognised that further engagement is required with stakeholders.

Scottish Tourist Guide Association input to CEC Transport and Environment Committee paper on Provision of Public Conveniences, 22<sup>nd</sup> April, 2021

The Edinburgh and SE Scotland Branch of the Scottish Tourist Guide Association (STGA) has been concerned for some time that we lack sufficient and suitable toilet facilities for visitors, and we have been communicating with Cllr Lezley Marion Cameron regarding their provision. As Blue Badge Guides, we work with many thousands of tourists, guiding them around Edinburgh and Scotland as part of the Tourism Growth Sector, which contributes around £6 billion to our GDP. Edinburgh is sometimes the only place visitors experience in depth, and hence this issue affects all professional guides. We are grateful that the Transport and Environment Committee are considering toilet provision strategically, but wish to input to the process as frontline workers, and contribute our considerable knowledge of the issue.

We have undertaken research, initially prompted by Holyrood Palace's withdrawal of permission for photo and toilet stops unless visitors are entering the Palace, thus leaving virtually NO suitable stops for our visitors. We are keen to share this research which details ALL facilities (although assessed before the Covid shut-downs), not only Council provided ones.

The Issue for STGA

As we hope to return to normal guiding, our major issue is with groups of up to 50 clients who arrive by coach, after a long journey, are often elderly, and cannot walk far. With up to 6 cruise ships coming into Edinburgh in one day (and this may eventually increase, as plans to bring ships to East Lothian progress) in ADDITION to other visitors, there are insufficient places where coaches can drop off and pickup with a large number of toilets nearby, close to the City Centre.

Additionally, changes in road patterns and parking and closure of toilets have been undertaken without any input from us. (For example, disabled car parking has been introduced at the Botanic, but this cuts down access or coach parties, which often include elderly or disabled people)

We feel strongly that the issue is now crucial to the economy. As professionals, we will not be able to recommend the City's access for visitors who cannot walk a considerable distance.

Tourism Hubs

We welcome the idea of multi-service hubs, but would go further and promote the idea of at least one Tourism Hub, at a Gateway to the City, with short term parking for coaches, toilets and other essentials for visitors. We have discussed this idea with Marshall Dallas of the EICC, who expressed some interest for the Haymarket site. We believe that shaping, branding and marketing the entrance to the site as a Tourism Hub would be helpful to the businesses on-site (eg Pharmacies, Coffee Shops etc) as well as to our guests. A welcoming environment here might encourage the less fit to remain there, while partners experience the City Centre and spend their money. We have drafted an outline vision of the Hub.

Conclusion

We welcome the opportunity to input our knowledge and experience to the strategy for provision of Public Conveniences, and feel we have concerns and suggestions to offer which might help shape it. If the City is to return to its past success in attracting visitors, we must improve provision, address cuts and extend hygiene and handwashing facilities. While the current paper addresses some of our

concerns we would be very keen to work with the group to add our unique viewpoint and feedback from our guests.

## Summary

Juniper Green & Baberton Mains Community Council are grateful for Councillor Webber's motion to introduce no entry (eastbound) to junction of Woodhall Terrace and Baberton Avenue for motorised vehicles. These proposed changes:

- remove a dangerous rat run used by hundreds of cars in a normal rush hour
- create a Safer Route for Juniper Green Primary School pupils, those walking or cycling to Currie High School and the many elderly residents of our area.
- introduce a safer route for cyclists, enabling them to avoid the danger and pollution as Lanark Road narrows
- could be introduced as a temporary measure with methods used elsewhere in the City for Spaces for People schemes

## Community Concerns

Juniper Green is in the South West of Edinburgh, lying between Currie and the City Bypass. The arterial Lanark Road is the only main road that runs through Juniper Green and in the course of a normal rush hour, hundreds of cars pass through the village.

The queues west of Gillespie Crossroads can be for miles on a normal morning and this inevitably creates a desire for shortcuts. In our village there is a convenient rat run used by hundreds of cars every week day. This runs through narrow residential streets causing danger to many including the schoolchildren attending the nearby Primary School and the many elderly who live in our area. Note that Juniper Green has the highest proportion of elderly people of any area across the City of Edinburgh. There have been countless near misses, cars mounting kerbs and with the increased need for housing leading to development West of Edinburgh, this pressure is only going to worsen in the coming years. It is a case of 'when' not 'if' there is a serious injury or worse.

## Community Council Response

As a community council we have responded to the concerns of the community by supporting Police speed monitoring campaigns and have joined with other local Community Councils to support traffic research at Heriot Watt University. Through this work and with expert insight from local police we have developed a simple solution that will close the rat run with minimal impact on the local community.

The map overleaf shows the change in more detail but in short, the introduction of no entry east bound at the junction of Woodhall Terrace/Baberton Avenue removes the benefit of the rat run and contains traffic on the main road. For obvious reasons it is suggested that emergency vehicles are exempt from this, as are cyclists. This would provide cyclists with a corridor avoiding the narrower sections of the main road with minimal impact to journey time. It is also suggested that this no entry is applicable 24/7 to encourage compliance and avoid misunderstanding by motorists

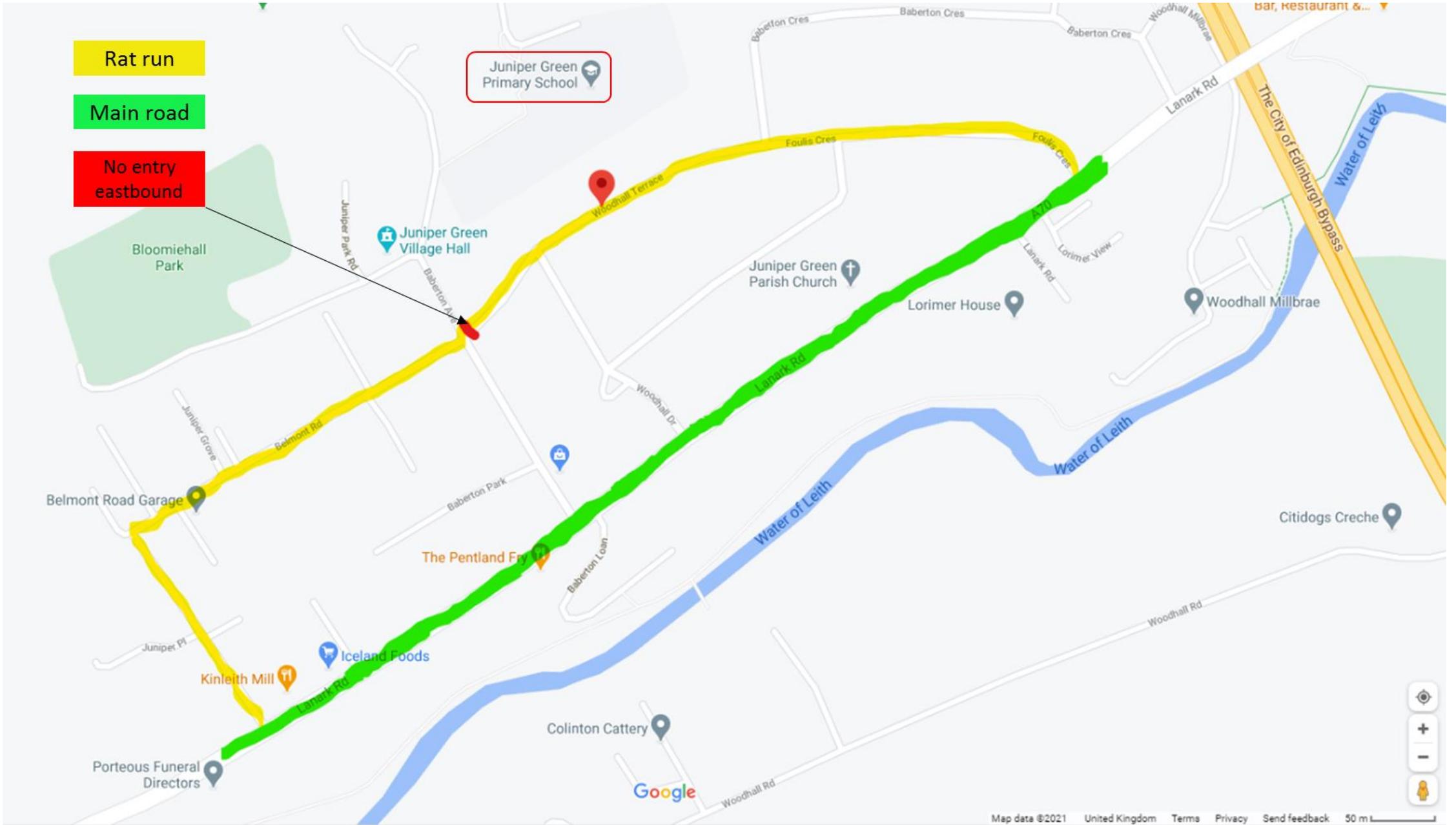
Finally, it is suggested that, as has been done with Spaces for People changes across Edinburgh, it could be beneficial to implement this initially as a temporary change to understand the impact, before making changes permanent.

## Community Engagement

We have hosted public meetings to engage with our local residents and refine the specifics of this proposal. We have also visited door to door the residents directly affected by the change.

There is recognition that this will mean village residents will also no longer benefit from this short cut but that cost is more than outweighed by the improved road safety and reduced pollution. As a result there is broad support for the changes including the parent members of the Primary School's Parent Council.

Our local councillors have supported us in getting this far and it is our great hope that the Committee will approve this small change to make a huge difference to our community.



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