

Deputations

Transport and Environment Committee

10.00am Thursday, 25 April, 2024

Dean of Guild Court Room - City Chambers

Deputations

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CITY OF EDINBURGH COUNCIL

Item No 3

Transport and Environment Committee

25 April 2024

DEPUTATION REQUESTS

Subject	Deputation
<p>3.1 In relation to item 6.1 Business Bulletin - (Strategic Review of Parking, S6 Update)</p>	<p>Westfield Street Residents (verbal submission)</p>
<p>3.2 In relation to item 7.1 – Road Safety Delivery Plan 2024-25</p>	<p>Colinton Community Council (written submission)</p>
<p>3.3 In relation to item 7.4 – Healthcare Worker and Carer (Parking) Permits</p>	<p>NLRP12 (verbal and written submission)</p>
<p>3.4 In relation to item 8.2 – Edinburgh Tram York Place to Newhaven Project Delivery</p>	<p>Community Councils Together on Trams (verbal and written submission)</p> <p>New Town & Broughton Community Council (verbal submission)</p> <p>Edinburgh Bus Users Group (written submission)</p> <p>Windsor Street, Elm Row, Leopold Place and Montgomery Street West Association (WELM) (verbal and written submission)</p> <p>Edinburgh Access Panel, RNIB Scotland, Sight Scotland (verbal and written submission)</p>

CITY OF EDINBURGH COUNCIL

Transport and Environment Committee

25 April 2024

DEPUTATION REQUESTS

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Cllr Scott Arthur
Convener, Transport and Environment Committee
City of Edinburgh Council
City Chambers
High Street
Edinburgh EH1 1YJ

Dear Convener

**Written Deputation on behalf of Colinton Community Council to
Transport and Environment Committee Meeting – Thurs 25th April**

We would be grateful if you allowed the attached written deputation to be considered in relation to:

Item 7.1: Road Safety Delivery Plan 2024-25

Appendix 1 – Road Safety Delivery Programme 2024/25

Speed Reductions Measures – First Item

Raised Table, uncontrolled pedestrian crossing: Bridge **Road** - Colinton

Yours sincerely,

David Houston and Tom McDonald
Co-Chairs, Colinton Community Council

DANGEROUS JUNCTION: Bridge Road/ Spylaw Street, Colinton

Following many complaints from local residents about road safety at this junction, Colinton Community Council (Colinton CC) first approached the CEC Road Safety Section over five years ago to investigate the junction and propose changes to improve the safety of pedestrians, cyclists and vehicle drivers. There have been many minor accidents and near misses since then and we are concerned that, without appropriate action, a serious accident will occur.

Road Safety proposed a scheme in Q2 2022 involving a raised platform and other measures to reduce vehicle speed in Bridge Road. They did not consult Colinton CC at the start or during the design of this scheme. **Fundamentally we believe this scheme fails to address the key safety issue: slowing down eastbound traffic before impact at the Spylaw St junction.**

Colinton CC has produced a modified scheme which we believe will make the junction a lot safer as well as reduce traffic speeds along Bridge Road. We have consulted local people about this scheme, gaining a lot of community support. However, our solution is more complex and requires a feasibility study, particularly regarding modifications to the NW Corner of the junction. In early 2023 the previous Road Safety Manager was beginning to look into the feasibility of this modified plan.

With the reorganisation of Road Safety in 2023, there has been a substantial delay in moving the issue forward. In recent weeks, Colinton CC has at last had a response from the new Road Safety Manager including a meeting on-site for the first time between Colinton CC and CEC professional officers which we very much appreciated.

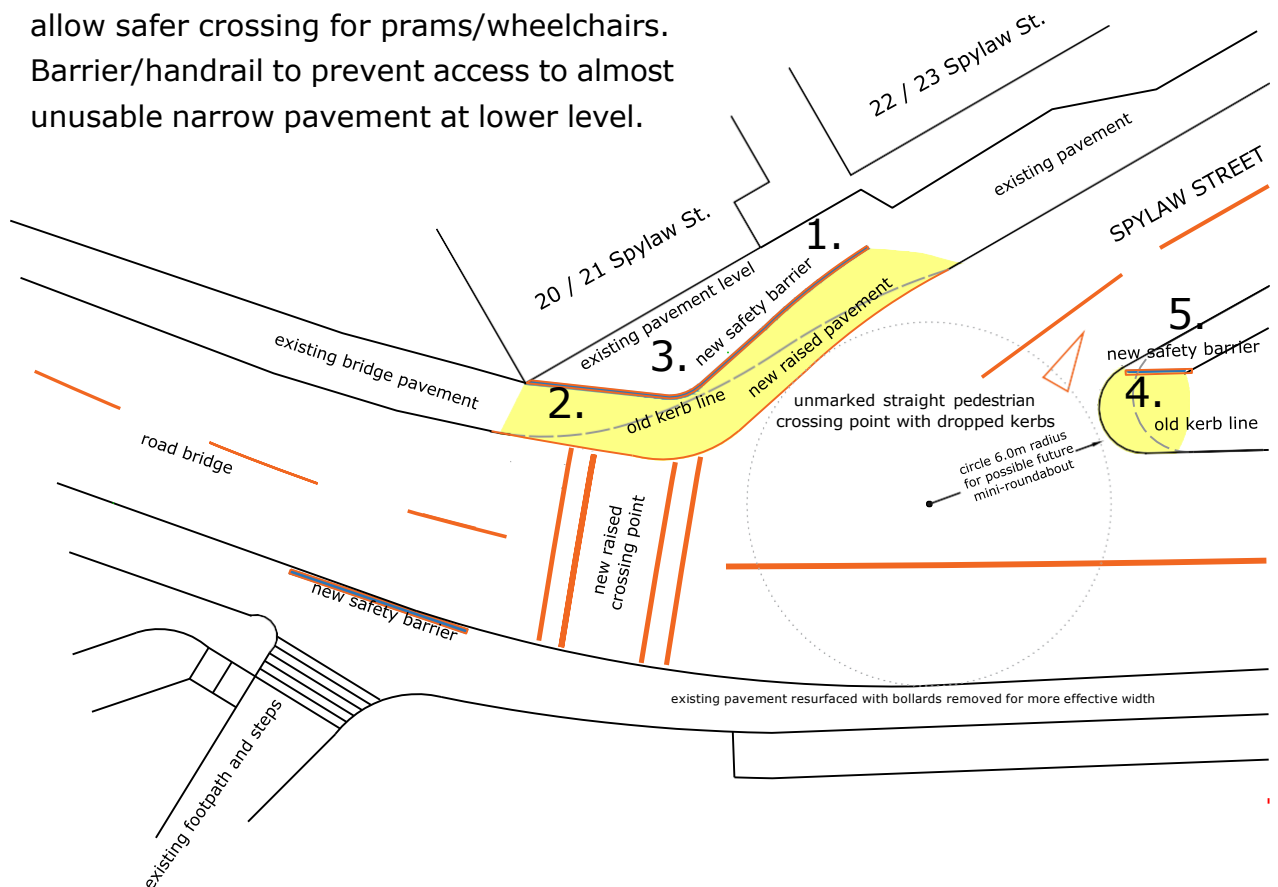
The Manager's report states that we are discussing the matter but Colinton CC wishes to seek the backing of the T & E Committee for an early resolution of this key local road safety issue which has been so long delayed. We are happy to consider a number of options with the Road Safety Manager to achieve that. For example, the new Local Traffic Improvement Programme up before this Committee may provide some assistance with the financing of our more complex scheme as there could be more contribution to active travel including by people with disabilities for whom this junction currently presents multiple barriers.

An outline presentation of Colinton CC's modified scheme is given on the next page together with other background information including a summary of the traffic speed tests conducted in 2020.

David Houston and Tom McDonald
Co-Chairs, on behalf of Colinton Community Council

Colinton CC Ideas for Junction

1. Existing lower pavement level maintained.
2. Existing pavement extended and realigned at higher level with normal road kerb.
3. Old railing removed - new barrier to protect change of level at rear of new pavement.
4. Pavement extended and slopes improved to allow safer crossing for prams/wheelchairs.
5. Barrier/handrail to prevent access to almost unusable narrow pavement at lower level.



Bridge Road is a key through route and was part of the City's original SW Ring Road before the City Bypass was built: indeed the first section of that was designed to bypass Colinton. Consequently, it is still heavily used by both local and through traffic, especially when the City Bypass is closed or restricted. Following representations by Col CC and others, Bridge Road was included in the first phase of 20mph speed limits.

Road Safety Section carried out vehicle speed tests along Bridge Road in Q1 2020 (before the effects of the COVID epidemic) and found that **total volumes of traffic exceeded 33,400 per week and despite the 20mph limit, the average vehicle speed was about 30mph in both directions. Over 9% of eastbound traffic was travelling at over 35mph round the blind corner at the end of the bridge before the Spylaw Street junction.**

Introduction

[Redacted]

Thu 07/03/2024 14:40

To [Redacted]

📎 1 attachments (127 KB)

Unpaid Carer Transport Ctte Deputation 7-3-2024.pdf;

Dear Mr. Barwell,

I had the privilege of presenting the deputation on behalf of NLRP12 during today's meeting and appreciated your expressed support for the continuation of the report – for which I extend my gratitude. Enclosed with this email, you will find the transcript of the speech I delivered earlier.

In anticipation of a potential redrafting of the report, I am willing to compile a paper, complete with references to support the figures presented during my deputation. Notably, I observed the use of 2011 Census figures in your comments, and I believe that more recent data could enhance the accuracy of the report. I plan to cross-reference my information with council-authored or Scottish Government documents, and if acceptable, I intend to utilise Harvard referencing.

I believe that these council documents might be more recent than the data used in your initial analysis in 2021. I also have updated information that I will be verbally presenting to the UK Covid-19 Inquiry later this month. I am keen on collaborating with any stakeholders involved in the process to contribute effectively to the betterment of unpaid carers' circumstances.

I look forward to the opportunity to work together for this cause. All my contact details are below.

Kind regards,

jOhn.

jOhn Wallace

Rare Disease Carer/Activist/Researcher.

Chair: NLRP12

Advisor: Autoinflammatory UK

Member of Covid-19 Global Rheumatology Alliance Patient Board.

Army Veteran

Publications: <https://www.researchgate.net/profile/John-Wallace-3>

"I thought I would have to teach my child about the world.

It turns out, I have to teach the world about my child."

[Redacted]

[Redacted]

www.autoinflammatory.uk | www.nlrp.12.com | www.rheum-covid.org

[Redacted]

From: Scott Arthur <[REDACTED]>
Sent: 07 March 2024 18:45
To: jOhn Wallace <[REDACTED]>
Subject: Re: NLRP12: Deputation Text on Unpaid Carers and Parking Permits

No problem, see you again next month no doubt!

Scott

Professor Scott Arthur
Councillor for the Colinton, Oxfgangs & Fairmilehead Ward.

60 second sign up for my monthly newsletter: <http://eepurl.com/duytoH>
Follow my community Facebook page for local news: <http://www.facebook.com/DrScott4Ward8/>

Help Edinburgh Women's Aid raise £50k in its 50th year: <https://justgiving.com/campaign/EWAchallenge50>

From: jOhn Wallace <[REDACTED]>
Sent: 07 March 2024 13:15
To: Scott Arthur <[REDACTED]> k>
Subject: Re: NLRP12: Deputation Text on Unpaid Carers and Parking Permits

Dear Councillor Arthur,

Please don't accept my leaving as any type of disrespect to the committee. Unfortunately, I couldn't make out any of the conversations whilst in the committee room with my hearing aids, so it was more productive for me to continue to monitor the committee remotely with my Amazon ear buds at home. You can inform Councillor Cowdy that luckily my geiger counter never activated so at least there are safe places in Edinburgh.

Kind regards,

jOhn.

jOhn Wallace

Rare Disease Carer/Activist/Researcher.

Chair: NLRP12

Advisor: Autoinflammatory UK

Member of Covid-19 Global Rheumatology Alliance Patient Board.

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"I thought I would have to teach my child about the world.

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[Redacted]

[Redacted]

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[Redacted]

From: Scott Arthur <[Redacted]>
Sent: 07 March 2024 11:52
To: jOhn Wallace <[Redacted]>
Subject: RE: NLRP12: Deputation Text on Unpaid Carers and Parking Permits

 **Scott Arthur** reacted to your message:

Dear Councillor,

I trust this message finds you well. Attached herewith, please find the copy of the text I will present in this morning's deputation, addressing the matter concerning unpaid carers and parking permits.

For your reference, all my contact details are provided below. I am at your disposal to engage in any further discussion at a time that suits your convenience.

Thank you for your attention to this matter, and I look forward to any potential dialogue in furtherance of #UnpaidCarers' rights and recognition by the city.

Kind regards,

jOhn.

jOhn Wallace
Rare Disease Carer/Activist/Researcher.

Chair: NLRP12
Advisor: Autoinflammatory UK
Member of Covid-19 Global Rheumatology Alliance Patient Board.
Army Veteran
Publications: <https://www.researchgate.net/profile/John-Wallace-3>

"I thought I would have to teach my child about the world.
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[Redacted]

[Redacted]

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[Redacted]

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I wish to address the committee today to specifically discuss the contents of the report pertaining to the issuance of parking permits for unpaid carers.

First, I would like to say that it has been collectively determined through many extensive surveys conducted throughout this century that the term "unpaid carer" is the preferred nomenclature for individuals such as us.

Between Paragraphs 4.14 and 4.34, three distinct titles are assigned to various types of carers, namely carers, personal carers, and professional carers – (meaning not unpaid carers). These categorisations are inaccurate. The vast majority of unpaid carers execute their responsibilities with a high degree of professionalism, often undergoing extensive training in medical equipment, treatments, disease education, specialized medical procedures, biomarker monitoring, symptom management, medical system alignment, emotional and psychological support, communications and networking, respite care management, as well as legal and financial considerations.

Further, within the rare disease community, constituting 1 in 17 of Scotland's population, many unpaid carers actively contribute to and publish peer-reviewed research in collaboration with our clinician and medical research colleagues.

I propose that the whole report is amended to accurately reflect our approved nomenclature, including the same adjustment be applied to the title of the permit at paragraph 4.3.

It appears that no consultation with unpaid carers occurred in the preparation of this report, leading to evident and glaring errors.

Paragraphs 4.28 and 4.29 require specific attention:

The proposed provision in 4.28 has the potential to generate 67,147 additional GP appointments in the city. It is also essential to consider the diverse relationships unpaid carers may have with the cared-for person, necessitating attempting appointments at a GP practice that is not the unpaid carer's but that of the cared for person. This places an additional burden on unpaid carers and GPs, whereas the utilisation of carers organisations which maintain lists of individuals who already qualify, could alleviate this strain. Funding for these organizations for any extra work involved should be made available. Moreover, the city's existing Blue Badge database could serve as a valuable resource for identification.

The arbitrary selection of 20 hours as a qualifying criterion lacks any justification at all. I propose considering 15 hours with the following justification: As both 15 and 20 hours equate to over two and less than three hours per day, seven days per week, and 15 hours corresponds to the minimum wage annual equivalent of £8,923.20 in unpaid work being attached to health and social care budgets.

Paragraph 4.29 fundamentally undermines the proposal for unpaid carers. According to this council's publications, the city has 67,147 unpaid carers, with only 8.25% receiving Carers allowance (approx. 10% in Scotland and 28% in England).

The proposed permit has availability for those providing 20 hours of unpaid care according to 4.28, yet in addition would require proof of carers allowance, which in itself mandates carers provide a minimum of 35 hours of care to qualify. This renders a permit impossible for 91.25% of the city's unpaid carers. This oversight not only underscores the paid consultant's failure to consider the perspectives, knowledge, and experiences of the intended policy recipients but also reflects an ignorance of the council's own published documentation on the subject. It is worth repeating, if you pass this report as it currently stands, 91.25% of Edinburgh's unpaid carers will not qualify for a permit.

Paragraph 4.30 raises the geographical restrictions of the permit, given that the duties of a carer often extend beyond the cared-for person's residential zone. There is no justifiable reason for this restriction.

In Paragraph 4.31, it is extremely disconcerting to note that, in addition to providing over £9,000 worth of free work, unpaid carers are expected to incur costs for the proposed permit.

More egregious is the fact that many disabled individuals and their unpaid carers rely on SUV-type vehicles for practical reasons because the seat height is higher enabling easier and less painful ingress and egress. Imposing additional surcharges based on vehicle type and engine size for unpaid carers is an unjust imposition on individuals already facing significant financial challenges.

- So, in Edinburgh the economic powerhouse powering this city, known as unpaid carers who contribute £1.341 Billion to the city's economy, which is three times that of that other 'economic powerhouse' Edinburgh festivals combined, with no pay, are asked to pay for parking permits to do unpaid work.
- A Google search, utilising appropriate search operators, reveals nearly 150 instances of the term 'informal carers' within council documentation available on the open web. This count excludes the substantial body of pertinent information that is not accessible through the open web.
- Unpaid carers are professionals.
- The provision of respite care to support unpaid carers has declined 42.1% from 2015/16 to 2021/22
- Workforce shortages in the care sector have a direct impact on unpaid carers' health and wellbeing, as they are often left to fill in the gaps
- It is imperative that you uphold this nomenclature consistently throughout the council, as personal carer, informal carer, volunteer carer, and other designations are not aligned with our preferred identification. This is not party political; I have already had conversations and agreement about this with Conservative and SNP councillors.

- [Many unpaid carers have had more professional training than the city's councillors.]
-

CCTT deputation to Transport and Environment Committee 25 April 2024 (8.2 Edinburgh Tram York Place to Newhaven Project Delivery)

23/04/24

Introduction

CCTT is a coalition of the four **C**ommunity **C**ouncils **T**ogether on **T**rams set up to engage with CEC and the tram project team before, during and after the construction works between York Place and Newhaven.

CCTT members have engaged individually with the original tram project (that was curtailed at York Place), then as a coalition of CCs with the emerging Full Business Case since July 2018 and subsequently with members of the Trams to Newhaven (TTN) team. CCTT/TTN meetings soon became fairly regular (with minutes taken and published on CC websites) and became monthly during construction and continued until June 2023.

We want this tram project to succeed - as we said in our 2018 manifesto. This remains our main motivation.

We acknowledge that there can be tensions between the delivery of a live strategic project (TTN) and new future strategic goals (Tram 2). Both are worthwhile ambitions. But: which should be prioritised when there isn't an abundance of financial resources and capacities to achieve both goals in parallel?

Preamble

Partially in response to Councillors' motions last year, a project "close out" report was advertised in the January Rolling Actions Log.

At that point we wrote to the Project Team and Councillors, setting out a "checklist" of key questions (see appendix) that such a project close report would need to answer.

We note, it is no longer titled a "close out" report - presumably in recognition that many answers are not available yet and that a lot of important work remains to be done, thus vindicating our mantra: **that the project is not finished.**



Photo taken NOV 23, barely six months after "start of revenue service": worn out lines, previous repair attempts, against A-listed building in the background; not the high-quality environment we were promised (damage still there and getting worse)



Very narrow pavement in area of high footfall; post hoc widened for cyclists following international press coverage (is remaining space for the planter really necessary?); rocking slab is a hazard for pedestrians; potholes near lip increase risks for cyclists

Our most pressing concerns

- a) It is not clear that **all issues have been identified**. Councillors and stakeholders still don't know the scale of the task ahead.
- b) **Who is the team** tasked to identify and process the many and complex outstanding issues and to negotiate robustly with the contractor (and utilities and third parties) during the rapidly approaching end of the defect period? Is it **adequately resourced**? Why was it not formally established **from the start of the defects period**?
- c) **Elapsed time to the resolution of each defect** - be that lack of bus shelters, delayed buses and tram and congestion/pollution caused by a faulty/incomplete signalling system, broken pavestones, or a visibly decaying public realm - **has real life costs and consequences for communities along the route**.



Sinkhole near busy bus stop (with decaying lines), no iron work nearby; if caused by collapsed pipe below, how many of these **hidden defects** will emerge before the end of the defects period?

Have the Final Business Case ambitions been met?

[from the 2018 FBC 1.18 and 1.23 - our emphasis]

The project supports the Council's plans to:

- **improve the pedestrian experience in the core city centre area and increase space for pedestrians**
- **[...] offer dedicated cycle provision in the area; and**
- **reduce the detrimental impact of motor vehicles on the city centre environment.**

Tram supports this outcome by providing accessible public transport, **public realm improvements along the route, excellent walking and cycling provision between Picardy Place and Foot of the Walk, and improvements in local air quality through reduced emissions.**

Four big risks

Safety: Road Safety Audit is not included or referenced in this report. This RSA is intended to identify whether there are any serious issues with the design and construction of the changes to the road layout. Without it, the roads authority, consultants and contractors are at risk of a charge of Corporate Manslaughter, should there be a serious or fatal incident. In addition, many of the known defects have the potential to cause accidents.

Financial: insufficient monies clawed back from contractor and extra CEC costs because too many defects have been resolved in favour of the contractor.



Another **hidden defect**: a rocking slab near a floating bus stop (where one expects extra high quality); possibly caused by Decaux's post-hoc installation of a custom-made bus shelter. Who is responsible? Who pays? When will it get fixed?

Hence the need for a well-resourced and clearly tasked team to undertake this work in a timely and contractually effective manner.

Political: there is serious dis-enchantment along the route (“we didn’t need a tram - the city did; they built a tram and left a mess”). Transparency on outstanding issues and a clear route to resolution will help to address this concern.

Strategic: a failure to address any of the three risks above will impact negatively on the North-South tram project and long-term viability of Line 1.

What we asked TTN in January and Councillors in February 2024

We posed 7 questions to be addressed and answered in this report. We note with regret (see appendix) that many remain unanswered or sufficient detail is still missing:

1. the aforementioned missing **Road Safety Audit**
2. **sufficient details on defects** (total number, sqm and costs)
3. a complete list of **design issues**, their status (some have apparently been de-scoped) and path to resolution
4. a narrative on **signalling problems** and a path to resolution beyond an opaque reference in appendix D)
5. a commitment to a **Lessons Learned session with CCTT** (first mooted in November 2022)
6. a sufficiently detailed and complete **Handover Plan**
7. clarity on **when the temporary - tram construction enabling - TTRO will be revoked** and replaced by a permanent TRO

CCTT asks

- Just do what you said you would do in the Final Business Case (including an evaluation report to assess delivery of the projected benefits, in line with HM Treasury and Scottish Government guidance) and address the issues highlighted in our checklist commentary (see appendix)
- Deliver the Lessons Learned session with CCTT to look at:
 - (i) design processes and evolution,
 - (ii) impact from construction and diversions,
 - and iii) post construction reinstatement, defects resolution and design changes and fine-tuning
- Continue to engage with (and learn from) local communities along the route

Appendix: What we asked TTN and Councillors in January/February 2024 - key questions that the upcoming close-out report needs to answer

CCTT Email to TTN and Councillors (24/1/24)	CCTT commentary on TEC Report 8.2 (19/4/24)
<p>1. Stage 3¹ Road Safety Audit: What is the status of this report? What are the key findings and resulting actions? When will it be published?</p>	<p>1. RSA: There is no mention of the RSA³ in the report nor have any answers been provided about its location and timing. The RSA is a contractual requirement and must be finalised before the project close out can be completed. What about stage 4²?</p>
<p>2. Defects: a) outstanding defects: How many are there (in terms of database rows, but also quantified in terms of absolute numbers or sqm, and £££s)? Accompanied by a full list or relevant examples.</p>	<p>2. Defects: a) The report does provide a list of outstanding defects including some that relate to utility works but there is no detail on the overall or individual cost and scope of these defects.</p>
<p>b) removed and accepted defects: How many have been removed or accepted (in terms of database rows, but also quantified in terms of absolute numbers or sqm, and £££s)? Accompanied by a full list or relevant examples with reasons for removal or acceptance.</p>	<p>b) Apart from providing a count of accepted/cancelled defects there is no other information (costs, sqm) provided in the report to understand what has been agreed.</p>
<p>c) independent quality assurance: How can we be sure that all defects are on the TTN register? Alternatively: can a complete list of all defects (outstanding, removed, accepted) be published?</p>	<p>c) The report does not contain an overall list of all of the defects, so it is not possible to know if those not shown on the outstanding list have ever been shown. Or for that matter, whether they have been accepted or resolved. Who monitors/audits these very important (re)classifications?</p> <p>The list of landscaping and public realm work that is either outstanding or has been descoped is not complete. We need to have a complete list of what is still outstanding or no longer part of project. The report does not provide any timing for the works shown to be completed.</p>
<p>d) outstanding utility works (e.g. damaged/collapsed manhole covers) along the TTN route: Are they on the defects register? If not, why were (are) they not handled by TTN? If not TTN, who monitors (and pays for) their resolution?</p>	<p>d) Apart from a few outstanding defects which are utility-related, it is not clear how many such defects exist and who is responsible for their resolution.</p> <p>Damaged (or about to fail) utility covers on roadway and pavement are a serious issue (see 2020 documentation for Princes Street); according to an FOI “These were raised with utility providers and agreed that each utility provider would rectify the defects.” Does this mean SFN pays for the works? What is exact recovery mechanism? Who is pursuing the utility companies to undertake repairs</p>
<p>e) defects on TTN diversion routes: Have the diversion routes been inspected in accordance with the Code of Construction Practice (section 5.5) and if so what remedial work has been identified? Is there a list of the identified repairs? How will these issues be monitored? Who will be responsible for the cost of any required repairs?</p>	<p>e) There is no mention in the report of any defects to the diversion routes or the required remedial action.</p> <p>Clarification is needed about the responsibility of the parties for the repair of damage to the diversion routes even though this was included in the agreed Code of Construction Practice.</p>
<p>3. Design Issues: What are the design issues recognised by TTN? What aspects have been de-scoped?</p>	<p>3. Design Issues: The report only mentions a small number of design issues which it states will be handled separately. It is also stated that the design complies with Edinburgh Street Design Guidance but as has been noted elsewhere this guidance has been updated so that it is no longer correct that the design complies with current guidance.</p>

CCTT Email to TTN and Councillors (24/1/24)	CCTT commentary on TEC Report 8.2 (19/4/24)
<p>4. Signalling Problems: Are these on the defects register? Who monitors (and pays for) their resolution? Have the delays caused by signalling problems been quantified?</p>	<p>4. Signalling Problems: The only reference to signalling problems is in the Ready to Operate lesson learned. It would appear that there are continuing problems which can only be resolved once the CEC completes its upgrades to the overall signalling system. Greater clarity is required on the extent of problems and the scope/timing of any resolution.</p> <p>Without an efficient signalling system, the project is not finished and 10 months into revenue service, the benefits of a fully optimised system have not yet been achieved. It is a key component of the tram's success and speedy progress towards resolution needs to be a priority.</p> <p>We note that reference is made (Appendix D, item 2), to the problems coordinating the project work with the overall signalling upgrades required due to contractual/communication issues. How are defects/outstanding issues that are not the responsibility of the Trams contractor being managed?</p>
<p>5. Lessons Learned: We note that the close out report will include the outcome of the lessons learned activities. When is it proposed to have the postponed CCTT lessons learned session? What lessons learned sessions on other aspects have been conducted to date?</p>	<p>5. Lessons Learned: There are some useful observations contained in the summaries of the lessons learned undertaken to date. The report does not mention the planned lessons learned exercise with the Community Councils despite this being promised for over a year. We believe that there should be a commitment to undertake this and any other outstanding lesson learned exercises.</p>
<p>6. Handover Documentation: What is the status of the "handover documentation"?</p>	<p>6. Handover Documentation: The report includes a detailed handover plan but it is not clear from the document what has been completed, what is underway and what is outstanding.</p> <p>Why has the Handover Plan only now been prepared given that the handover has been ongoing for over a year? Given that the Plan will require the Council to absorb the future cost of the operation and maintenance of the new assets, one would expect the Council to formally approve this Plan.</p>
<p>7. Temporary TRO: When will TRO (TEMP/19/210) be revoked? What actions are required to allow this to be revoked?"</p>	<p>7. Temporary TRO: The report makes no mention of the need for a new TRO or the revocation of the TTRO introduced to allow the Trams to Newhaven project to proceed. This need to be clarified to allow proper controls of traffic and parking to be in place.</p>

¹ Stage 3 Road Safety Audits should be undertaken when the highway scheme construction is complete and preferably before the works are opened to road users.

² The Stage 4 is carried out using 12 months of validated, post highway scheme opening, road traffic collision data.

³ Although not seen as a legal document, in the event of a serious or fatal incident on a scheme, the road safety audit process may be examined and the report [and] agreed response with actual action taken may be used in evidence. In the worst-case scenario this could lead to a charge of Corporate Manslaughter/Homicide on roads authority, consultants and contractor. [\[sweco.co.uk\]](http://sweco.co.uk)

Item 8.2 -

Edinburgh Bus Users Group deputation to Transport & Environment Committee 25 April 2024

Historical context

Edinburgh Bus Users Group was formally established in summer 2019, when most of the detailed Tram design was complete or nearly complete. EBUG was pleased to meet Tram Team representatives in November 2019 to discuss detailed design aspects. It was clear that the scope for change was very limited, so we just highlighted various non-compliances with the Council's Street Design Guidance for buses. We were told the Tram team could seek derogation from those non-compliances.

TEC report on 25 April

Paragraph 4.40 of the report states:

"Separate to the contractual defects, there are a number of ongoing issues being monitored in conjunction with discussion with local stakeholders as follows:

- 4.40.1 Picardy Place saturation and operation;
- 4.40.2 London Road left turn ban;
- 4.40.3 Montgomery Street/Elm Row loading provision;
- 4.40.4 Elm Row pedestrianisation;
- 4.40.5 Brunswick Street closure and loading provision; and
- 4.40.6 Landscaping along the route from Picardy Place to Newhaven"

This does not address some issues listed in our previous observations on the Tram extension, although they were forwarded to the Council:

<https://edinburghbususers.group/ebug-comments-on-the-edinburgh-tram-extension-and-buses>
(published December 2022)

<https://edinburghbususers.group/update-comments-on-the-edinburgh-tram-extension-and-buses>
(published October 2023)

What has emerged since the route opened?

1. The bus shelters have finally been installed; the 'bespoke' shelters commissioned for the project provide even less weather protection than the standard Decaux.

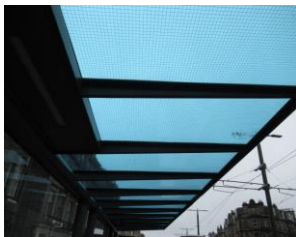
Photos taken 3 April 2024. Weather; persistent heavy rain



Bespoke Decaux northbound, east facing. Seats in shelter wet.



Standard Decaux northbound, east facing. Seats dry.



2. We note continuing issues between pedestrians and cyclists, with constant incorrect directional cycling taking place.

3. There have been significant delays to buses at Picardy Place, with frequent tailbacks up Leith Street. For example, on Lothian Buses website in December:

- On 16 days buses were **diverted** from Leith St.
- On 4 days buses were **delayed** but not diverted on Leith St.
- On 10 days there were no reports of delays or diversions on Leith St (including Christmas and Boxing Day).

<https://www.lothianbuses.com/service-updates/> and https://twitter.com/on_lothianbuses

4. As stated in EBUG's last deputation to Committee on 1 February 2024:

'Any further routes must be based on a systematic network approach, notably including buses, incorporating and embedding high quality public transport infrastructure within high quality public realm. In particular, buses must be planned in from the outset, not squeezed in as an afterthought.'

EBUG hopes we've illustrated some of the factors that need to be considered.

Website <https://edinburghbususers.group/>

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Item 8.2 Edinburgh Tram York Place to Newhaven Project Delivery.

Joint Deputation to the City of Edinburgh Council Transport and Environment Committee – City of Edinburgh Access Panel, RNIB Scotland and Sight Scotland, 25 April 2024

As a joint deputation comprising of the City of Edinburgh Access Panel, RNIB Scotland and Sight Scotland, we would like to put our concerns on the record.

In 2023, RNIB Scotland published Street Credibility to summarise and highlight three key principles relating to making streets more accessible for people with sight loss. [Link to report online here: [RNIB Scotland calls for Street Credibility | RNIB](#)]

These include:

1. Reducing the hazard of street clutter and obstructed pavements
2. The importance of having kerbs and signalised controlled crossings
3. Avoidance of moving vehicles.

Since 2017 we have raised our concerns about the lack of delineation between the cycle-path and the footway, the need to cross the cycle-path to access bus stops and the random and misleading use of tactile paving on Leith Walk.

There has been a consistent concern about the use of tactile paving, either as a delineator between the footway and the cycle-path, and more recently as a marker for continuous footways.

Sight Scotland has highlighted similar concerns. These include low kerbs that guide dogs cannot detect and poor surface colour contrast. During a site visit, Marie O'Donnell, a rehabilitation Officer for Sight Scotland as well as a guide dog owner, reported that trying to navigate the street was "terrifying". She demonstrated that her guide dog was unable to detect the low kerb separating the cycle-path and the footway, meaning she could have unknowingly walked into an oncoming cyclist. She said that in her professional role as a rehabilitation worker, her instinct would be to tell people with visual impairment to avoid Leith Walk "at all costs".

Sight Scotland would also like to express concern at how feedback from the visually impaired community seems to have been overlooked during the design stage, and subsequently when raised after the completion of works.

We advocate for meaningful engagement of the visual impairment community in the design process and hope the newly formed Edinburgh Accessibility Commission is an effective vehicle so that feedback from all disabled people is implemented.

Feedback from blind and partially sighted people must be considered in the evaluation of the Leith Walk project to avoid inaccessible designs being replicated in other areas of the city where developments are planned.

We urge the council to review the layout of Leith Walk especially as the Trams to Newhaven project is now complete and a two-year defect period opens.

DEPUTATION

to: City of Edinburgh Council, Transport and Environment Committee

by: The Windsor Street, Elm Row, Leopold Place and Montgomery Street West Association (WELM)

in response to: Item 8.2 of the meeting agenda for 25th April 2024: *Edinburgh Tram York Place to Newhaven Project Delivery – Report by the Executive Director of Place*

About WELM

The Windsor Street, Elm Row, Leopold Place and Montgomery Street West Association (WELM) is a new organisation formed to support and represent residents and businesses in response to long-standing concerns about the knock-on effects of the Trams To Newhaven (TTN) project on our local area. We were formally constituted by our members in October 2023 and we have since been working constructively with local Councillors, TTN and others to address these concerns.

General issue and proposal

Issue: In any project the size of TTN there are bound to be many unanticipated and unintended consequences of the design, both as initially planned and as subsequently altered during construction. Now that the TTN project is largely complete, these knock-on effects have become fully apparent to the communities impacted by them. Below, we raise concerns and propose solutions for some of the specific issues affecting our area around upper and lower Elm Row, on the eastern side of Leith Walk between London Road and Brunswick Street, but we expect that communities along the whole of the TTN route are likely to be experiencing similar problems.

Proposal: The report by the Executive Director of Place rightly highlights the importance of consultations with local residents and businesses before the TTN project, and the insights gained from them. Section 9.3 of the report stresses the need for ongoing community engagement to help resolve outstanding concerns. We believe that there is now an opportunity to consult with, and listen to the concerns and suggestions of, residents and businesses along the whole of the TTN route before finalising the project. This consultation would mirror the one undertaken before the project started and would provide valuable feedback, both to help resolve ongoing problems with the current project and to inform future initiatives. We note from Section 4.41 of the report that some outstanding design/implementation issues will be the subject of further reports due to be brought before the Committee in May and June 2024. We strongly urge elected members and officers to take this opportunity to engage fully with the community to inform the recommendations that will be brought to Committee.

Issues and proposals for the Elm Row area

Business deliveries and loading provision

Issue: Many of the current traffic safety and noise disturbance concerns of local residents stem from the inadequate provision of local business delivery facilities. The current design only provides one small loading bay and turning circle at the end of Montgomery Street to serve more than 50 retail businesses along the whole of upper and lower Elm Row. The loading bay is too small for many of the vehicles that might attempt to use it, and the turning circle is inadequate to allow those vehicles to turn around. In addition, the emergency closure of the junction between Brunswick Street and Elm Row has caused traffic flow problems in the wider area, with no possible

pass-through for delivery routes. This leads to perpetual traffic congestion, inconsiderate parking and unsafe manoeuvring from frustrated commercial drivers attempting to make deliveries, causing misery for local residents and difficulties for local businesses. At the moment this situation is made even worse by incomplete yellow-lining and lack of signage preventing proper parking enforcement by traffic wardens, resulting in the area being constantly blocked by parked cars.

Proposal: We note that Montgomery Street/Elm Row loading provision is one of the outstanding design/implementation issues identified in Section 4.40.3 of the report. We urge officers to conduct a full appraisal of local business delivery requirements, including consideration of delivery frequency, delivery duration and vehicle size for each business, and then to design and implement sufficient extra loading bays or permissions on or near Elm Row to relieve the congestion on Montgomery Street. We refer you to the recommendations given in Transport Scotland's *Delivering for all - A guide to managing freight transport in Scotland's urban centres*. We would be willing to assist by canvassing local businesses to ascertain their loading requirements and then pass this information on to officers. We would be happy to be involved with consultations on any draft design proposals.

Proposal: Reopen the Brunswick Street/Elm Row junction, *left-turn onto Elm Row only*. We believe that this would allow safe use of this junction by vehicles and pedestrians, without the problems of the previous design, and would create a local traffic circulation route that would ease congestion and improve safety through a reduction of reversing movements. The junction configuration would be virtually identical to the new junctions in the West End at Coates Gardens and Rosebery Crescent and no costly reworking of the as-built junction would be required. We note that this junction is one of the outstanding design/implementation issues identified in Section 4.40.5 of the report, and we urge officers to consider adopting our proposal for this matter.

Proposal: Complete the yellow-lining and parking signage of Montgomery Street and the upper Elm Row service road in accordance with already published TROs as soon as possible. Please do not delay this work in anticipation of further consultations and redesigns.

Dangerous driving at the end of Montgomery Street

Issue: Once the upper Elm Row service road was reopened, vehicles began driving over the paved area between Montgomery Street and Elm Row. Temporary barriers intended to prevent this dangerous behaviour have been repeatedly moved or removed by inconsiderate drivers.

Proposal: Install permanent bollards and signage to prevent drivers attempting to cross the pavement between Montgomery Street and Elm Row.

Proposal: We note that the London Road left turn ban is one of the outstanding design/implementation issues identified in Section 4.40.2 of the report. We propose reopening the Elm Row/London Road junction to left turns, so that traffic has less incentive to attempt to divert via Montgomery Street.

Planned redesign of Elm Row

Issue: We note the outstanding design/implementation issue identified in Section 4.40.4 of the report - "Elm Row pedestrianisation" - and we have concerns regarding possible further changes to this area. We are aware of consultations with active travel groups earlier this year on the unsatisfactory placement of the lower bus shelter on Elm Row between two cycle lanes, and understand that there is a proposal to move one of the cycle lanes, resulting in the loss of parking spaces. The views of local residents and businesses have not been sought so far in this proposal.

We are concerned that if the focus for this redesign is only on the bus shelter and cycle lanes, then opportunities will be missed for dealing with other outstanding issues, such as loading provision (see above).

Proposal: Consult more widely on draft proposals for the redesign of upper Elm Row. Once again, we would be willing to assist by encouraging engagement from the local community and gathering views on published proposals.

Proposal: Move the bus shelter instead of the cycle lane. We note that a new, upper bus shelter on Elm Row has recently been installed close to the road-edge, meaning users of that stop will not have to cross a cycle lane to reach the bus, and we wonder why a similar placement of the original, lower bus shelter is not possible. This would be much quicker, cheaper and less disruptive than the current proposals.

Damage to road surface and pavements in Montgomery Street and upper Elm Row

Issue: Heavy commercial traffic use of Montgomery Street as a delivery hub, both during TTN construction and subsequently, has caused severe damage to the road surface and paving. While the road has now been resurfaced up to the boundary of the TTN project area, a section of very poor road surface still remains up to the junction with Windsor Street which continues to deteriorate. The footway is also heavily damaged and deteriorating here. Meanwhile, frequent pavement parking by delivery vehicles using the upper Elm Row service road is already causing extensive damage to the newly-laid paving in this area.

Proposal: Resurface the remaining damaged section of Montgomery Street and consider any necessary repairs and strengthening of pedestrian paving on Elm Row as part of the finishing works of the TTN project. We are very concerned by Section 4.43.7 of the report which suggests that repairs to the footway on Montgomery Street have been removed from the project scope, and we urge elected members and officers to find an alternative way to complete these essential repairs to the damage caused as a result of the TTN project.

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