

Transport and Environment Committee

10.00am, Thursday, 14 September 2023

Strategic Review of Parking: Progress update

Executive/routine
Wards

Executive
All

1. Recommendations

- 1.1 It is recommended that Committee:
 - 1.1.1 Notes the update provided on the implementation of the Strategic Review of Parking;
 - 1.1.2 Approves the methodology and approach, set out in Appendix 1, for assessing the monitoring results for the western extent of Zone S6;
 - 1.1.3 Notes the information provided in Appendix 2 in response to an approved Council motion on Controlled Parking Zone anomalies;
 - 1.1.4 Approves the approach detailed in Appendix 5 with regard to permit eligibility for new developments; and
 - 1.1.5 Approves the approach outlined in Appendix 6 with regard to the Stadiums Review, aligning this with consideration of Phase 2 of the Review of Parking.

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Strategic Review of Parking: Progress update

2. Executive Summary

- 2.1 This report provides an update on progress with the Strategic Review of Parking and responds to a motion approved by the Council on 22 June 2023 in respect of anomalies in the Controlled Parking Zone N6 Abbeyhill. Finally, the report also provides an update on the interdependencies between the Strategic Review and the Stadiums Review, with a timeline for next steps.

3. Background

- 3.1 On 18 August 2022 (reconvened on 1 September 2022), Committee [approved](#) the implementation of Phase 1 of the Strategic Review of Parking. Implementation works commenced in March 2023 and are expected to continue throughout the remainder of this year. This report provides an update on progress made.
- 3.2 On 8 December 2022, Committee [approved](#) proceeding with the legal process for some of the Phase 3 and Phase 4 areas.
- 3.3 On 22 June 2023, the Council approved an [adjusted motion](#) by Councillor Whyte on Controlled Parking Zone Anomalies – N6 Abbeyhill.

4. Main report

- 4.1 Following the decisions of Committee in late 2022, the following changes to the city's Controlled Parking Zone (CPZ) have been progressed (full details of progress can be found in Appendix 1):
- 4.1.1 Zone N7 (Leith Walk and Pilrig) is complete and in operation;
 - 4.1.2 Zone N8 (Leith and North Leith) is complete and in operation;
 - 4.1.3 Zone N6 (Abbeyhill) was completed by mid-August, with controls coming into effect on 4 September 2023;
 - 4.1.4 Zone S6 (Eastern part) (Gorgie and Gorgie North) is currently being implemented. It is expected that this part of S6 will come into operation on 23 October 2023;

- 4.1.5 Zones S5 and S7 are expected to be implemented from mid-September 2023;
- 4.1.6 Zone S6 (Western part) (Gorgie and Gorgie North) is currently being monitored prior to the commencement of implementation works; and
- 4.1.7 Preparatory works on Phases 3 and 4 are under way, with design amendments to reflect consultation responses to be carried out prior to advertising a revised proposal.

Questions arising from the recent implementation of the Review

Adding restrictions and permit entitlement to new development roads

- 4.2 There may be instances where a newly constructed, or newly adopted road, might be located within the boundary of an existing CPZ zone. As noted in paragraph 3.3, the Council recently approved an adjusted motion by Councillor Whyte in respect of this issue within zone N6 (Abbeyhill). A summary of the motion and response is provided in Appendix 2, together with an explanation of the processes involved and proposals to address both existing and future instances of this issue.
- 4.3 Adding newly adopted roads to the CPZ requires additional work in each case and there is no quick route by which restrictions and permit entitlement can be extended in such cases. Officers will streamline the processes for this wherever possible.

Public Roads and Private Ownership

- 4.4 The implementation of the new Zones covered by Phase 1 of the Strategic Review has highlighted situations where roads that have been adopted by the Council are also detailed in property owners title deeds. Appendix 3 highlights examples within the new zones where this situation has been identified and explains the legal position with regard to ownership and road adoption.
- 4.5 In summary, being classified as a road (whether adopted or privately maintained) has no impact on who owns an area of land, but being classified as a road does have the effect that the legal right to manage or control the use of that road sits solely with the Roads Authority. The City of Edinburgh Council is the Roads Authority for the Edinburgh authority area.

Private Roads within the CPZ

- 4.6 In common with many of the individual zones of the CPZ, there are roads within the new zones that are not adopted for maintenance purposes by the Council (in its role as Roads Authority). With new zones becoming operational, there are privately maintained roads where residents have found that they are not entitled to permits.
- 4.7 Appendix 4 explains the Council's position in such cases, and the Private Roads Protocol (which was previously approved as part of the Parking Action Plan) can be viewed online [here](#). The protocol sets out the criteria that the Council applies when considering applications from residents of privately maintained roads. The criteria requires that it is possible to evidence an availability of space within the zone and immediate area around the privately maintained road. If it can be shown that there

is space to accommodate additional demand, then a legal process is required to make the necessary changes to the traffic order. As with the addition of new roads to the CPZ, there is no quick route to providing permits in such cases.

Permit Restrictions

- 4.8 Linking with the updates on Public Roads and Private Ownership and Private Roads within the CPZ, Permit Restrictions limit the number of permits that can be purchased. This is an approach that is generally applied to new developments or to significant alterations (such as sub-division) of existing properties.
- 4.9 However, the current approach requires to be amended to fully support wider policy objectives within the planning process, particularly regarding the aims of, and the application of, the Council's Parking Standards. Currently, a development with 100% off-road residential parking would also be eligible for one permit per household. Such scenarios have significant implications in terms of meeting the aims of the City Mobility Plan and the Parking Action Plan.
- 4.10 This is, however, a complex issue that requires further consideration. A future report will propose changes to the current Permit Restrictions to take account of this issue. In the interim, it is proposed to apply restrictions to known developments within the new zones of the CPZ.
- 4.11 Appendix 5 provides more detail on these issues and provides details of the developments where permit restriction is proposed.

Stadiums Review

- 4.12 A Stadiums Review was initiated separately to the wider parking Review. However, the key locations involved (Murrayfield, Tynecastle, Easter Road and Meadowbank) are also key locations where controls either already operate or are within areas covered by different Phases of the wider parking review.
- 4.13 Phase 2 of that wider review includes both Murrayfield and Easter Road stadiums, and with both the Strategic Review and the Stadiums Review potentially considering different forms of parking controls for the same areas, there is merit in considering these two elements together.
- 4.14 Appendix 6 explains the current position on the Stadiums Review and proposes aligning this with consideration of Phase 2 of the Review of Parking.

5. Next Steps

- 5.1 Implementation will continue across Phase 1 of the Review, with all new zones expected to be operational (with the exception of the western extent of S6) by the end of 2023.
- 5.2 Monitoring of all areas adjacent to Phase 1 will continue, with the results to be reported to a future Committee. The outcome of this monitoring will inform a future decision on Phase 2 of the Review.

- 5.3 A legal process is currently under way to make amendments to the Order covering the operation of the CPZ. That Order includes adding newly adopted roads within the N6 zone. This process will continue and, if necessary (where more than six objections are received), these will be reported to a future meeting of the Licensing Sub-Committee for consideration.
- 5.4 If Committee approves the recommendations in this report:
- 5.4.1 Amendments will be made to the permit eligibility of new developments across the new zones of the CPZ (as set out in Appendix 5). Further amendments to permit eligibility may be made as future new developments are added to the CPZ;
- 5.4.2 Monitoring of the western extent of S6 will be completed, and a decision will be taken in conjunction with Ward Councillors on the implementation of controls in that area; and
- 5.4.3 The Stadiums Review will be integrated into Phase 2 (as outlined in Appendix 6) and the outcome will be reported as part of this Phase.
- 5.5 Preparatory work on Phases 3 and 4 of the Review will continue, in expectation that the legal process to introduce parking controls in the approved areas will commence in Q3/Q4 of 2023.
- 5.6 A future report will provide details of proposed changes to Permit Restrictions that apply across the CPZ.

6. Financial impact

- 6.1 There are no direct financial implications linked to the content of this report. Any implications that might arise from planned actions referenced in this report will be reported and detailed in future reports where required.

7. Equality and Poverty Impact

- 7.1 All of the Integrated Impact Assessments relating to the Council's Parking Action Plan and associated projects can be found on the Council's [website](#).

8. Climate and Nature Emergency Implications

- 8.1 As a public body, the Council has statutory duties relating to climate emissions and biodiversity. The Council

“must, in exercising its functions, act in the way best calculated to contribute to the delivery of emissions reduction targets”

(Climate Change (Emissions Reductions Targets) (Scotland) Act 2019), and

“in exercising any functions, to further the conservation of biodiversity so far as it is consistent with the proper exercise of those functions”

(Nature Conservation (Scotland) Act 2004)

- 8.2 The City of Edinburgh Council declared a Climate Emergency in 2019 and committed to work towards a target of net zero emissions by 2030 for both city and corporate emissions and embedded this as a core priority of the Council Business Plan 2023-27. The Council also declared a Nature Emergency in 2023.

Environmental Impacts

- 8.3 The proposals within this report will have a positive impact on the climate and are fully supportive of the Council's City Mobility Plan objectives and Net Zero ambitions.

9. Risk, policy, compliance, governance and community impact

- 9.1 The Council has engaged and consulted with residents and businesses at all stages of this project and community engagement will continue throughout the project lifecycle.
- 9.2 Key risks will continue to be reported to Committee as and when they are identified.

10. Background reading/external references

- 10.1 None.

11. Appendices

- 11.1 Appendix 1 - Strategic Review of Parking – Progress Update
- 11.2 Appendix 2 - Extending CPZ Controls to new development roads
- 11.3 Appendix 3 - Public Roads and Private Ownership
- 11.4 Appendix 4 - Private Roads within the CPZ
- 11.5 Appendix 5 - Permit Restrictions
- 11.6 Appendix 6 - Stadiums Review – Update

Appendix 1: Update

This Appendix outlines the progress made on the different phases of the Strategic Review of Parking.

It is split into three parts:

- A. Progress on Phase 1 Implementation
- B. Update on Phase 2
- C. Update on Phases 3 and 4
- D. Map of current phases

Part A – Progress on Phase 1 Implementation

General

- 1.1 As the implementation of Phase 1 progresses, regular updates are being provided directly to Ward Councillors whose wards cover areas included in this phase. Those updates are also shared with Community Councils and with MSPs whose constituencies also cover those areas.
- 1.2 These updates will continue not only through the Phase 1 implementation, but also for the remaining Phases.
- 1.3 Regular updates are also being posted on the Council website, with anyone interested in the new zones being directed to the relevant pages when emails and leaflets are being sent out during implementation.

Zones N7 and N8

- 1.4 Implementation work in Zones N7 (Leith Walk/Pilrig) and N8 (Leith/North Leith) was carried out between March and June 2023. With work to provide the required road markings and signs having been completed, these two zones came into operation in early July 2023.
- 1.5 At the time of writing just over 1,700 resident parking permits have been issued to residents of N7, with just over 1,300 having been issued to residents of N8.
- 1.6 Monitoring of the areas immediately adjacent to these new zones started in advance of implementation, with both “before” and “during” surveys now complete. A further “after” survey will be undertaken in the coming months, at which time it will be possible to determine to what extent the new controls have had an impact on neighbouring areas.
- 1.7 The areas being monitored are as follows:
 - Bonnington*
 - Easter Road*
 - Lochend* (previously called “West Leith”)
 - Newhaven South
 - Newhaven North
 - Restalrig North (previously called “East Leith”)

*denotes an area covered by Phase 2 proposals.

- 1.8 The results of the monitoring process will be used to determine whether further action is required to mitigate against migration of parking pressures or indiscriminate or unsafe parking practices. With Phase 2 areas being covered by the monitoring process, reference should also be made to the section of this Appendix that covers Phase 2.

Zone N6

- 1.9 Implementation work in Zone N6 (Abbeyhill) was carried out over July and August 2023. With work now complete, N6 is, at the time of writing, due to come into effect on 4 September 2023, with permits having been made available to residents as of 14 August 2023.
- 1.10 As with Zones N7 and N8, monitoring of adjacent areas commenced in advance of implementation, with “before” and “during” surveys now complete. A further “after” survey will be undertaken in the coming months, at which time it will be possible to determine to what extent the new controls have had an impact on neighbouring areas.
- 1.11 The areas being monitored are as follows:
- Easter Road*
 - Restalrig
 - Willowbrae North*
 - Piershill
- *denotes an area covered by Phase 2 proposals.

- 1.12 The results of the monitoring process will be used to determine whether further action is required to mitigate against migration of parking pressures or indiscriminate or unsafe parking practices. With Phase 2 areas being covered by the monitoring process, reference should also be made to the section of this Appendix that covers Phase 2.

Zone S6

- 1.13 Implementation commenced in the eastern part of S6 (Gorgie/Gorgie North) in early August 2023, and is expected to continue through until mid to late September 2023.
- 1.14 By the time Committee considers this report, further detail will be available on the proposed “go live” date for this area, as well as when permits will be made available for purchase. A further update will be provided directly to ward Councillors and details of the dates circulated via a leaflet delivery direct to addresses within the affected area.
- 1.15 The western extent of S6 is temporarily on hold as further work is carried out to determine the level of migration from S6(E), S5 and S7 into S6(W).
- 1.16 Monitoring work, in the form of “before” surveys, has commenced in S6(W) and in the adjacent areas of:
- Roseburn*
 - Saughtonhall*
 - Stenhouse

- Chesser
- Craiglockhart North

*denotes an area covered by Phase 2 proposals.

1.17 That monitoring work will continue with “during” surveys being carried out in all of the above areas as implementation work progresses in S6(E), S5 and S7.

Zone S6(W) – Implementation

1.18 In September 2022, Committee approved the completion of the legal process for the entirety of Phase 1, with officers subsequently formally “making” the traffic order in early 2023. That decision also enabled the Council to move towards implementation, with (as described in this Appendix) work commencing in March 2023. This does mean that the standing decision is to implement all of Phase 1, including S6(W).

1.19 Following further discussion with elected members, officers agreed to conduct additional monitoring in S6(W) in advance of implementation in that area.

1.20 This further monitoring work will help understand the actual levels of migration into S6(W), and the impact that this migration has on parking availability before any further implementation work takes place.

1.21 It is proposed that the current monitoring process be used to determine when S6(W) should proceed to implementation, based on an assessment of changes in parking pressure. It is further proposed, should the monitoring results reveal that a significant deterioration in parking availability and/or standard of parking be shown to have taken place once the other “S” zones have been implemented, that implementation should proceed without the need for further consideration by Committee.

1.22 The ward Councillors for both Sighthill/Gorgie and Fountainbridge/Craiglockhart Wards will be fully briefed on the monitoring results prior to any instruction to proceed with implementation.

Zones S5 (Shandon) and S7 (Priority Parking Area B8)

1.23 Work is expected to commence in S5 and S7 in mid-September 2023, and will likely continue until November 2023.

1.24 By the time this report is considered, leaflets will have been delivered to both of these areas advising of the anticipated commencement of implementation work.

1.25 It is worth noting that, while S5 is a new zone, the changes being made also include an amendment to the boundary of S4, where part of Harrison Road and part of West Bryson Road will move from S4 into S5. This change was included in the traffic order as advertised and made, and implementation will formalise this change on-street. This may mean that some permit holders will require a new S5 permit to replace their existing S4 permit. We will contact all affected permit

holders to advise them of this change, with full details of how to change their permits from one zone to another.

Part B – Phase 2 Update

- 2.1 At its meeting of 19 August 2021, Committee took the decision to place Phase 2 of the Review on hold, pending the completion of post-implementation monitoring of Phase 1 and further consultation with Community Councils.
- 2.2 With the northern extent of Phase 1 now in place and operational, monitoring of neighbouring areas has already commenced with “before implementation” and “during implementation” surveys having already been completed. A further “after implementation” survey is planned for the coming months, giving time for the parking situation in those adjacent areas to settle.
- 2.3 Not every area covered by Phase 2 will see monitoring surveys carried out, with only those areas that are adjacent to Phase 1 areas currently programmed for survey work. The following table highlights the survey status of each area within Phase 2:

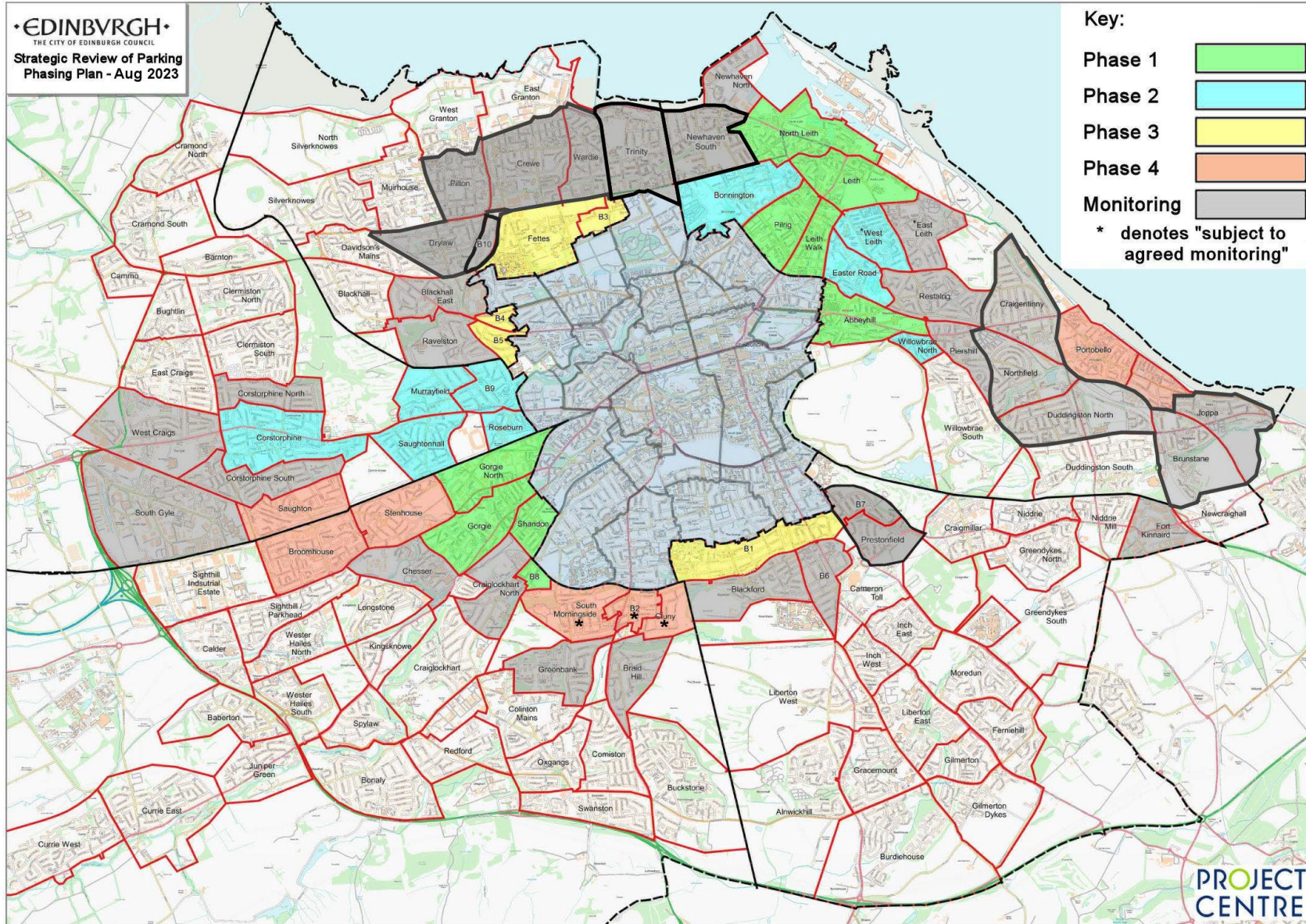
Review Area	Monitoring Status	Comments
Bonnington	Monitoring Ongoing	Adjacent to Zone N7 & N8
Easter Road	Monitoring Ongoing	Adjacent to Zone N6 & N7
Lochend (West Leith)	Monitoring Ongoing	Adjacent to Zone N7 & N8
Willowbrae North	Monitoring Ongoing	Adjacent to Zone N6
Roseburn	Monitoring Ongoing	Adjacent to Zone S6
B9 Priority Parking Area	No current monitoring	No adjacent zones
Murrayfield	No current monitoring	No adjacent zones
Saughtonhall	Monitoring Ongoing	Adjacent to Zone S6
Corstorphine	No current monitoring	No adjacent zones

- 2.4 Once the final set of Phase 1-related surveys have been completed, the analysis of the gathered data will allow a comparison to be made between the original heat maps generated at the beginning of the Review in 2018/19 and the situation before, during and after the implementation of Phase 1 parking controls.
- 2.5 Contact will be made at this time with Community Councils, as per the August 2021 Committee decision, to discuss concerns relating to the Phase 2 proposals. A further Committee report will follow, seeking a decision on the next steps for Phase 2.

Part C - Phase 3 and Phase 4 Update

- 3.1 On 5 December 2022, Committee approved the commencement of the legal process to introduce parking controls into some of the initially identified Phase 3 and Phase 4 areas. The areas to be included are as follows:
- B1
 - B3
 - B4
 - B5
 - Fettes
 - Portobello
- 3.2 The remaining Phase 3 and Phase 4 areas (B10, Newhaven South, Trinity, B7 and Prestonfield) were added to the list of areas to be subject to further monitoring.
- 3.3 This report explained that further work was required to take account of the comments and suggestions made by respondents to the initial, informal consultations for these areas.
- 3.4 With work continuing, it is anticipated that the legal process to introduce parking controls to the areas listed in 3.1 above will start in late Q3 or early Q4 of 2023. Further reports will be submitted to this Committee or to the Licensing Sub-Committee as required as the legal process is taken forward.

Part D – Map of current Phasing



Appendix 2: Extending CPZ controls to new development roads

This Appendix responds to the Motion approved by the Council on 22 June 2023.

It is split into three parts:

- A. Approved motion
- B. Responses to the individual questions/action points.

Part A – Approved motion

- 1) Council notes that the N6 Abbeyhill CPZ is listed to have “implementation starting 12 June 2023” on the Council website and that a “go live” date is likely to be approximately two months later.
- 2) Council expresses concern that streets that were under development and were still “potentially adoptable” at the time of the initial design and legal process to implement the CPZ remain out with the controls and that work by Council officers to bring these within the CPZ is still in progress with a further legal process still to be undertaken.
- 3) Council recognises that this will create an uncontrolled island area within the CPZ and that residents in those streets will likely be plagued with overspill parking and commuter parking that previously used the surrounding areas. Further, should these streets be full any resident returning home to park for a period that includes controlled hours would be unable to do so and would have to find a space outside the zone – a minimum of 800m and a ten-minute walk from their home.
- 4) Council agrees that a report should be provided to the August Transport and Environment Committee updating the status of the process to include affected streets within the zone N6 controls.
- 5) Council further agrees that the report should explore the possibility of allowing residents in these streets access to an N6 permit prior to that legal process to allow them to park nearer to home while the anomaly is resolved and in line with the policy aims of the CPZ to prioritise resident parking over commuters.
- 6) Notes that the process is already underway to address the issues in N6 which the motion refers to.
- 7) Recognises that growth in the city means that it is inevitable that new roads will be constructed in areas where there are existing CPZs.
- 8) Agrees that it is not fair that residents in these new developments should be concerned that they will be under disproportionate pressure from neighbouring streets if they are not included in the CPZ.
- 9) Asks that the report coming to Committee (4) sets out a process to ensure that any new roads within the boundary of existing CPZ areas are included in the CPZ as soon as is legally possible. This report should set out the legal implications for both adopted and unadopted roads.
- 10) Agrees that consideration should be given to finding a mechanism to ensure traffic orders are in place prior to occupancy, to ensure that residents are moving into their properties with a better understanding of how parking is managed. This would also require developers to be clear on vehicle/parking numbers as part of their sales materials”

Part B – Responses to individual questions and action points

1.1 The following paragraphs answer the questions raised by the Motion and its addendum.

Point 1 – Start Date

1.2 With implementation work in Zone N6 now complete, N6 came into operation as of 4 September 2023. Permits were made available to qualifying residents and businesses as of 14 August 2023.

Point 2 – Potentially adoptable roads and further legal processes

1.3 Point 7 of the Motion confirms that continuing development will lead to situations where new roads are constructed within existing and new CPZs. This situation is not peculiar to the Zones now being implemented as part of the Strategic Review of Parking, with a number of new roads having been added at various times to the traffic order which governs both the operation of the CPZ and the issuing of permits.

1.4 It is important to explain the meanings behind the adoption status of roads before explaining the approach that the Council takes in instances like the one prompting the Motion. For the purposes of this paper, there are three different adoption states:

- Adopted Roads are roads where the Council bears the responsibility for maintaining the fabric of the road, and in most cases, street lighting and surface drainage;
- Private Roads are unadopted roads where the responsibility for maintaining the fabric of the road rests with others. This can be an individual person or business but can equally be a responsibility that is shared among a group of individuals or businesses; and
- Prospectively Adoptable Roads are unadopted, privately maintained roads, where there is an expectation that those could be adopted by the Council for maintenance. This status is not a guarantee of adoption.

1.5 It is equally important to understand that the Council is not the Public Roads Authority, but the Roads Authority, which simply means that the powers and responsibilities that the Council has in that role extend to Adopted, Private and Prospectively Adoptable Roads.

1.6 In 2017, as part of a suite of protocols linked to the Parking Action Plan, Transport and Environment Committee approved the *Residents Permits on Private Roads Protocol*. This protocol set out the Council's approach to dealing with requests from residents of private roads, with restrictions applying in terms of the circumstances under which residents would be eligible for permits. It also recognises that private roads do not typically form part of the CPZ, unless their addition has been specifically requested by those responsible for maintaining that road.

- 1.7 The primary criteria set out within that protocol is that there must be sufficient space within the surrounding zone to accommodate the likely permit demand from the residents of the private road. In situations where we have not yet implemented the zone, this requirement becomes impossible to apply, requiring additional work post-implementation to determine whether permits can, or cannot, be accommodated.
- 1.8 Adoption resolves this scenario, as adopted roads would be expected to be added to the CPZ that they sit within. This is the case with the locations in N6, where the recent adoption of those roads has allowed the Council to commence the legal process to include the roads in question, both in terms of applying controls and extending permit eligibility to residents of those roads.
- 1.9 The legal process has, as point 2 sets out, already commenced. Full details of the current position of that process can be found in the answer to Point 4.
- 1.10 For situations within an existing CPZ where residents of a private road are seeking access to permits, and if it has been established that there is sufficient capacity within the surrounding zone to accommodate the expected demand, a legal process must still be completed before permits can be offered to those residents. The legal process includes the opportunity for any person who might be affected by the proposal to object, and the Council is legally required to consider any such objection before deciding on the future of the proposal. It would not be appropriate to circumvent the right of affected parties to object to a change to the traffic order.

Point 3 – Consequences of uncontrolled roads in the CPZ

- 1.11 It is entirely understood that there are significant implications for the eventuality where we have uncontrolled, adopted roads within the boundary of the CPZ. That understanding is one of the primary reasons why the legal process to resolve the situation in N6 has been given priority. Similar instances will also be progressed as quickly as possible through the legal process as they are identified.
- 1.12 As is explained in the answer to Point 2, there were reasons why it would not have been possible to include such roads prior to adoption, but the Council is now in a position where the process to resolve this particular situation is already well-advanced.
- 1.13 It should also be noted that there may be situations where inclusion in the CPZ is not welcomed by all residents and that objections to such proposals do have the potential to stall the process.

Point 4 – Update on progress of legal process

- 1.14 A Business Bulletin was submitted to Committee in August, explaining that the legal process was underway. This report provides the full response sought by this point.
- 1.15 The initial stage of the legal process, Statutory Consultation, took place in June 2023. The details of the Order were then prepared for advertising.

- 1.16 The formal advertising period for the traffic order started on 25 August 2023. That advertising allows a three-week period during which objections can be submitted. If no objections are received, then the Order will be formally completed, and the changes brought into effect as soon as it is possible to do so.
- 1.17 In the event that six or more objections are received, then a report will be prepared for Licensing Sub-Committee. Having considered the objections and formally decided on a course of action, the potential outcomes for the traffic order are that it will then be:
- Made (the legal terminology for completion);
 - Made in part (where only some of the changes are brought into effect); or
 - Abandoned (none of the changes are brought into effect).

Point 5 – Early access to permits

- 1.18 All restrictions on parking and/or vehicle movement are governed by various traffic orders. In the case of the operation of all zones of the CPZ, there is a single Order that determines how the zones operate and also how permits may be issued.
- 1.19 For an individual to be eligible for a resident permit, that individual must reside at an address in a road specified within the Order. A traffic order is a legal document created under powers granted by primary and secondary legislation. The Order creates a legal basis for the issuing of permits and the Council cannot issue a permit to any individual if their address is not contained within the Order.
- 1.20 There is another strand to this, however, and this is that, until the legal process to introduce parking restrictions is complete, there is no guarantee that said legal process will result in the affected roads being added to the traffic order. Until the legal process concludes, with the outcome being that the roads in question both become subject to CPZ control and are added to the list of addresses entitled to permits, it remains entirely possible for the conclusion of the process to be to not make these changes.
- 1.21 With the legal process expected to conclude before the end of the current calendar year, and sooner if legally possible, the period during which there will be no control of non-residential parking (in the roads to which the Motion relates in Zone N6) will be kept to a minimum.

Point 6 – Process

- 1.22 Point 6 notes that the process is underway to resolve the highlighted issues. Refer to the responses to Points 4 and 5 for further detail.

Point 7 – Ongoing Development

- 1.23 Change has always been a fundamental part of the operation of the CPZ. Since the CPZ was originally introduced in 1974, the restrictions, times and days have been adapted to meet changing situations. There are ongoing legal processes each year, including the incorporation of new developments as well as the

removal of restrictions on roads that are being replaced or realigned as a result of development or transport projects.

- 1.24 That process will undoubtedly continue as further changes are made, including the addition of roads created under new development.

Point 8 - Impact of parking pressure

- 1.25 In any instance where recently constructed roads within the CPZ are adopted for maintenance by the Council, the aim must be to ensure that those roads are subject to the same restrictions as those in surrounding streets.
- 1.26 While part of the reasoning behind that aim is certainly to ensure that residents of those roads are not disadvantaged by an absence of parking control, it is also because the underlying premise of CPZ is that all roads should be included and subject to the same restrictions. In terms of delivering upon parking and transport policy, this approach ensures that the applied restrictions provide the desired management of kerbside space in a consistent way across areas where it has been determined that there is a need for such control.
- 1.27 That approach also helps to remove the potential for islands of free parking within the CPZ.

Point 9 – Process of inclusion

- 1.28 In each case where parking controls and permit eligibility need to be extended to a newly adopted road, there will need to be a legal process to make the necessary changes to the governing traffic order. This, however, is essentially the final part of a much longer process to create a new road.
- 1.29 All new roads are subject to the requirements of the Roads (Scotland) Act 1984 in terms of requiring Road Construction Consent (RCC) and in terms of the Council adopting said road for maintenance purposes. There is a dedicated team who manage both RCC and adoption processes.
- 1.30 The process to include newly adopted roads within the CPZ requires officers to ensure that instances where roads within the CPZ are progressing through the adoption process can also be taken through the legal process to add them to the CPZ as soon as the adoption process is complete.
- 1.31 In terms of legal implications, it is not considered that there are any legal impediments to the broad process outlined above.
- 1.32 As is described in the response to point 2, the inclusion process (whereby access to permits might be extended to) a private, or unadopted, road is dependent on additional factors that would include an assessment of existing parking demand. That assessment process provides protection to existing CPZ residents in areas where there is already parking pressure and would preclude the inclusion of any private road until an assessment could be made.

Point 10 – Inclusion prior to occupancy

- 1.33 As has been explained in the response to Point 2, the process of allowing residents of private roads to obtain permits includes an assessment of parking demand. In a long-standing zone, it is possible that such an assessment could be made prior to habitation, but it must also be considered that, if developments are being permitted with limited on-site parking availability, while inclusion within the CPZ might be a requirement, access to permits might not be automatic.
- 1.34 Permit entitlement for new-build development is already capped across parts of the CPZ at one permit per household, but further consideration should be given to whether new builds with onsite parking should be entitled to permits at the current level of one per household, as such an approach would undermine the aims of the Council's parking standards.
- 1.35 The Council's approach to permit restrictions sets permit eligibility level for new development, but also explains that further restrictions on eligibility could be set by the Planning process. This equally applies to the traffic order process, where a decision could be taken for a particular development to curtail the level of permits to which residents are entitled.
- 1.36 Further consideration of the issues arising from permit entitlement for new developments subject to a maximum parking provision can be found in Appendix 5 to the main report.
- 1.37 It must be considered, however, that further discussion between officers is required to ensure that it is made clear that developments within the CPZ may in the future be subject to limitations on permit issue beyond one permit per household. A further report is proposed to seek changes to permit restrictions.
- 1.38 It is also the case that there is no legal mechanism by which new developments can simply have permit eligibility extended to them without the need for a legal process to amend the provisions of the existing traffic order. As previously discussed, and particularly in situations where such addition involves adding parking controls to roads created by the development, permit eligibility and the introduction of parking places and other parking restrictions are considered a package of measures. Without the addition of parking controls, permit entitlement would not be offered to residents of any road, as such action could be seen to not only pre-empt the outcome of a legal process but would also apply pressure on the wider zone without adding to the space legally available to permit holders.
- 1.39 It is agreed that residents, and prospective residents, should be provided with accurate information regarding access to permits, potential inclusion in a CPZ and the level of parking availability provided. Information packs are already provided to developers, and the proposed discussions with Planning will explore options for improving the level of information given to developers.

Appendix 3: Public Roads and Private Ownership

This Appendix explains the legal situation with regards to publicly maintained roads where said roads are also described in the title deeds of residents and/or businesses.

It takes the form of a briefing note that was circulated to Ward Councillors in the Leith Walk Ward in June 2023 because of concerns raised in that area.

The conclusions apply equally to all other parts of the city.

Adopted Roads Status and Private Ownership

Briefing Note

1. Introduction

- 1.1 Through the process of introducing the new zones of the CPZ, as part of the ongoing [Strategic Review of Parking](#), there have been a small number of locations where residents or businesses have indicated that their deeds show that they own parts of the road network where parking controls have been proposed.
- 1.2 The primary issue that has been raised is that it is considered by those residents or businesses that the Council has no legal right to introduce parking controls in such instances.
- 1.3 This note sets out the Council's position in these situations. In preparing this note, officers have sought legal advice from the Council's legal team. This note therefore represents the Council's legal understanding of the status of adopted roads where said roads may be owned by another party.

2. Background

- 2.1 Both the new zones and the existing zones of the Council's CPZ apply mainly, but not exclusively, to roads that have been adopted and which are maintained by the Council as Roads Authority. In all instances, however, parking controls apply only to roads, as per the definition of such within the Roads (Scotland) Act 1984 (hereafter referred to as the RSA).
- 2.2 The process of adoption, as well as the status of Roads Authority, are also covered within the RSA, and the powers that Roads Authorities have in terms of roads in general are governed by several pieces of legislation, but most notably the Roads (Scotland) Act 1984, the Road Traffic Regulation Act 1984 (RTRA) and the Road Traffic Act 1991.
- 2.3 For the newly introduced zones (N7 and N8), and for the other zones included within the Strategic Review of Parking, the approach that has been taken is consistent with other parts of the CPZ, including only those areas that are "Roads" in terms of the RSA, but also where those roads have been adopted for maintenance purposes by the Council.

3. Main Points

- 3.1 Every piece of land that a road sits upon is owned by someone and in many cases, this isn't the Council. There is no general position on who owns the land on which a road rests, and this position can vary greatly even along a single section of road. In some cases, it may rest with the owner of adjacent land; however, it could equally be the case that it belongs to a historic / untraceable owner.

- 3.2 In the case of more modern developments, the ownership of the land (e.g. landscaping, parking and roads) may be retained by the developer or shared equally among the owners of properties within that development.
- 3.3 However, it is also the case that while preparing to build a new development, the developer will have engaged with the Council to both obtain the required consents (planning permission, road construction consent) and to have parts of the development added to the list of publicly maintained roads (road adoption).
- 3.4 Legally, the general position is that when a road is added to the list of public roads it vests in the Council for the purposes of their functions as a Roads Authority. This gives the Council rights and control over the road in order to maintain it and to regulate it if needed. It does not give the Council any heritable interest, which remains with the owner of the land, even if the practical effect of ownership becomes limited at that point.
- 3.5 If the road has been added to the list of public roads as a result of the Road Construction Consent (RCC) process, it becomes adopted for our purposes and the Council can make Traffic Regulation Orders (TROs) with provisions covering that road. There is no provision in which ownership overrides the adoption of the road and the application of the RSA or the RTRA.
- 3.6 If the Roads Authority make a TRO, it would be enforceable even where an area of the road is owned by an individual or if they have been told by a developer that they have a right to park there.

Examples

- 3.7 The two most notable examples of the situation outlined above are the case of Springfield and that of Pilrig Heights. While these developments were constructed at different times, they illustrate a situation where land ownership and road adoption appear to be in conflict.
- 3.8 However, as described above, it will always be the case that someone owns the road and, as explained, the right of ownership does not usually, when considering roads law, mean that the owner of the land on which the road sits has a right to control how it is used.
- 3.9 In each of these cases, the developer will have transferred ownership to either individuals or collectively to all those who own property within the development, whilst also requesting that the road be adopted by the Council.
- 3.10 In each of these cases, the Council's records show a process where adoption has been requested by the developer and, in line with legislative requirements, the Council has added those roads to the list of roads that they maintain, i.e. they became "public roads". These records have been reviewed and found to confirm that the roads and locations in question have been adopted.

Conclusion

- 3.11 Legally, when a road is adopted and added to the list of public roads it vests in the Council for the purposes of their functions as Roads Authority. This gives the

Council rights and control over the road to maintain it and to regulate it as they consider necessary. Although the heritable interest of the adopted road remains with the owner of the land, the practical effect of ownership becomes limited.

- 3.12 Where we have established that a road has been adopted, and the Council's records confirm that this is the case, then legally the Council as Roads Authority can include these Roads within any wider CPZ controls regardless of whether residents, or businesses title deeds include part of the adopted road.
- 3.13 The Council considers that these roads, or parts of roads, should be included within any wider CPZ controls to ensure a consistent approach across all adopted roads, assisting the Council in achieving the policy aims behind parking controls and supporting the City Mobility Plan.
- 3.14 The Council's position therefore follows that the parking controls, as provided for by the Traffic Order completed for Phase 1 of the Strategic Review of Parking, should be introduced as per the Order, on all parts of the adopted public road network.

Appendix 4: Private Roads within the CPZ

This appendix explains the Council's position in respect of privately maintained roads located within the boundaries of the CPZ.

It is split into 4 parts:

- A. Background
- B. Residents Permits on Private Roads Protocol
- C. Example scenarios
- D. Current position

Part A – Background

- 1.1 Within many of the zones of the CPZ are roads that are not adopted for maintenance purposes by the Council.
- 1.2 As outlined in Appendix 2, there are:
 - Adopted Roads, where the Council bears the responsibility for maintaining the fabric of the road, and in most cases, street lighting and surface drainage.
 - Privately Maintained Roads (unadopted roads) where the responsibility for maintaining the fabric of the road rests with others. This can be an individual person or business but can equally be a responsibility that is shared among a group of individuals or businesses.
 - Prospectively Adoptable Roads (a sub-class of private roads), where there is an expectation that those could be adopted by the Council for maintenance. This status is not a guarantee of adoption.
- 1.3 While there are benefits to roads being adopted by the Council, not every road becomes adopted and there are historic examples of privately maintained roads across the city. While some of these are related to relatively recent development, there are other examples where much older parts of the road network remain privately maintained.
- 1.4 Legally, there are few differences between a road that has been adopted and a road that is privately maintained. The provisions of primary legislation relating to roads (including the Roads (Scotland) Act 1984 and the Road Traffic Regulation Act 1984) make little distinction between adopted and private status as far as the application of the law is concerned.
- 1.5 This means that the Council has the same powers of management and control over a road maintained by others as it does over a road maintained by the Council. Importantly, these powers cannot be exercised by others.
- 1.6 Historically, the Council has not extended CPZ controls to privately maintained roads, unless those who are responsible for that maintenance have expressly requested its inclusion. This does leave these private roads, particularly within the CPZ, potentially uncontrolled. As touched on in paragraph 1.5, the power to manage how a road is used is exercisable only by the Council in its role as Roads Authority. The powers of the Roads Authority extend to determining how a road may be used (managing access, managing use etc) or controlling parking (yellow lines, parking places etc). No one but the Roads Authority may exercise any of these powers, even on a privately maintained road.
- 1.7 Exclusion from CPZ control will also mean that residents of these roads are also precluded from having access to permits to park in the CPZ.

Part B – Residents Permits on Private Roads Protocol

- 2.1 Occasionally, residents of privately maintained roads seek to apply for permits. The response from the Council, based on the governing traffic order which sets out to whom permits may be issued, is that only properties on roads that form part of the CPZ are entitled to apply. As privately maintained roads have no parking controls, they are effectively not “in the CPZ”. These approaches led to the need for a formal position on permit issue in such cases, to ensure consistency of approach and to clearly set out the Council’s position.
- 2.2 In 2017, the Council adopted a protocol on this scenario, with this Committee approving the *Residents Permits on Private Roads Protocol* as part of a suite of protocols linked to the Parking Action Plan. This protocol set out the Council’s approach to dealing with requests from residents of private roads, with restrictions applying in terms of the circumstances under which residents would be eligible for permits.
- 2.3 In any case where the resident of a privately maintained road seeks access to permits for the zone within which their road lies, access to permits is not automatic. The primary criteria require there to be sufficient space to accommodate demand not just from the applying resident, but also from the potential demand from the privately maintained road. It must be possible to show that there is sufficient space within the Zone that the road would be added to, as well as within the immediately surrounding streets.
- 2.4 Only if it could be shown that the ratio of existing permits to spaces available was less than 1:1 would the Council agree to commence the legal process to add the street to the traffic order. Access to permits would rely on the successful completion of that process, with no permits being issued until the legal process was complete.
- 2.5 The protocol further explains that residents would also be offered the opportunity to have their road adopted by the Council, and to have CPZ controls introduced, in which case residents would be entitled to two permits per household, as is generally the case across the CPZ.
- 2.6 However, if residents simply wanted access to permits without adding controls to their road, and the demand criteria was met, then they would be entitled to only one permit per household.
- 2.7 The criteria is applied to all instances where applications have been made by residents of privately maintained roads.

Part C – Example Scenarios

3.1 Since CPZ began to be rolled-out to the new Zones (N6, N7 and N8 in the north-east of the city and S6, S7 and S8 in the south-west), there have been situations where residents of privately maintained roads have approached the Council seeking access to permits.

3.2 The following are examples of the different situations that have been brought to our attention:

Shaw's Terrace, Shaw's Place and Shaw's Street, Pilrig

3.3 A group of properties accessed via two privately maintained lanes and a privately maintained footpath. Parking space within these privately maintained roads is limited, with capacity for fewer than 20 vehicles. Signs at the entrance to the two access lanes clearly state that these lanes are private, and that parking is for residents only.

3.4 Being privately maintained, and not subject to any form of parking controls, these properties are not within the CPZ and are not entitled to permits. This scenario invokes the provisions of the aforementioned protocol, where the options available to residents rely on an assessment of parking demand in the surrounding streets and zone showing that there is sufficient space to accommodate the additional demand.

3.5 With Zone N7 having been brought into effect in July of this year, an assessment will now be made to establish whether permit eligibility can be extended to these properties. Should that assessment show that there is parking availability, then the legal process will be commenced to make the necessary provisions in the traffic order. Depending on whether the two access lanes were to be adopted and added to the CPZ, residents could be entitled to either one or two permits, but only if capacity exists within the N7 Zone.

Shrubhill Walk

3.6 Shrubhill Walk is part of a larger development at Shrubhill on Leith Walk. The wider development consists of a mixture of retail, residential and student accommodation. Shrubhill Walk itself is a residential development consisting of almost 350 units.

3.7 Shrubhill Walk is currently a privately maintained road, on which basis it is currently excluded from any entitlement to permits. However, the Council records also show that it is prospectively adoptable, which means that there is a possibility that it could be adopted for maintenance purposes by the Council in the future.

3.8 According to information on the Council's Planning Portal, Planning Permission was granted for a development served by a total of 423 onsite parking spaces, 408 of which were intended for residents. There is no on-road parking provision associated with this development, with all onsite parking being provided via parking garages.

- 3.9 Shrubhill Walk is currently controlled by yellow lines under a TTRO intended to keep the access road clear to enable access by construction traffic. Consideration will need to be given to whether a traffic order should be promoted to permanently restrict parking and/or loading on this road. Consideration also needs to be given to whether this road should be added to the CPZ.
- 3.10 The Council has previously determined that permit issue should be limited to new development within the CPZ, with restrictions varying depending on the development type and development location (city centre restrictions are more onerous). These restrictions tend to be applied in situations where the development in question is either served by no onsite parking provision, or limited parking provision.
- 3.11 Given the level of parking provision provided onsite as part of this development, and the significant impact on parking availability that allowing residents of Shrubhill Walk access permits could have on the surrounding area, further consideration should be given to further restricting permit access to this and other similar developments. This consideration, and a proposed conclusion, is covered in greater detail in Appendix 5.

Ropemaker's Development

- 3.12 Located in the area to the north of Leith Links, the Ropemaker's Development is a large, mixed-use development consisting primarily of residential units. This development comprises 780 units, of which 25% were designated as affordable homes. In terms of parking provision, the development provided 100% parking for all but the affordable homes, where a 25% parking allocation was to be provided. All of the resident parking was to be provided in basement parking garages, located off-road. The on-road parking was identified as being for visitors, at 10% of the overall number of units in the development.
- 3.13 The roads with this development remain privately maintained, but as with Shrubhill Walk are shown as being prospectively adoptable, which means that there is a possibility that the roads within this development could be adopted for maintenance purposes by the Council in the future.
- 3.14 Given the level of parking provision provided as part of this development it is also proposed that further consideration needs to be given to the level of permit access that properties in this development might have should they become adopted. Again, Appendix 5 contains that consideration and a proposed conclusion.

Part D – Current Situation

- 3.15 For established roads within the CPZ that are under private maintenance, the continuing situation is that, in order to be considered for access to permits, an assessment of parking availability will be required. Only if it can be shown that the surrounding zone has the capacity to contain the additional pressure will the legal process be started to add the affected roads or addresses to the Order.
- 3.16 The legal process is subject to objections, however, and it is entirely possible that objections could be received from those who might be impacted by additional pressure on existing space. Any such objections will be considered via the normal process, either via a report under delegated powers or by the submission of a report to a Council Committee.
- 3.17 For newly or recently constructed roads, it remains the case that eligibility for permits will rely on the adoption of said road and the inclusion of that road within the CPZ, including the provision of appropriate restrictions and parking places.
- 3.18 As with long-standing privately maintained roads, that inclusion also relies on the successful completion of the legal process. As discussed elsewhere in this report, these processes will be taken forward as swiftly as possible but are again subject to objections and the consideration of those.
- 3.19 It is entirely possible that the Council will see approaches from residents of prospectively adoptable roads seeking permits. In such instances these requests will continue to be rejected until such time as the road is adopted and the legal process has been concluded. The protocol referred to in this appendix will not be applied in the case of prospectively adoptable roads.
- 3.20 Further discussion will be required with colleagues in both Planning and Transport to ensure that developers are made aware of forthcoming proposals for CPZ and that developers are specifically advised of likely permit restrictions that they should relay to prospective purchasers.

Appendix 5: Permit Restrictions

This Appendix provides background information on the restrictions on permit issue that are applied to new developments and to redevelopment of existing properties within the CPZ. It further sets out a proposed position on permit entitlement for developments where parking has been provided in line with the Council's Parking Standards.

It is split into 5 parts:

- A. Background
- B. Parking Standards for new developments
- C. Permit Restrictions for new developments
- D. Amending the Permit Restrictions
- E. Restrictions on Permit issue in existing developments
- F. Current Permit Restrictions

Part A – Background

- 1.1 In February 2010 the Transport, Infrastructure and Environment Committee approved the introduction of restrictions on permit issue within the Controlled Parking Zones (CPZ). These restrictions recognised the existing pressures on parking spaces within some of the most heavily populated areas of the city and the impact of additional parking pressures arising from both new development and the redevelopment of existing properties.
- 1.2 The approved restrictions made provision for situations where the issue of permits to specific types of property would either be restricted in number or, in certain cases, where no permits would be issued.
- 1.3 Those restrictions have been amended twice, in June 2013 and January 2021, with those changes having been approved by the Transport and Environment Committee. The restrictions that are currently in place can be found at the end of this Appendix, labelled “Current Restrictions”.
- 1.4 The latest change amended the wording within the permit restrictions table, to ensure that the restrictions applied to all zones of the CPZ, including the new zones proposed by the Strategic Review of Parking, and that any future zones would also be covered.

Part B – Parking Standards for new developments

- 1.5 As the new zones have been implemented, instances have been highlighted where there is a further need to consider how the Council controls the issue of permits, particularly where parking provision for developments has been determined in line with the current parking standards.
- 1.6 Parking standards determine the level of parking that a developer can or should provide as part of a development. For the purposes of this Appendix and the linkages between parking standards and permit eligibility/entitlement, consideration is only being given to parking standards for residential properties.
- 1.7 The Edinburgh Design Guidance, issued in 2020, indicates that there is a maximum permitted level of parking for Class 9 (residential) development of 1 space per unit. These standards apply across the city. It is understood that, as a maximum, there will be instances where parking provision is provided at a lower level, and that provision is generally determined on a case-by-case basis.

Part C – Permit Restrictions for new development

- 1.8 Permit restrictions are typically applied to situations where a development is proposed within the CPZ. In the case of a new-build development, for example, the need to restrict permit issue will be identified during the planning process. In some cases, however, restrictions have been applied retrospectively, recognising the impact of recent, but existing, development. This was the case for Quartermile, where a decision to restrict permit issue was made post-construction and post-occupation.

1.9 In the majority of cases, the application of permit restrictions assumes that parking provision for the development consists of on-street provision. Permit restrictions and permit entitlement are intended to:

- Manage permit issue to ensure equitable accessibility to the available on-street space
- Avoid situations where new development places significant pressure on space availability on-street

1.10 The Parking Standards have a similar intent, being designed to:

- Influence levels of parking associated with new development
- Encourage a shift from private car to more sustainable modes of transport,

1.11 Where parking provision for privately owned vehicles is set at a maximum, there are minimum levels set within the Parking Standards for the provision of alternatives such as cycle storage/parking, EV charging points, accessible parking and car club provision.

Part D – Amending the Permit Restrictions

1.12 In the instances described in Appendix 4, we are seeing situations where major development is providing off-street parking provision at levels compliant with the Parking Standards, but where the inclusion of those developments within the CPZ would also allow access to permits. Under the current approach, a development with 100% parking provision (provided off-road) would also be entitled to a single permit per household.

1.13 Such a situation would clearly and significantly undermine both the aims of the Parking Standards and the Permit Restrictions, effectively enabling households to park two vehicles.

1.14 It is considered that further changes are required to the Permit Restrictions, to ensure that, where off-street parking provision has been provided in line with Parking Standards, permit access is subject to further restriction. This will also support the policies of the Council's City Mobility Plan and Parking Action Plan.

1.15 It is therefore suggested that further consideration needs to be given to further restricting access to permits in the case of developments:

- where residential parking provision is provided off-road; and
- where residential parking provision is provided solely or partly on-road,

1.16 However, there are examples of new development within the new zones of the CPZ where prospectively adoptable roads may soon become adopted and where there might be an expectation from residents that they would have access to permits within their zone. Those developments, some of which have added little parking to the new or surrounding road network, could have a significant impact on parking availability for other residents.

- 1.17 Whilst this appendix details proposed solutions for those developments already identified, this is clearly a complex issue that requires further detailed consideration, including the involvement of the Planning function.
- 1.18 A further report will, therefore, be submitted to a forthcoming meeting of this Committee, providing further detail and proposing amendments to the current Permit Restrictions.
- 1.19 In the case of existing development, the proposed approach for those developments is set out in Part D (Table 1). The proposed approach would see restrictions applied to any development where the adoption of the roads associated with that development had not been completed at the date of the making of the traffic order for Zones N6 to N7 and S5 to S7. These Orders were made in February 2023.

Part E – Restrictions on Permit issue in existing developments

1.20 The following table explains the proposed approach for each of the instances highlighted within the new zones.

Table 1

Location	Adoption Status	Residential Units/Parking Provision	Current Permit Status	Proposed Permit Status if adopted	Notes
Shrubhill Walk	Prospectively adoptable	423 units. 408 resident spaces, all off-road.	Not adopted, therefore no access to permits	No permit entitlement.	No on-road parking provision
Ropemaker's Development	Prospectively adoptable	780 units. 600+ spaces, all resident parking off-road	Not adopted, therefore no access to permits	No permit entitlement.	On-road parking provision would not be designated for resident use, but would be allocated to visitor, blue badge, EV spaces.
Sailmaker Road/Pillans Place	Prospectively adoptable	145 Units. Approx 140 spaces, all off-road	Not adopted, therefore no access to permits	No permit entitlement.	
Site at 1 Bath Road		212 units. 111 spaces, split between on and off-road.	Not adopted, therefore no access to permits	No permit entitlement for development until Permit Restrictions have been reviewed.	
Elsie Inglis Way & Jex Blake Drive	Adopted (5 October 2022)	150 units. 71 spaces, all on-road	Adopted, legal process to include in CPZ ongoing.	One permit per household	Adopted prior to Traffic Order completion.

Part F - Current Permit Restrictions

Categories of property: Existing and proposed eligibility for permits

Property category	Permits Per household	Exceptions ¹ See note 1 for general exceptions
Residential properties in the central and peripheral Controlled Parking Zone (CPZ) Applies generally to all properties ² within Zones 1 through 8 inclusive.		
A	New build	None Properties being constructed on a narrow ³ ‘gap’ site which makes provision of on-site parking either impractical or undesirable. In this case the allowance is 1 permit per household.
B	Newly sub-divided or converted , utilising buildings that: a. were originally dwellings; or b. have the character of dwellings ³ ; and/or c. are listed buildings.	One 1. Properties where there is scope to provide sufficient off-street parking to provide 1 space per dwelling without compromising other Planning policies. 2. Where conversion of any listed building or any part of a listed building results in the removal of off-street parking provision. No entitlement in these cases.
C	Newly sub-divided or converted , utilising buildings that do not fall into any of the categories set out in B above.	None Properties on a narrow ² ‘gap’ site which makes provision of on-site parking either impractical or undesirable. As A above.
Residential properties in all other zones of the CPZ and all Priority Parking Areas (PPAs) Applies generally to all properties.		
D	New build	One ⁴ None
E	Sub divided, or converted	One ⁴ None
All student housing - Applies to all new build and converted student housing in all Zones (CPZs) and Priority Parking Areas (PPAs).		
F	All student housing	None None

Notes.

1. General exceptions
 - a. Drivers who hold a current blue badge;
 - b. Live-in carers of a disabled person exempt from restrictions. Other carers of disabled people dealt with on a case by case basis
 - c. Where a developer is providing on-street parking or improving the layout of existing on-street spaces. Such developments will be dealt with on a case by case basis.
2. “Narrow” will be defined on a site by site basis. In these cases, the usual position will be to allow one permit per household, provided that the site has been identified during the planning process as qualifying for “narrow” status, otherwise the general provision of **no permits** will apply.
3. Applies, for example, to buildings that may have been built all or part as offices or shops that are in buildings similar in character to primarily residential properties on the same street.

4. More onerous restrictions may be applied to any property, properties or development in any of the above categories through the Planning process or retrospectively, on a case by case basis, in support of Council policies and objectives.

Appendix 6: Stadiums Review

This Appendix provides an update on progress on the Stadiums Review and indicates how the review will be taken forward in conjunction with the future phases of the Strategic Review of Parking.

It is split into the following parts:

- A. Background
- B. Linkage to the Strategic Review of Parking
- C. Next Steps

Part A – Background

- 1.1 The Council has committed to a review of parking around the four key stadiums in Edinburgh, in response to concerns raised by residents about the impacts of event-related parking for both sporting and entertainment events.
- 1.2 The Stadiums Review, which looks at both the parking issues and the potential solutions, has been progressing separately to the wider Strategic Review of Parking.

Part B – Linkage to the Strategic Review of Parking

- 1.3 The Stadiums Review covers the four main sporting stadiums in Edinburgh: Murrayfield, Tynecastle, Easter Road and Meadowbank.
- 1.4 Tynecastle and Meadowbank sit within the areas covered by Phase 1 of the Strategic Review of Parking, while both Murrayfield and Easter Road are within Phase 2 of that Review. Phase 2 is currently on hold, awaiting the results of monitoring surveys that are already under way to gauge the impact of the introduction of Phase 1 of that Review.
- 1.5 With monitoring processes already assessing the possible migration of parking pressures into the areas east of Easter Road (around Easter Road stadium), Restalrig (east of Meadowbank), Roseburn/Saughtonhall (around Murrayfield), additional information is being gathered that will inform future decisions on the potential for both CPZ and event-related controls in these areas.
- 1.6 It is therefore proposed to bring forward a joint report on Phase 2 of the Strategic Review and the Stadiums Review, assessing the monitoring results as a single entity.

Part C – Next Steps

- 1.7 Monitoring related to the Strategic Review is ongoing, with after surveys to gauge the overall impact on neighbouring areas expected to take place within a 6 month period following the commencement of parking restrictions in each of the areas of Phase 1. This work is likely to be completed in Q1/Q2 of 2024, with a report being brought to Committee as soon as is practicable afterwards.
- 1.8 That report will consider both the future of Phase 2 of the Strategic Review, as well as the options available for event-related controls.