

# Transport and Environment Committee

10.00am, Thursday, 11 January 2024

## Strategic Review of Parking: Progress Update

Executive/routine  
Wards

Executive  
4 – Forth, 7 – Sighthill/Gorgie, 9 –  
Fountainbridge/Craiglockhart, 12 – Leith Walk, 13 –  
Leith, 14 – Craigentinny/Duddingston

### 1. Recommendations

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- 1.1 It is recommended that Committee note:
- 1.1.1 This update on progress across the different Phases of the Strategic Review of Parking, as detailed in Appendix 1 and, in particular, the timetable for delivering the remaining Phases;
  - 1.1.2 The update requested by Committee on parking on Westfield Street; and
  - 1.1.3 The intention to improve the dissemination of information for future phases of the Strategic Review of Parking.

**Paul Lawrence**

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## Strategic Review of Parking: Progress Update

### 2. Executive Summary

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- 2.1 This report updates Committee on progress of the Strategic Review of Parking, including a post-implementation update on Phase 1. It further considers areas of concern that have arisen as a result of the implementation of the new zones, explaining the current position in each instance.

### 3. Background

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- 3.1 On 18 August 2022 (reconvened 1 September 2022), Committee [approved](#) the implementation of Phase 1 of the Strategic Review of Parking. Implementation works commenced in March 2023 and were completed towards the end of 2023.
- 3.2 A previous [report](#) (19 August 2021) detailed the results of consultation for the areas covered by Phase 2 of the Review. With Phase 1 now complete, monitoring is underway to assess the potential impacts of new controls in adjacent areas.
- 3.3 In December 2022, Committee [agreed](#) to proceed with the legal process for some of the Phase 3 and Phase 4 areas.
- 3.4 On 16 November 2023, Committee considered a [motion](#) on Westfield Street Parking and requested an update within this report. In addition, an update has been shared with ward Councillors.

### 4. Main report

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- 4.1 Appendix 1 provides an update on progress with the Strategic Review of Parking, with a summary as follows:
- 4.1.1 All Zones, excluding the western part of Zone S6, are now in operation. This update includes details of:
- 4.1.1.1 Recent introduction of new zones of the Controlled Parking Zone (CPZ) in Leith (Zones N7 and N8), Abbeyhill (Zone N6), Gorgie (Zone S6), Shandon (Zone S5) and Craiglockhart (Zone N7);

- 4.1.1.2 Progress made in monitoring the impact of the new zones on adjacent areas, many of which form part of the currently on-hold Phase 2; and
- 4.1.1.3 Continuing preparatory work on proposals for CPZs in the Phases 3 and 4 areas of B1, B3, B4 and B5 (all existing Priority Parking Areas), as well as in the Fettes and Portobello areas;
- 4.1.2 Zone S6 (Western part) (Gorgie and Gorgie North) continues to be monitored, with final survey data expected in early 2024;
- 4.1.3 Phase 2 monitoring is also continuing, with results expected at the end of Q1 2024. Once the data has been assessed, this will be reported to Committee with recommendations on next steps; and
- 4.1.4 Design amendments to Phases 3 and 4 are now being made to the proposed parking layouts, reflecting consultation responses. The legal process is expected to commence in early 2024.

#### **Private Roads within the CPZ – Westfield Street**

- 4.2 As reported to Committee in September 2023, and 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 no controls have been introduced and where residents have found that, because they are not included in the CPZ, they are not entitled to permits.
- 4.3 Appendix 2 provides a summary of the current situation experienced by residents of Westfield Street and sets out four potential options which could be progressed to address the issues raised in the agreed motion (November 2023).
- 4.4 The proposed option, Option 3 in the Appendix, would see Westfield Street remain privately maintained, but with residents offered the opportunity to be included in the CPZ in terms of being able to apply for a permit with parking controls also extended to this street. This would be reliant on S6W proceeding to implementation and the requirements of the *Residents Permits on Private Roads Protocol* being met.

#### **Dissemination of information**

- 4.5 There has been criticism that residents and businesses within some of the areas covered by Phase 1 have not been provided with sufficient notification of the implementation works, or that some have indicated that they knew little about the new parking controls prior to work commencing.
- 4.6 Appendix 3 explains in detail the various channels by which information is made available to those within new zones of the CPZ during the various stages of both the legal process and during implementation. It further explains the changes proposed to ensure the effective dissemination of information for future implementations.

## 5. Next Steps

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- 5.1 Monitoring of all areas adjacent to Phase 1 will continue, with the results of that monitoring to be reported to a future Committee. That monitoring will inform a future decision on Phase 2. The report on Phase 2 will also include details of the outcome of the Stadiums Review.
- 5.2 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.
- 5.3 Preparatory work on Phases 3 and 4 will continue, in expectation that the legal process to introduce parking controls in the approved areas will commence in Q3/Q4 of 2023.
- 5.4 Adjustments will be made in the processes by which information is provided for new CPZ rollouts, with the aim of improving the information provided to residents and businesses within those areas in advance of, and during, the implementation of new parking controls.

## 6. Financial impact

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- 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

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- 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

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- 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 Strategic Review of Parking 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**

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- 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 As noted in the report and in Appendix 3, improvements in dissemination of information for future implementations are planned.

## **10. Background reading/external references**

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- 10.1 Strategic Review of Parking – Results of informal consultation for Phases 3 and 4, [report](#) to Transport and Environment Committee, 8 December 2022.
- 10.2 Strategic Review of Parking – Results of Advertising of Phase 1 Traffic Order, [report](#) to Transport and Environment Committee, 18 August 2022.

## **11. Appendices**

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Appendix 1 – Strategic Review of Parking – Progress Update

Appendix 2 – Westfield Street – Response to motion

Appendix 3 – Dissemination of Information

Appendix 4 – Private Roads Protocol

## **Appendix 1: Update**

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

It is split into four parts:

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

## Part A – Phase 1

### Implementation

- 1.1 Implementation work on the zones that comprise Phase 1 of the Review has now been completed. All of the zones, with the exception of the western extent of Zone S6 are now fully in operation.
- 1.2 The following table indicates when each of the new zones became operational:

Zone Ref	Area(s)	Operational Date
N6	Abbeyhill	4 September 2023
N7	Leith Walk/Pilrig	26 June 2023
N8	Leith/North Leith	26 June 2023
S5	Shandon	23 October 2023
S6E	Gorgie/Gorgie North	20 November 2023
S6W	Gorgie	TBC
S7	Former B8 Priority Parking Area	20 November 2023

### Permits & Spaces

- 1.3 The following table indicates the number of permits issued to residents since the new zones became operational. It further details the number of spaces available to permit holders.

Zone Ref	Permits issued to residents	Spaces available to resident permit holders
N6	1,088	1,134
N7	1,842	2,026
N8	1,339	1,815
S5	888	900
S6E	638	773
S7	89	138

- 1.4 The spaces available to resident permit holders includes both “permit holder” and “shared use” parking places.

1.5 All of the new zones are currently operating with more space than is required by permit holders. Permit numbers and space availability will continue to be monitored.



## Part B – Monitoring

2.1 Monitoring of the areas immediately adjacent to the new zones started in advance of implementation, with both “before” and “during” surveys for each zone now complete. Further “after” surveys are now scheduled to be undertaken in early 2024, at which time it will be possible to determine to what extent the new controls have had an impact on neighbouring areas.

2.2 The areas being monitored are as follows:

Zone	Monitoring Areas	Details
N6	<ul style="list-style-type: none"> <li>• Easter Road*</li> <li>• Restalrig</li> <li>• Willowbrae North*</li> <li>• Piershill</li> </ul>	Before and During Surveys Complete. After surveys scheduled for February 2024
N7	<ul style="list-style-type: none"> <li>• Bonnington*</li> <li>• Easter Road*</li> <li>• Lochend* (previously “West Leith”)</li> </ul>	
N8	<ul style="list-style-type: none"> <li>• Newhaven South</li> <li>• Newhaven North</li> <li>• Restalrig North (previously “East Leith”)</li> </ul>	
S5	<ul style="list-style-type: none"> <li>• Roseburn*</li> <li>• Saughtonhall*</li> </ul>	Before and During Surveys Complete. After surveys scheduled for March 2024.
S6E	<ul style="list-style-type: none"> <li>• Stenhouse</li> </ul>	
S6W	<ul style="list-style-type: none"> <li>• Chesser</li> </ul>	
S7	<ul style="list-style-type: none"> <li>• Craiglockhart North</li> <li>• S6W**</li> </ul>	

\*denotes an area covered by Phase 2 proposals.

\*\*see separate section on S6W

2.3 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.

2.4 The Phase 2 monitoring results will be reported to a future meeting of this Committee.

## **Zone S6(W) – Monitoring and Implementation**

- 2.5 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.
- 2.6 Following further discussion with elected members, officers agreed to conduct additional monitoring in S6(W) in advance of implementation in that area.
- 2.7 This further monitoring work will help to 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.
- 2.8 Additional monitoring over and above that detailed in the monitoring table on the previous page has taken place in S6W. With after surveys already having been carried out in that area, work is currently under way to assess the extent to which parking pressures have migrated from S5, S6E and S7. That assessment will inform a decision on the implementation of S6W. As explained in the report from September 2023, officers will brief ward Councillors for both Sighthill/Gorgie and Fountainbridge/Craiglockhart Wards prior to any instruction being given to proceed with implementation.

## Part C – Phase 2 Update

- 3.1 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.
- 3.2 With Phase 1 now largely in place and operational, monitoring of neighbouring areas is already under way, 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.
- 3.3 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

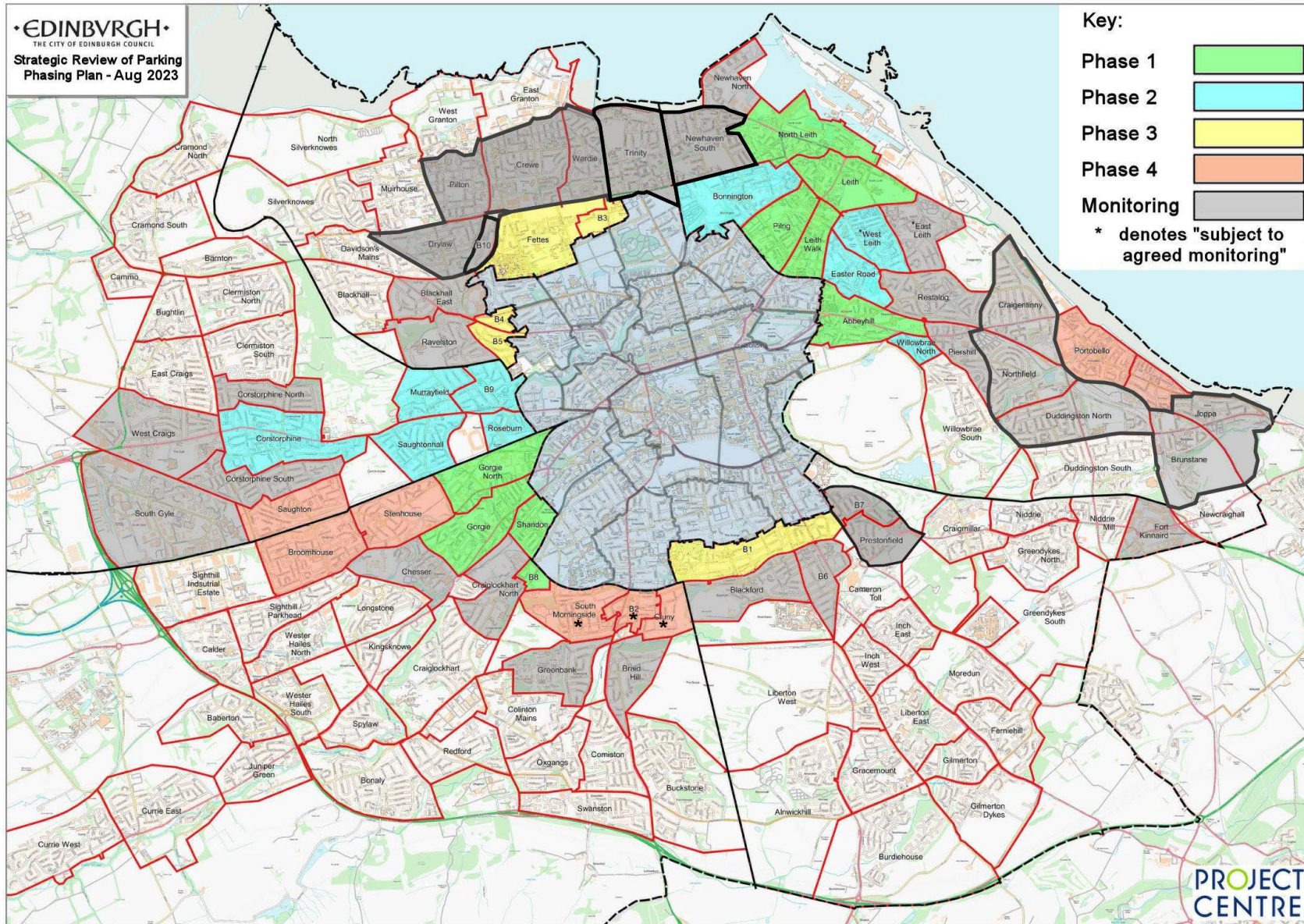
- 3.4 Once the final set of Phase 1 related surveys have been completed, the analysis of the gathered data will allow a comparison to be made between the original heat maps generated at the beginning of the Review in 2018/19 and the situation before, during and after the implementation of Phase 1 parking controls.
- 3.5 Contact will then be made 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 D - Phase 3 and Phase 4 Update**

- 4.1 At its meeting of 8 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:
  - 3.5.1 B1
  - 3.5.2 B3
  - 3.5.3 B4
  - 3.5.4 B5
  - 3.5.5 Fettes
  - 3.5.6 Portobello
- 4.2 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.
- 4.3 The December 2022 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.
- 4.4 At the time of writing, work to reflect comments and suggestions made is almost complete. On that basis it is anticipated that the legal process to introduce parking controls to the areas listed in 4.1 above will start in Q1 2024 with notification to statutory consultees. Further work will be required in advance of formal advertising of the proposals, with advertising expected to take place in Q2 2024.
- 4.5 Further reports will be submitted to this Committee or to the Licensing Sub-Committee as required as the legal process is taken forward.



# Part E – Map of current Phasing



## **Appendix 2: Westfield Street**

This appendix responds to the motion approved by Committee on 16 November 2023.

It is split into four parts:

- A. The actions agreed by Committee
- B. Responses to the individual questions/action points.
- C. Potential outcomes and/or courses of action
- D. Next Steps

## **Part A – Westfield Street Parking – adjusted motion by Councillor Heap approved by Committee on 16 November 2023**

### **A – Background**

Committee notes:

1. The roll-out of the Controlled Parking Zone (CPZ) in Gorgie.
2. That Westfield Street is an unadopted street in Gorgie just outside the zone.
3. Residents of Westfield Street have had large numbers of parked vehicles in their street since the roll-out of the CPZ, causing significant difficulties for residents.
4. Residents cannot obtain a Parking Permit as the street is not contained in a CPZ.
5. That the Council has stated to some residents that Westfield Street is an area without parking restrictions, thus increasing parking pressure on the street.
6. That residents living between 314 and 374 on the north side of Gorgie Road previously relied on Westfield Street for parking and are also excluded from permits at this time.
7. The possibility that these problems may undermine support for the Strategic Parking Review which is necessary to address parking congestion and promote active and public travel.

### **B – Residents’ requests:**

Committee notes:

1. That the parking congestion on Westfield Street, and also Westfield Road and Alexander Drive has been exacerbated since the introduction of the CPZ, and many affected residents support the immediate extension of the CPZ into those streets.
2. That the residents, meeting on Thursday 2 November 2023 at the BMC club, Gorgie, made the following requests:
  - a. Signage highlighting the private nature of the street to be erected.
  - b. Affected residents should be allowed to apply for a Parking Permit to park in the existing Gorgie CPZ.
  - c. The Council should stop stating that Westfield Street is a free parking area.
  - d. Council should adopt the street and extend the CPZ to it.
  - e. Council should expedite the extension of the CPZ to include Westfield Road and Alexander Drive.

### **C: Support for the motion**

Committee noted:

1. That this motion was supported by Ward 7 Councillors.
2. That this motion has been written in consultation with residents

### **D – Actions**

Committee reaffirmed:

1. Its support for the aims of the Strategic Review of Parking but noted that there were differing views on extending controlled parking to Gorgie, with committee approval given by 7 votes to 4 and requested:
2. That ward Councillors are given a written briefing update in December and that the Strategic Review of Parking report in January to include recommendations on how best to:
  - a. Address the concerns highlighted in Background, points 3-6; and
  - b. Respond to the requests highlighted in Residents' Requests point 2 a – e.



## **Part B – Response to the motion**

- 1.1 The following paragraphs answer both the points made and the questions raised by the motion.

### **Permit entitlement**

- 1.2 The current boundary of S6 lies to the east of Westfield Street at the railway bridge. No properties lying to the west of that boundary are currently entitled to permits, regardless of the adoption status of the street the properties are located on.
- 1.3 This entitlement would change should S6W be implemented and, in the case of any privately maintained road, if that road were to be added to the governing Order via the required legal process.

### **Privately maintained roads**

- 1.4 On 14 September 2023, Committee [noted](#) information on Controlled Parking Zone (CPZ) anomalies which apply to privately maintained roads that generally lie within the area covered by a CPZ.
- 1.5 The report explained that the Council does not, by default, extend CPZ controls to include privately maintained roads. The report also explained that the restrictions of the CPZ do not apply to such roads and that there is no ability for residents of these roads to obtain permits.
- 1.6 However, these situations are addressed within the *Residents Permits on Private Roads Protocol*. This protocol, introduced as part of the Council's Parking Action Plan, sets out scenarios where the Council could offer permits (subject to certain criteria and the successful completion of a legal process that would formally add the road in question to the legal list of roads where the Council may issue permits). In certain circumstances, this could be accompanied by the adoption of said road, but consideration of whether a road should, or should not, be adopted is entirely separate to considerations relating to whether or not permits can, or should, be issued.
- 1.7 If S6W were to be implemented following the period of monitoring that is set out in Appendix 1 to this report, then an assessment of whether the additional permit demand from privately maintained roads (such as Westfield Street) would have to be undertaken in accordance with the protocol. If that demand were able to be accommodated, only then could the legal process commence to allow permits to be issued.
- 1.8 There are no other legal routes to enabling the issue of permits to residents of Westfield Street, nor any other legal route by which any allowance could be made for those who are not residents of the CPZ to park within the CPZ.

### **Free Parking Area**

- 1.9 The motion notes that Council has stated to some residents that Westfield Street is an area without parking restrictions. Officers engaged in the Strategic Review

of Parking have been reminded of the need to ensure that no such indications are provided in response to any enquiry. This applies not only to Westfield Street but also to any other location in a similar position.

### **Monitoring**

- 1.10 The Strategic Review is an important part of delivering the aims of the City Mobility Plan, with specific actions related to the expansion of parking controls.
- 1.11 The decision to assess the western part of S6 was taken in recognition that some parts of this area did not experience the same pressures as the eastern extent of S6. Splitting S6 will help the Council to understand the impact of possible westwards migration and to understand the experience of residents close to the current S6 boundary are part of that process. This is important to highlight the benefits of the strategic rollout of parking controls to those who may currently see no need for them.

### **Expedite implementation of S6W**

- 1.12 The report to Committee in September 2023 set out the process for considering the results of the ongoing monitoring surveys. Final monitoring results following the implementation of Zones S6E, S5 and S7 are expected at the beginning of 2024. These results will be analysed as part of the ongoing monitoring of the wider Review.
- 1.13 It is anticipated that a decision will be taken on the future of S6W in early 2024 and that, should that decision be to implement S6W, that this work could be undertaken as soon as Q2 2024.

### **Signing**

- 1.14 Roads' authorities are permitted to use a range of signs that are governed by national legislation. There are no signs that could legally be provided that would indicate that a road was private.
- 1.15 The situation is further complicated by the nature of roads, as explained in the report in September 2023. Roads, both publicly maintained and privately maintained, are the same in the eyes of the law. The same legal requirements apply, which means that the road-going public have the same right of use of a road that is maintained by a third party or parties as they do of a road maintained by the Roads' Authority. A sign indicating that a road was privately maintained therefore has no legal meaning other than to confirm that, as a road, the public have a right to use that road.
- 1.16 A sign that indicated that a road was entirely private, and therefore indicated that use was prohibited, would require legal backing. Without such legal backing, in the form of an Order, such signing would imply an illegal prevention of a legal right of the road-going public to use the road.

**Part C – Potential Outcomes and/or Courses of Action**

1.17 In terms of potential outcomes, there are two significant scenarios, as follows:

**Scenario 1:** The implementation of S6W does not proceed; or

**Scenario 2:** The implementation of S6W proceeds following monitoring of the migration of parking pressures

1.18 In the case of **Scenario 1** above, the outcome would be that:

- i) Parking controls would not be extended west of the railway line; and
- ii) Westfield Street would remain uncontrolled and, like other streets within S6W, would remain available for use by any road user.

1.19 In the case of **Scenario 2**, the options available in terms of addressing the concerns of residents would be:

<p><b>Option 1</b></p>	<p>That Westfield Street remains a privately maintained road and the parking is uncontrolled. Residents of Westfield Street are not entitled to permits to park in the wider S6 Zone. As a road, no other form of control can be exercised to manage parking.</p> <p>This option would see the situation remaining as it is at present, with no legal means of managing parking in Westfield Street and no right to obtain permits to enable residents to have access to parking elsewhere in the vicinity.</p> <p>In terms of addressing the concerns that have been relayed to the Council, Option 1 offers no benefit and is therefore set aside as a solution.</p>
<p><b>Option 2</b></p>	<p>That Westfield Street remains privately maintained and the parking is uncontrolled. Subject to the requirements of the <i>Residents Permits on Private Roads Protocol</i> (the protocol), residents of Westfield Street are entitled to obtain permits to park in the wider S6 Zone. As a road, no other form of control can be exercised to manage parking.</p> <p>This option relies on the requirements of the protocol being met, i.e. that in the adjacent streets and in the wider S6 zone, that there is an availability of space that could accommodate additional demand that would facilitate providing access to permits by Westfield Street residents. This option provides no means to manage the available space in Westfield Street, however, and means that the street is likely to be used by non-residents.</p> <p>Similar to Option 1, this option provides no elements of control of the available parking and would simply charge Westfield Street residents to park in other streets nearby. For these reasons this</p>

	<p>option offers little benefit and is again set aside as a potential solution.</p>
<p><b>Option 3</b></p>	<p>That Westfield Street remains privately maintained and, subject to the requirements of the <i>Residents Permits on Private Roads Protocol</i>, parking controls are extended to Westfield Street. Residents are entitled to permits to park in the wider S6 Zone, and on-street parking provision in Westfield Street can be utilised by other permit holders.</p> <p>This option also relies on the requirements of the protocol being met, i.e. that in the adjacent streets and in the wider S6 zone, that there is an availability of space that could accommodate additional demand that would facilitate providing access to permits by Westfield Street residents. However, unlike Option 2, the extension of parking controls to Westfield Street would provide protection from non-residential parking and would continue to enable Westfield Street residents to park near to their homes.</p> <p>As per the protocol, residents would be entitled to one permit per household.</p> <p>This is the preferred option, providing for management of the available space, should the requirements of the protocol be met, but with no transfer of maintenance responsibility.</p>
<p><b>Option 4</b></p>	<p>That Westfield Street becomes an adopted road, with parking controls being extended to apply to the adopted road. Residents are entitled to permits to park in the wider S6 Zone, and parking provision in Westfield Street can be utilised by other users.</p> <p>Under the terms of Section 16 of the Roads (Scotland) Act 1984, those responsible for the maintenance of a privately maintained road may make application to the local roads authority to have said road become a public road, where the maintenance burden would transfer to the Roads' Authority. The same section does explain that there is no obligation on the Roads Authority to adopt any road, but that they can choose to do so if the road is of a "standard satisfactory to the local Roads Authority". In practice, any privately maintained road would need to be of adoptable standard for this authority to adopt it. Adopting roads, like Westfield Street that are not to an adoptable standard, and which are likely to require significant works to bring them up to an adoptable standard simply adds to an existing maintenance burden.</p> <p>All costs involved in bringing Westfield Street up to an acceptable or adoptable standard would therefore be required to be met by</p>

	<p>residents, with all work being completed before either the adoption process or the process of adding Westfield Street to the CPZ could begin. It is, however, likely that both the costs and timescales would be prohibitive.</p> <p>It is suggested that this option also be set aside.</p>
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## Part D – Next Steps

- 1.20 The investigation carried out in advance of the preparation of this report looked at both the adoption and ownership status of Westfield Street. That process revealed that the strip of land that runs down much of the western side of Westfield Street is, in fact, owned by the Council.
- 1.21 As was set out in the report to Committee on 14 September 2023, ownership and adoption are two different things. In this case, while the Council may own part of Westfield Street, said area does not constitute part of the road, but is an off-road area of land. There has been no process that would formalise this area as being part of the road, and therefore no process of adoption that would make the area in question an adopted road. Said area is also not of an adoptable standard.
- 1.22 It is, however, proposed that the process of offering a solution also provides an opportunity to address this anomaly. If it were proposed to pursue option 3 as set out above, then the next steps would be to:
- i) Make a decision on the implementation of S6W as soon as it is possible to do so.
  - ii) If the decision is to proceed with S6W, to set in motion the following processes:
    - a) Assessment of permit demand across S6, to inform a decision on Westfield Street;
    - b) Reliant on a), seek confirmation from the residents of Westfield Street that they wished their road to be included in the CPZ;
    - c) Make preparations for a legal process to add those parts of Westfield Street that are road to the CPZ, both in terms of permit entitlement and parking controls;
    - d) Transfer of the Council-owned strip of land to the residents of Westfield Street for a nominal sum.
- 1.23 Upon successful completion of those processes, Westfield Street residents would be entitled to permits, have parking controls in their road that protected them from ad-hoc parking, have ownership of the strip of land on the west side of Westfield Street and have full maintenance responsibility for the entirety of their street.

### **Appendix 3: Dissemination of information**

This appendix addresses concerns related to the dissemination of information regarding the Strategic Review of Parking. It provides background to the engagement that has taken place and the methods by which information has been provided to residents, to Community Councils and to Ward Councillors.

## **Background**

- 1.1 The Strategic Review of Parking was initiated in 2018 as a result of growing concern in respect of the impact that non-residential parking continued to have on the ability of residents to park near to their homes, and on the ability of residents and businesses to receive visitors, deliveries and tradesmen as a result of parking levels and pressures.
- 1.2 While the Review has always been evidence led, the project has involved consultation not only during the required legal processes, but also informal consultation prior to the commencement of those processes. In addition, the Council has utilised a number of different information streams to keep those likely to be impacted by the proposals, or the work to implement the changes, informed of progress in their area.
- 1.3 There has been some criticism that there has been a lack of awareness of the Review and its outcomes, particularly in the Gorgie area. The following paragraphs set out the methods by which the Council has made information available during each stage of the project and, where practicable, suggests areas where improvements might be made.

### **Informal Consultation**

- 1.4 Prior to seeking authority to proceed to any legal process, informal consultations were carried out in those areas affected by the four phases of the review.
- 1.5 These consultations were intended as an information gathering exercise, allowing residents and businesses, as well as organisations and individuals representing them, to make their views known to the Council.
- 1.6 This process included:
  - 33,000 leaflets explaining the background to the consultation being distributed to every address within the Phase 1 area. The leaflets explained how to respond, how to view details of the proposals and how to further engage on the proposals;
  - Full details of the proposals placed online, including a dedicated project website;
  - Detailed questionnaire available to complete online, with an ability to request a paper copy to submit manually;
  - Interactive maps of the proposals, where comments could be left on the map regarding specific elements of the proposals;
  - A dedicated email address and feedback forms where queries and concerns could be made for the project team;
  - A series of drop-in sessions, held prior to the Covid lockdown, where the project team attended in person sessions to answer questions and explain

the detail of the proposals to attendees. These were held in each area, during 2019, as follows:

- Thursday 31 October, 4pm-7pm at St. Paul's Church, Pilrig
- Friday 1 November, 11am-2pm at Gorgie Dalry Stenhouse, Gorgie Road
- Friday 1 November, 4pm-7pm at Drennan Hall, Polwarth Parish, Polwarth Terrace
- Tuesday 5 November, 4pm-7pm at North Leith Parish Church, Madeira Place
- Wednesday 6 November, 11am-2pm at Fort Community Centre, North Fort Street; and
- Thursday 7 November, 11am-2pm at North Merchiston Club, Watson Crescent.

1.7 During this consultation the Council received 1,386 responses, with 1,098 of those coming from residents within the affected areas. The highest levels of response were received from Gorgie (22% of responses) and Shandon (24%).

1.8 These responses informed the decision-making process that led to the [report](#) in January 2021, recommending that Phase 1 proceed to the legal process.

### **Legal Process**

1.9 The legal process, the requirements of which are set down in national legislation, requires a minimum standard of engagement as a means of ensuring that those likely to be affected by any proposal are offered an opportunity to provide input into that process. Those requirements state that the Council must:

- Notify statutory consultees in advance of the advertising of any Order;
- Inform the Chief Constable of Police Scotland in advance of said advertising;
- Advertise details of the Order in a newspaper circulating in the area in which the proposal lies;
- Send details of the advertising of the Order to those contacted at statutory notification stage; and
- Place full details of all advertised Orders on public deposit at a Council building, making them available to view by any interested person\*.

1.10 In addition, the Council may:

- Erect street bills on each street affected by the proposals within the advertised Order\*\*.

1.11 With the Phase 1 Traffic Regulation Order (TRO) advertising taking place within the period when the requirements of the Coronavirus (Scotland) Act 2020 were still in place, the requirement to place on public deposit (denoted above by \*) was suspended. The option to place street bills (denoted above by \*\*) was also



effectively suspended by the Coronavirus (Scotland) Act 2020, with no street bills for any Order erected during the pandemic. All other requirements were adhered to when the Order was advertised.

1.12 In addition, the Council also:

- Delivered leaflets to every address, 33,000 in total, advising recipients of the advertising of the Order, giving details of how to view the detailed Order and plans and how to respond to the consultation;
- Posted messages on social media;
- Issued press releases;
- Contacted Ward Councillors and Community Councils to advise of the advertising of the Order, providing details of the routes by which responses and feedback could be provided;
- Used a dedicated website containing details of the advertised Orders, explanations of the proposed operation of parking controls and methods by which objections could be lodged, feedback received and queries made to the project team;
- Placed details on the Council website, with links to the above website, but also with email details for the Traffic Order team as well as the email address for the consultation responses;
- Placed details on TellMeScotland, the Public Information Notices website operated by the Scottish Government, where notices from across Scotland are centrally available and where alerts can be set to advise interested parties of proposals relating to transport, licensing, planning etc in their local area; and
- Allowed for the required 21 day period during which objections can be made to the advertised Order.

1.13 When the Order was initially advertised, it was brought to officers' attention that the leaflet delivery in this instance had not achieved the desired result, and that the leaflets had not been successfully delivered. This was evidenced by significant reports of non-delivery. Therefore, a decision was taken to extend the consultation period to six weeks and to utilise a direct mailing approach to leaflet delivery using Royal Mail.

1.14 During the extended consultation period a total of 1,003 objections were received. A further 200 or so responses were supportive of the proposals or were queries or comments that did not contain indications of support or opposition to the proposals.

1.15 The results of the advertising of the draft Order were [reported](#) to Committee on 18 August 2022, when the decision was that the Council should proceed to make the Orders, with modifications, and proceed to implement the new Zones.

## **Implementation**

- 1.16 Implementation works began in the new Zones in March 2023. That work was preceded by updates sent to all Ward Councillors across the city and to Community Councils within the areas affected by the works explaining the status of each of the Phases and giving information, website links and email addresses where further information could be found and where comments, queries etc. could be directed.
- 1.17 Further updates were sent to Ward Councillors and Community Councils as the work progressed into other areas.
- 1.18 In advance of the commencement of implementation work in each area, leaflets were delivered to every address within those areas, providing links to the Council's website, where information was regularly updated to provide a programme of work for each new zone, answers to commonly asked questions and a full background to the Review.
- 1.19 As each zone reached the end of the implementation stage, a further leaflet was delivered to every address within that zone giving information on the operational date of the zone and providing links to pages on the Council website where information could be found on applying for permits. Those leaflets also linked to the wider pages on the background to the Review and to the latest updates on progress.
- 1.20 The website continued to be updated as work progressed, as the new zones were implemented and became operational and as additional information became relevant for each of the new zones.
- 1.21 Each stage of implementation was accompanied by press releases and social media content advising that the zones were coming into operation and that permits were available to qualifying residents.
- 1.22 As each zone has neared completion, signing has been provided at key points, in addition to the road markings and road signs required for the operation of the zones themselves, indicating the date on which restrictions were to become operational. One of the most obvious indications of change in each area is the work itself with line marking and signing work being carried out in every street within each of the six new zones.

## **Overview of engagement**

- 1.23 Throughout the Review, the Council has used a variety of means of disseminating the necessary information on the new controls to those likely to be affected.
- 1.24 Since implementation work began, the project team have responded to significant numbers of queries from residents, businesses, ward Councillors, MSPs and MPs, indicating that there is generally widespread knowledge of the new restrictions.

- 1.25 As per the Review's engagement plan, each area (since the project began) should have received information delivered to their address on at least four occasions, with each successive leaflet providing an update on progress and an indication that the process was moving forward.
- 1.26 Each stage of the process has elicited high numbers of responses, and in each of the new zones the leaflet indicating the availability of permits and the coming into effect of the zone has been accompanied by queries to both the Controlled Parking Zone and Residents Permit email addresses, as well as uptake of permits in line with what was anticipated.
- 1.27 Leaflet deliveries continue to provide a cost-effective means of disseminating information directly to residents and businesses. As part of the service that delivery companies provide, it is possible to obtain GPS evidence of the route followed by those delivering the leaflets, and this is something that will be a requirement of all future leaflet deliveries. It is also possible to obtain details of any premises where delivery has not been possible and where redelivery has been attempted or is to be attempted.
- 1.28 It is acknowledged that no delivery of this type is entirely infallible, and there may be instances where Council leaflets have become mixed with other unsolicited mail. However, the level of engagement the Council has received relating to the Review indicates that the chosen methods of communication have been generally successful.
- 1.29 The project team will continue to use the many communication channels available to make sure that information is disseminated to as many people as possible.
- 1.30 Regular updates to Ward Councillors and Community Councils, where key information can then be placed on websites or on social media play an important part of ensuring that communities are well-informed, but also rely on individuals seeking out or having access to those channels.
- 1.31 TellMeScotland is an underused resource that allows anyone to set alerts for specified areas, ensuring that they are informed of proposals or decisions that might affect them. The Council encourages use of this resource, but it does require the individual to take the required steps to register for alerts.
- 1.32 The project team will continue to promote awareness of all communications channels available to the public.

### **Conclusions and Actions**

- 1.33 No process, whether for consultation, engagement or to inform, will ever achieve 100% coverage. While the aim is, and will always be, to reach as many people as possible and to spread key messages about parking projects to as wide an audience as possible, there are no means of doing so that can guarantee to reach everyone affected.

- 1.34 Moving forward, the project team will require distribution companies to provide improved proof of the routes covered by delivery staff and to provide detailed non-delivery information that can be used to ensure that delivery is either repeated for those locations, or that additional methods of reaching those locations can be adopted.
- 1.35 The main methods of imparting information remain online. For any future rollouts of controlled parking, the project team will provide regular updates online and to key stakeholders at project milestones in conjunction with web updates to ensure that information is readily available.
- 1.36 The project team will also work closely with organisations and individuals representing residents and businesses to raise awareness of all available communications channels.

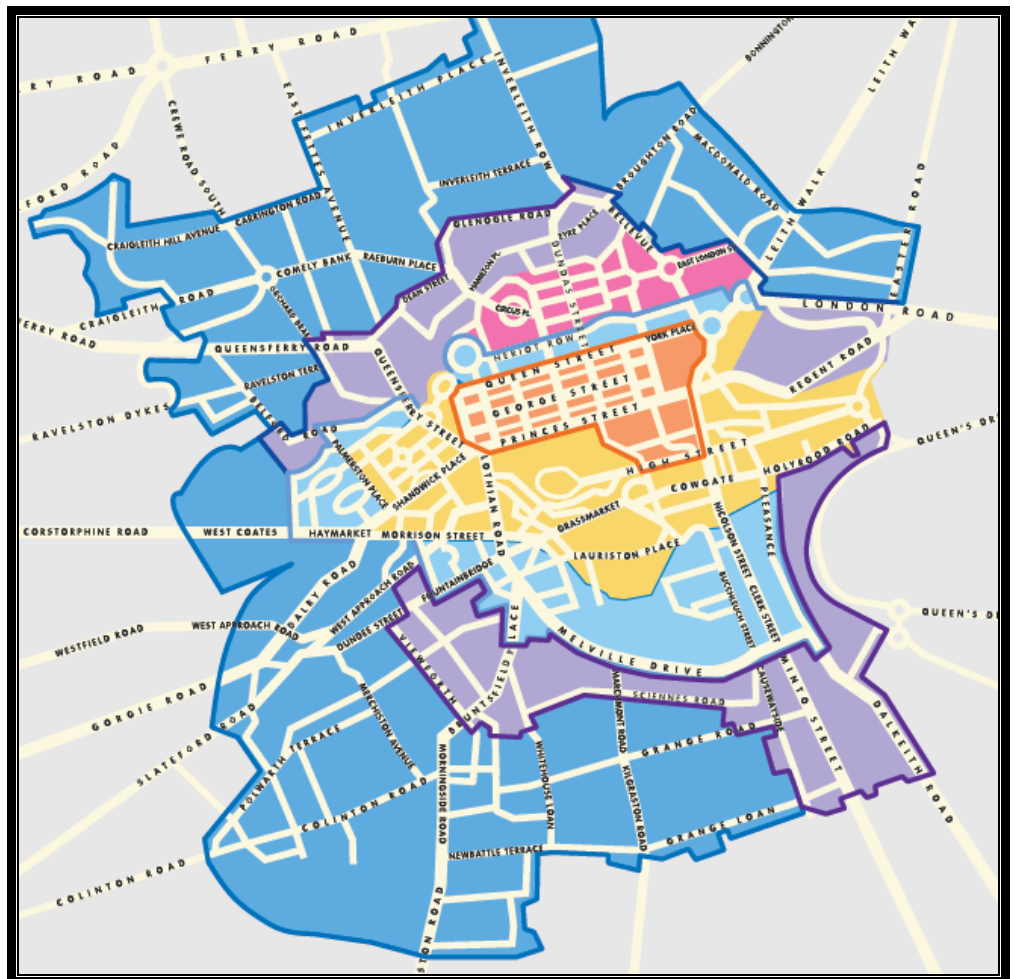
## **Appendix 4: Private Roads Protocol**

This appendix contains the following protocol:

Issue of Residents Permits on Private Roads Protocol

This protocol forms part of the Council's Parking Action Plans and was approved by the Transport and Environment Committee on 10 August 2017.

# ISSUE OF RESIDENTS’ PERMITS ON PRIVATE ROADS PROTOCOL



Date	Version	Update notes
20 March 2017	Version 1	

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## INTRODUCTION

The Controlled Parking Zone (CPZ) is governed by a traffic order which sets out how parking restrictions work and also the terms and conditions that apply for the issue of various types of permits, including permits that are available to residents of the CPZ.

Under the terms of the CPZ traffic order any “qualifying resident” may apply for a permit to park their vehicle within the CPZ. To be a “qualifying resident”, you must be able to prove that you reside at an address listed as being part of the CPZ.

Privately maintained roads subject to no parking controls, are not described in the traffic order and are not part of the CPZ. This means that residents of these roads are not entitled to permits that would allow them to park in permit holder or shared-use parking places within the CPZ.

With many of the zones of the CPZ being oversubscribed in terms of the ratio between permits issued and space available, it is considered that the inability of residents of privately maintained roads to obtain permits provides protection for CPZ permit holders from further oversubscription and increased demand.

This protocol determines the circumstances in which the Council will issue permits to the residents of privately maintained roads, with the primary aim of ensuring that such permit issue does not result in any further pressure being placed on the availability of kerbside space.

This scope of this protocol is to:

- determine under what conditions the Council will issue permits to the residents of private roads.

The purpose of the Protocol is to ensure:

- a consistent approach when dealing with requests from residents of privately maintained roads;
- that the operation of the CPZ and the benefits it provides to a range of users is not undermined by additional parking pressures;
- that requirements and policies are clear to members of the public, elected members and all Council officers who work within the Parking function or who might deal with parking-related enquiries from members of the public;
- that there is clear guidance available for Community Councils and other resident’s groups on the processes and requirements for issuing permits to residents of privately maintained roads; and
- that there is a single point of reference for the City of Edinburgh Council and members of the public.

## Section 1 – Proposed Permit Issue Restrictions

Before the Council will consider issuing permits to the residents of uncontrolled, private roads certain conditions or criteria will need to be met. This section explains the criteria that will need to be met in situations where there is either low or high demand upon available permit space.

The level of demand will be established from an assessment of the number of permit holders and the number of spaces available to permit holders in the:

- **zone** of the CPZ in which the privately maintained road, where the Council has been asked to issue a permit or permits, is located; or
- **area** comprised of adjacent roads which surround the privately maintained road where the Council has been asked to issue a permit or permits.

### 1. Areas where there is low demand

For the purposes of this protocol, “Low Demand” will be where:

- the ratio of permits to spaces is less than 1:1 in both the **zone** AND the **area** where the privately maintained road is situated;
- an analysis of available parking usage data indicates that issuing permits equal to the number of properties within the privately maintained road would have no detrimental impact upon parking availability within the immediate area.

In instances meeting the above criteria the Council will determine the extent of existing or potential parking opportunities on the privately maintained road. Where the existing or potential parking spaces on the privately maintained road are:

- equal or greater than the number of households, residents will be offered the opportunity to have the road brought into the CPZ and adopted by the Council, subject to the road being of adoptable standard. Where the road becomes part of the CPZ, all residents will be entitled to purchase:
  - No more than two resident permits per household;
  - Visitor Permits
- fewer than the number of households, or where residents do not wish their privately maintained road to become part of the CPZ, residents will be entitled to purchase:
  - No more than **one** resident permit per household.

## Section 1 – Proposed Permit Issue Restrictions

### 2. Areas where there is high demand

For the purposes of this protocol, “High Demand” will be where:

- the ratio of permits to spaces exceeds 1:1 in either the **zone** or the **area** where the privately maintained road is situated; or
- there is quantifiable evidence of high levels of demand from:
  - residents; or
  - pay-and-display customers.

In instances meeting the above criteria it will continue to be the case that residents of privately maintained roads which are subject to no parking controls will remain ineligible for parking permits.

## Section 2 – Notes

1. The approach detailed within this protocol will ensure:
  - that, in areas of high parking demand, no additional demands should be placed upon surrounding streets;
  - that privately maintained roads that are already well-served by on-street parking provision, where there is sufficient space to accommodate at least one vehicle per household, will either:
    - need to become part of the CPZ in order to gain a two permit per households, in which case the net impact upon surrounding streets will be no more than one permit per household; or
    - remain free of CPZ control, in which case the impact on surrounding streets will be no more than one permit per household;
  - that in situations where privately maintained roads have restricted availability of on-street parking provision, the potential impact on surrounding streets will be no more than one permit per household.
  - That where there is available capacity, accessibility for the residents of privately maintained roads will be improved, but without significant impact on surrounding areas.
  
2. In order to:
  - a. allow the resident of any privately maintained road the ability to obtain a permit, or
  - b. add a privately maintained road to the CPZ,  
the traffic order that governs the operation of the CPZ must first be amended or updated. That legal process can take several months to complete. It will not be possible to issue permits to a privately maintained road until that process has been fully and successfully completed.
  
3. In all instances where either resident or visitors' permits are issued, the eligibility and usage requirements as stated in the governing traffic order will apply.

## Appendix A – Current Legislative Criteria

The legislation that determines what rights of management or control local authorities have upon roads within their area makes little differentiation between a road that is maintained by the Council (a “Public Road”) and a road that is maintained by another party (a “Private Road”).

As the roads authority for Edinburgh, the Council is solely responsible for the management of roads within its area. That responsibility includes both restrictions on moving traffic (one way roads, banned turns, restrictions on vehicle types etc), but also restrictions on how kerbside space may be used (yellow lines, parking bays etc).

In general, roads authorities have the same rights of management or control over a privately maintained road as they do over a publicly maintained road, subject to the completion of a traffic order to introduce the necessary restrictions.

Where the legislation differs is with any restriction on parking that requires the payment of a charge. In any instance where it is proposed to introduce paid for parking, whether in the form of pay-and-display or permit parking, it is a legal requirement that the roads authority must seek the permission of the person or persons responsible for the maintenance of the road.

While there are instances where residents of private roads have asked the Council to introduce restrictions as a means of restricting parking, the majority of private roads are subject to no parking controls. There is little evidence to suggest that residents of those roads wish parking on their road to be managed by the Council.

From the requests that are received, there is evidence to show that some residents of uncontrolled, private roads would like the Council to issue resident permits to their properties.