

CITY OF EDINBURGH COUNCIL
TRANSPORT AND ENVIRONMENT COMMITTEE

Item No 3

1 October 2020

DEPUTATION REQUESTS

Subject	Deputation
3.1 In relation to Item 7.1 on the agenda – Spaces for People – East Craigs Low Traffic Neighbourhood	Low Traffic Corstorphine
3.2 In relation to Item 7.1 on the agenda – Spaces for People – East Craigs Low Traffic Neighbourhood	Get Edinburgh Moving
3.3 In relation to Item 7.1 on the agenda – Spaces for People – East Craigs Low Traffic Neighbourhood	Corstorphine Community Council
3.4 In relation to Item 7.1 on the agenda – Spaces for People – East Craigs Low Traffic Neighbourhood	Drumbrae Community Council



Cllr Lesley Macinnes, Convener
Transport and Environment Committee
The City of Edinburgh Council
City Chambers, High Street
Edinburgh EH1 1YJ

Low Traffic
Corstorphine

corstorphineltn@gmail.com | @TrafficLow

East Craigs Low Traffic Neighbourhood

24th September 2020

Dear members of the Transport and Environment Committee

Low Traffic Corstorphine (LTC) is a group of locals in Corstorphine with an interest in liveable streets and places for people. We write in relation to the upcoming Transport and Environment Committee meeting on 1st October 2020, specifically regarding the trial of a temporary Low Traffic Neighbourhood (LTN) at East Craigs.

LTC and a number of local supporters are hopeful you will support the adjusted East Craigs plans as proposed by council officers and supported by Cllr Macinnes.

There is good [evidence](#) from other places in the UK and Europe that shows it is likely an LTN would bring benefits to East Craigs and west Edinburgh. There will be lessons to learn from the trial but there is huge potential to improve the local area, with benefits including better air quality, improved community health, more social cohesion and safer, more positive redress of space, favouring healthy travel and better access for all kinds of people, not just those who drive.

These outcomes are too important to squander. A real-time trial with on-site consultation can enable proper modification of the design as needs arise. This is by far the most practical way to assess and deliver benefits. West Edinburgh has been asking to improve the area for people (not traffic) for many years; any consultation the council has run in the area confirms this – the 2016 [local placemaking exercise](#), the recent Commonplace consultation and the West Edinburgh Link consultation are just a few that spring to mind.

Scottish Government and City of Edinburgh Council policy backs a temporary LTN in East Craigs. [The 2030 Vision for Active Travel](#) says that “Scotland’s communities are shaped around people, with walking or cycling the most popular choice for shorter everyday journeys”. The Council’s own policy guidance recommends the [sustainable transport hierarchy](#). It is very difficult to find any transport or planning policy that advocates the continuing dominance of vehicular traffic where people live. Scottish Government Covid-19 policy guidance is explicit in its recommendation to make walking and cycling the first choice of getting around to help maintain physical distancing and to ease the pressures the road network faces as people avoid public transport.

The [Active Travel Task Force](#) recommendations say that “strong leadership is required at a national and local level, to take charge and to take the difficult, contentious decisions.” While we realise that there has been some vocal opposition to this scheme, we hope that the local and national policy landscape, evidence from other LTNs, the local community’s keenness to reduce traffic, and the knowledge that it is important to make the right decision and not the popular one will lead you to support this trial and all the potential that comes with it.

Yours sincerely
(on behalf of Low Traffic Corstorphine)

Vikki Brown

Damian Mullan

Chris Young

30 September 2020

FAO: CITY OF EDINBURGH COUNCIL TRANSPORT & ENVIRONMENT COMMITTEE MEMBERS; EAST CRAIGS / AREA LOCAL COUNCILLORS; HEAD OF LEGAL & RISK; COUNCIL LEADER; CHIEF EXECUTIVE; EXECUTIVE DIRECTOR OF PLACE

Dear Councillors & Officials,

RE: TRANSPORT & ENVIRONMENT COMMITTEE MEETING [01/10/20](#) – COMMUNITY DEPUTATION IN RELATION TO EAST CRAIGS LOW TRAFFIC NEIGHBOURHOOD PROPOSALS

I am writing on behalf of the community of East Craigs and surrounding area, in relation to City of Edinburgh Council's (CEC's) proposal to impose a Low Traffic Neighbourhood in East Craigs, without consultation or due process.

We wish the Committee to consider the following points very carefully ahead of the meeting [on 1 October](#):

1. Many of the arguments of the community were set out in my email of 25 September, of which all Committee members received a copy.
2. The community remains firmly opposed to the introduction of the East Craigs LTN, especially under a TTRO. We continue to unambiguously object to any road / junction closures – we also object to the proportionality of the LTN compared to other temporary measures introduced across the city – the LTN is a far-reaching, substantive change in amenity with significant adverse impacts on residents' daily lives – from disabled and elderly people to parents with young children, and commuters unserved by 'rush hour' local transport options (for example to the Gyle retail and commercial employment centre). East Craigs is already a quiet low traffic neighbourhood by design, with plenty of space for cars, walking, cycling and wheeling already – CEC is looking for a solution to a problem that doesn't exist, when its congestion, pollution and road safety issues lie elsewhere.
3. CEC cannot ignore the unprecedented expressions of democratic will by local residents. More than **2,650** local residents signed a petition demanding unequivocally that the LTN plan be halted. More than **1,400** local residents have joined the community social media hub. **1,000** residents, socially distanced, attended the public meeting in Gyle Park in overwhelming opposition to the plans. In the 6 day Council 'notification window', **407** objections were received, with only 3 in support – a **99.3%** objection rate. All three local ward councillors, the local MSP and MP unanimously support the community in its objection. It is untenable and indefensible for the Council to ignore this overwhelming expression of popular will, to which it has no counter-argument or statistics in terms of support for the LTN.
4. In contrast, CEC has just lauded the 'fantastic' response to the 2030 City Plan consultation, which attracted 1,800 responses from a population of 537,000 – just 0.3% of the population. Two thirds of respondents (~1,200, 0.2% of population) supported the plans, which CEC will no doubt try to use as a mandate for reform in the T&E Committee meeting tomorrow. It is frankly untenable for CEC to hold a city-wide response of 1,200 respondents as a mandate for action, while ignoring the views of more than double that number (petition) in the much smaller area of East Craigs, and the general expressions of objection in point 3.
5. CEC has so far refused to listen to this clear democratic message, which has left residents feeling concern, anxiety and stress in relation to the LTN. In this sad context, local residents were invited to donate funding to secure an opinion from legal counsel on the issue, which has now been received. An analysis of counsel opinion is appended to this email, and we respectfully ask that CEC, councillors and officers very carefully consider the contents and opinion before making personal decisions to vote for the scheme in light of this opinion.

6. In summary, Counsel argues that CEC ***“planned to introduce an LTN in East Craigs at some point soon. The introduction of an LTN as an emergency measure is materially different to the emergency measures introduced elsewhere. It is difficult to escape the conclusion that CEC has used the pandemic as a pretext to introduce a change that it might otherwise have found difficult to implement if it had had to follow the procedure for making a TRO. ... It appears to me that, in doing this, CEC has gone much further than the minimum necessary in order to deal with the dangers arising from the pandemic and the easing out of lockdown. In my view, prima facie grounds exist for thinking that CEC could not have been satisfied that an LTN was required under section 14. Accordingly, in my view, the decision is prima facie unlawful and ought to be reduced”***
7. Furthermore, we note the decision of **Berlin** courts to rule that Covid was not a justification for road changes there, and that thousand have protested against LTNs in several **London boroughs**, leading to the suspension of schemes on safety and congestion grounds. Adverse comments from emergency services were typified by one Superintendent, who commented: ‘Most concerning is that any urgent assistance or other threat to life could not be responded to effectively by any 999 vehicle’. We believe that such unacceptable dangers arise in East Craigs also, noting **Police Scotland’s** comments as per my email of 25 September, and caution CEC against taking any decision that could represent a threat to life. Earlier this week, **Aberdeen City Council** confirmed it would not proceed with several SfP measures, citing concerns over congestion. The measures were claimed by SNP councillors to be ‘incredibly unpopular’ and ‘poorly thought-out’, citing only dozens of objections (in contrast with East Craigs hundreds, and 2,650 petition signatures). A council spokeswoman confirmed that ***“the [SfP] grant funding is very clear in that it cannot be used for permanent works”***. For this reason, surely CEC would be in breach of grant funding conditions if East Craigs measures are intended to be, or are eventually, made permanent?
8. We also refer to CEC’s “Programme Scoring Criteria”, outlined in the reports pack from the Policy & Sustainability Committee meeting in August. Of all the criteria considered, there is no specific reference made to the benefits, or impacts on public safety – odd given that SfP funding is geared towards public safety, and TTRO deployment depends on there being ‘likelihood of a danger to be remedied. As such, the scoring methodology is flawed. Further, it is clear that safety was not properly considered in the original revision of the scheme. Notwithstanding this, in the criteria, "Covid-19 distancing benefit and risk mitigation" the East Craigs scores 2 out of a potential 10 points for benefit. This is the **joint lowest score of all the schemes under consideration for this criteria**. By CEC’s own measurement system, the safety benefit of the scheme is classed as very low, begging the question why would East Craigs LTN qualify as an urgent scheme requiring implementation with a TTRO? There is no urgent safety case presented and little if any ‘likelihood of danger to the public’ necessitating emergency measures – by CEC’s own scoring.
9. We note Cllr Aldridge’s statement at the August P&S Committee meeting, where he mentions that both he and Cllr Macinnes received an email from a ‘very senior environmentalist’, who contended that ***‘the project will be a disaster’, the ‘supporting study in bringing forward these proposals is simplistic and incomplete’, ‘the ineffective structural design, minimal local support, displacement activity, reduced safety for cars and pedestrians and potential increase in pollution severely risks the future success of any environmental initiative in the wider city’***. We understand that the contact has impeccable credentials, which Cllr Macinnes can verify. Cllr Aldridge also reflected that the ***‘arrogance and contempt for the local people shown in the way this has been handled up ‘til now is quite honestly totally outrageous and completely unacceptable’***. The community wholeheartedly agrees.
10. We note the revised paper published by CEC on Friday. While the proposals are in some senses a small step in the right direction, they are nowhere near enough and remain unacceptable. They ignore the express wishes of the community that the LTN be stopped, at the very least to allow a full consultation where residents’ views will be heard and implemented. Looking at the detail:
 - The choice of Craigs Loan / Avenue / Crescent for the link to Glasgow Road is nonsensical and dangerous. There is a long sweeping blind corner with parked cars on both sides of the

street, where at least one childminder property is located, and the route is entirely unsuitable. To reiterate, our position remains that no junction closure is necessary.

- In general, we reiterate that the process has been rushed at the clear expense of safety, both in terms of design and lack of safety audits.
- The maintenance of the Craigs Road bus gate in morning and evening rush hours is unacceptable – it cuts off the thousands of local residents in the Bughtlin area, leaving them stranded and without a local relief route alternative to Maybury / Barnton. Related to this, we reject CEC's assertion that Craigs Road suffers from 'rat running' – our view is that through traffic is overwhelmingly due to local residents from eg Bughtlin – CEC should bring forward categoric proof of 'rat running' by non-local residents, or desist from making the claim. For information, we have conducted private polling of alternatives to CEC's plans (more later), and of the ten measures considered, only one was rejected – a timed bus gate on Craigs Road.
- We are dismayed CEC has not confirmed the Craigs Road / Drum Brae junction will keep its left hand filter lane – and we ask the Council to immediately make available all details of its traffic model (which must have been hastily arranged) for careful scrutiny by the community before a decision is made
- We require CEC to urgently disclose who were included in the 'advisory group' of local residents consulted on the modal filters, on what basis (and by whom) they were selected, and whether / when / how this information was made public and to key stakeholders
- We refute the assertion that community councils have long-standing concerns regarding increases in traffic through the East Craigs LTN area, as opposed to around it on surrounding arterial routes. Further, any concern over West Craigs / Cammo developments is by definition a long-term / permanent concern – the Council cannot utilise this as an argument to impose a TTRO – this is a failure of process
- The Commonplace website tool has no control feature or evidence record in relation to origin of comments – they could as easily be from SusTrans HQ in Bristol as from an East Craigs local resident. There is also no facility to disagree with comments, introducing clear bias in the results. No comments in the tool even mentioned a LTN or road closure – indeed only two or three comments referenced Craigs Road in any way. This cannot be relied upon as a decision driver.

11. As mentioned, we have conducted private polling within the community to gauge support for a variety of potential alternative measures for roads and traffic in the area, in the event that CEC will agree to stop its attempts to introduce the LTN via a TTRO or emergency measure. Ten polls were conducted, generating an average of some 200 responses, including speed cameras / traffic calming measures; additional public transport provision; ANPR-controlled access for all local residents; low cost solutions to create more spaces for people etc. All but one of the measures (the bus gate) were approved by a majority, in most cases a very strong majority. These measures were floated on the basis that they would have to be subject to a full local residents' consultation – we are ready and willing to engage constructively and share our ideas on the condition that CEC stops the LTN as above.

In conclusion, we implore the Committee and council officials to very carefully consider the points we have raised, and especially Counsel opinion (in the appendix below) before considering whether it is appropriate to vote in favour of the revised plan at this time, given the argument that the decision may be unlawful. It is extremely regrettable that a large number of CEC constituents and council taxpayers have felt so ignored, disrespected and disenfranchised to the extent that they felt compelled to seek legal opinion to assist CEC in making its decision. It is especially disheartening when the huge and unprecedented expressions of democratic will, as outlined above, have failed – so far - to make the Council listen and engage with the local community.

Best regards,

David Hunter

Chairperson, Get Edinburgh Moving (local residents community group)

APPENDIX 1: LEGAL OPINION RECEIVED FROM A MEMBER OF THE FACULTY OF ADVOCATES IN REFERENCE TO THE PROPOSED EAST CRAIGS LOW TRAFFIC NEIGHBOURHOOD SCHEME (ABRIDGED VERSION).

Preamble

On the 29th September 2020, a local resident of sufficient standing and whom is impacted by the proposed East Craigs LTN, received legal opinion from a member of the Faculty of Advocates in relation to the proposed scheme. The opinion discussed the legality of the City of Edinburgh Council decision to proceed with the East Craigs LTN on the 20th August 2020, and further whether the Council's stated intention of using Section 14 of the Road Traffic Regulation Act to implement the scheme would be lawful.

The legal opinion was shared with the Get Edinburgh Moving campaign group, and is presented here as part of their deputation to the Transport and Environment committee. A full unabridged version of the opinion may be obtained by the Council under terms of confidentiality free of charge, provided that the Council was willing to reciprocate with its own legal advice. This type of collaborative sharing in particular would be helpful for the purposes of verifying the information contained, as well as aiding Council decision-making going forward. For the benefit of the casual reader, the following summary is a fair and accurate reflection of the unabridged version.

Opinion

The opinion starts by reviewing the relevant documents and legislation.

"I have referred to the Road Traffic Regulation Act 1984 ("the 1984 Act"), especially section 14, and the Coronavirus (Scotland) Act 2020 ("the 2020 Act"). I am told that reference is made to the 2020 Act because it is considered that CEC is using that Act to claim the power to implement the East Craigs LTN. I have not been able to find any particular provision in the 2020 Act that might be the basis for the decision. There is provision in Schedule 6 allowing public bodies to modify the way in which they behave in certain respects. It is possible that those provisions have been utilised by CEC. However, for present purposes I think it is sufficient to be aware that CEC has given the pandemic as the reason for introducing the East Craigs LTN. I have also consider a number of documents from CEC and the Scottish Government relating to the "Spaces for People" scheme.

Section 1 of the 1984 empowers a traffic authority (in this case, CEC, as I understand it), to make a Traffic Regulation Order ("TRO") where it appears to the traffic authority to be expedient to do so for one or more of a number of defined purposes. Those purposes include avoidance of danger or the likelihood of danger. Section 2 makes provision as to the content of a TRO. The procedure to be followed if a traffic authority wishes to make a TRO appears to be set out in The Local Authorities' Traffic Orders (Procedure) (Scotland) Regulations 1999 ("the 1999 Regulations"). The 1999 Regulations make fairly elaborate provision for consultation, publication, objections, and so on."

Counsel reviewed CEC's decisions in light of applicable road traffic regulations:

"Part II of the 1984 Act [Road Traffic Regulation Act 1984] (sections 14 to 22D) makes provision for "traffic regulation in special cases". Section 14 makes provision for "temporary prohibition or restriction on roads". Insofar as material for present purposes, section 14 provides that, "[i]f the traffic authority for a road are satisfied that traffic on the road should be restricted or prohibited ... because of the likelihood of danger to the public ... the authority may by order restrict or prohibit the use of that road, or of any part of it, by vehicles, or vehicles of any class, or by pedestrians, to such extent and subject to such conditions or exceptions as they may consider necessary." Section 15 provides that such orders, which are usually referred to as Temporary Traffic Regulation Orders ("TTROs"), shall not continue in force for more than six months if it is made in respect of a footpath, bridleway, restricted byway, cycle track or byway open to all traffic, and for no more than 18 months in any other case. In such cases, the traffic authority does not have to follow the procedures under the 1999 Regulations."

Then, the background and genesis of what became the LTN was considered:

“In or about 2017 a number of bodies, including CEC, began to promote a project known as “the West Edinburgh Link project”. The project involved the creation of an LTN in East Craigs and the surrounding areas. As part of that project, CEC claims to have identified the need for the creation of an LTN in East Craigs and the surrounding areas ... An LTN is a group of residential streets where through traffic is removed, but where residential access is maintained. An LTN is designed to allow access for walking and cycling, and for vehicular access for local residents and public transport, but to exclude general traffic, often to avoid the area being used a short cut or “rat run”. These aims are achieved by a number of means, including “modal filters” and “bus gates”. It is likely to result in local residents having a longer drive to their homes, and to involve parking restrictions for local residents for various reasons.”

The residents were informed of a decision without consultation, in August:

“On 11 August 2020 Gavin Brown, CEC’s Network Management and Enforcement Manager, wrote to the residents of East Craigs to inform them that CEC was proposing to implement an LTN in the area. Mr Brown indicated that the proposal was being implemented as “one of the emergency projects” introduced to aid physical distancing. Though he did not actually say so, it appears that the proposal was to be implemented by way of a TTRO. Mr Brown indicated that it is planned to make the changes permanent by making a TRO either in late 2020 or at some point in 2021. In an “FAQ” document about the LTN, it is stated that, “[t]his project has been brought forward, based around the feedback that has been received to date...” and in one of the other documents it was recognised that this approach meant the usual consultation had not been undertaken.”

Counsel reviewed whether CEC was entitled to exercise its power under section 14 of the 1984 Act, and then explored whether use of that power was justified in this case:

“In my view at least, CEC is entitled to exercise its power under section 14. It does not tell us anything about the extent of that power in these circumstances. In my opinion, the extent of the power is informed by the other provisions of the 1984 Act. In particular, it cannot be used to do something that ought to be done by making a TRO under section 1. It is a basic principle of administrative law that a discretionary power should not be exercised so as to frustrate the object of the legislation that conferred it. As I said, section 1 allows a traffic authority to make a TRO to avoid danger or the likelihood of danger. In my view, section 14 can be used to deal with the likelihood of danger where there is a degree of urgency that precludes following the procedures in the 1999 Regulations. Any such emergency steps should, in my view, be the minimum necessary in order to deal with the particular likelihood of danger to the public that has arisen. It must not go further than the minimum necessary because that would impinge on the use of TROs and the procedural safeguards built into their use.

Where legislation gives an authority power to do something where it is “satisfied” that it is necessary to do so, if *prima facie* grounds exist for thinking that the authority could not have been so satisfied, then a court would be entitled (and arguably bound) to hold the act or decision to be invalid unless the authority demonstrates by objective evidence that it was satisfied. If a power is conferred for one purpose and is used for another, then the power has not been validly exercised, and the act or decision is invalid. ...

The relevant ground of challenge can either be categorised as “illegality” or as “unreasonableness”.”

The reasonableness and proportionality of CEC’s measures were considered:

“In this particular case, it seems to me that CEC was entitled to introduce some measures on the grounds of the likelihood of danger to the public created by the easing out of lockdown. So, for example, it seems to me that there could perhaps have been little objection to the creation of some pop-up walking lanes to enable pedestrians to physically distance from one another and possibly to pop-up cycle lanes to encourage the use of cycling either as a means of transport or as a means of exercise. Having said all that, it seems to me that the nature of the area is relevant to the sorts of measures that may be necessary. Earlier I referred to changes implemented on George IV Bridge. While I do not know much about the East Craigs area, it seems to me that the sorts of changes necessary in East Craigs ought to be no more extensive than the changes made on George IV Bridge, and quite possibly less extensive. It seems to me that the LTN contains more far-reaching changes.”

Counsel then contends that the pandemic is being used as a pretext to force through an unpopular decision, that it intends to be permanent, via an inappropriate use of temporary powers:

“CEC states that the need for the LTN was identified in 2017. It appears that that is when project development and engagement began. It has been the subject of technical surveys and public discussion since then. All of that gives rise to a suspicion that the pandemic is being used as a pretext to make a decision that might otherwise have faced considerable opposition and possibly not have been made. It has all the appearance of CEC implementing a change, with a view to changing the *status quo*, thereby making permanent change more likely in due course. In my view, the circumstances of this case are sufficiently stark to amount to a *prima facie* (strongly arguable) case to that effect. As such, in my view, unless CEC can produce objective evidence to show that the changes met the requirements of section 14, then the decision ought to be reduced. That may, for example, require CEC to produce evidence to show what lesser changes had been considered and why they had been rejected as insufficient to avert the particular danger to the public in East Craigs. In that regard, I note that an LTN proposed for Leith was put on hold.”

In conclusion, Counsel asserts that the East Craigs LTN is materially different to emergency measures introduced elsewhere, and again that the pandemic has been used as a pretext to introduce a change that it might have found difficult to achieve by following due process.

“In my view, it is clear that CEC planned to introduce an LTN in East Craigs at some point soon. The introduction of an LTN as an emergency measure is materially different to the emergency measures introduced elsewhere. It is difficult to escape the conclusion that CEC has used the pandemic as a pretext to introduce a change that it might otherwise have found difficult to implement if it had had to follow the procedure for making a TRO. There is nothing in my papers to suggest that CEC really considered whether making a TTRO was an appropriate way of implementing this change. It appears to me that, in doing this, CEC has gone much further than the minimum necessary in order to deal with the dangers arising from the pandemic and the easing out of lockdown. **In my view, *prima facie* grounds exist for thinking that CEC could not have been satisfied that an LTN was required under section 14. Accordingly, in my view, the decision is *prima facie* unlawful and ought to be reduced.**”



CORSTORPHINE COMMUNITY COUNCIL – Submission to City of Edinburgh Council’s Transport & Environment Committee 1 October 2020

The Corstorphine Community Council wishes to make the following submission to the City of Edinburgh Council’s Transport and Environment Committee (TEC) as our residents are affected by the Low Transport Neighborhood(s) plans being discussed at the TEC meeting on 1 October 2020. Indeed, the Corstorphine CC has specifically been mentioned in the papers Committee members are considering.

BACKGROUND

The Corstorphine CC has consistently solicited the views of residents to inform and prioritise our activities. This was initially achieved through undertaking a **Placemaking Exercise** with the assistance of the City of Edinburgh Council. The Exercise involved utilizing a Scottish Government designed matrix to ascertain resident satisfaction on the services and facilities in the area. We conducted a series of public meetings and an online survey which provided significant numbers of contributions from residents across Corstorphine. The number one issue for residents was what can broadly be described as the Environment. There is a deep appreciation of the access residents have to green spaces such as parks and playing fields and a desire to move freely and safely within the area. Equally there was concern about increasing levels of traffic which would be exacerbated by building in the West of the City, poor air quality, traffic management and parking. There was such strong feeling on the latter matter that we held a **Traffic Management and Parking Public Meeting** which was attended by local elected representatives, Council officials, the Police and a large number of residents from across Corstorphine. The meeting was emotive with residents demanding immediate action on long standing problems.

Subsequently the Community Council hosted the Environment, Climate Change and Land Reform Committee of the Scottish Parliament. The Committee who were producing a report on poor air quality in Scotland singled out Corstorphine for attention and comment as St. John’s Road had the unwanted epithet of ‘the most polluted street in Scotland’.

The Community Council has also hosted representatives of the Transport and Environment Committee at one of regular monthly meetings to discuss action on pollution issues, particularly around the proposed Low Emission Zone (LEZ) for Edinburgh.

To reiterate Corstorphine CC has advocated on behalf of residents articulating the views and concerns they have expressed to us.

LTN(s)

The **East Craigs ‘Low Traffic Neighbourhood’ (LTN)** falls in part within the Corstorphine CC area that takes in Craigmount (East Craigs itself is part of Drum Brae CC area). During the one-week notification period Corstorphine CC received one written representation from a resident which was immediately forwarded to Council officials. We did not have the time and resources to widely canvass residents’ opinions during this period. There has been considerable local opposition to the proposals with a 2,500-signature petition opposing the LTN and crowd funding to challenge the City Council in



court. Members of Corstorphine CC attended the public meeting on Friday 28 August held in Gyle Park. National and Local elected representatives addressed a large crowd of residents, the majority of which appeared opposed to the introduction of the LTN in its current form. The principal reasons cited are misuse of Covid -19 powers to pursue an Administration agenda (the Community Council does not have the competence to comment on questions of legality); lack of resident consultation; mixed messages as to why the Council wishes the LTN to be introduced; and more. The City Council administration committed to review the LTN proposal considering the representations they had received. A revised LTN has been produced which in part reflects the requested changes and the Community Council welcomes this.

The **Corstorphine South LTN** has evolved from an initial proposal for a Filtered Permeability Scheme (FPS) in the Featherhall area of Corstorphine. Featherhall has long been identified as an area with chronic parking and rat running issues. Corstorphine CC secured £50,000 of Council funding to establish a one-way system on Featherhall Avenue to address traffic flow problems. The one-way system had been overwhelmingly endorsed by the residents in a Council consultation following a trial. Council officials then approached Corstorphine CC with an alternative proposal for an FPS which would deal with the issues in a more holistic fashion. We have now been informed that the FPS will be part of a wider Corstorphine South LTN. We have no details of what this will encompass.

CONCLUSION

Corstorphine CC is entirely supportive of the health and safety rationale behind the 'Spaces for People' measures; recognises the intent behind Low Transport Neighbourhoods; continues to advocate for traffic management measures including combating parking and 'rat running' issues; and encourages provision for cyclists and walkers. We strongly advocate for an exacting Low Emission Zone (LEZ) for the whole City and not the two-tier LEZ that is currently proposed. We could hardly do otherwise with St. John's Road and Queensferry Road as two of the most polluted roads in Scotland within and adjacent to our area.

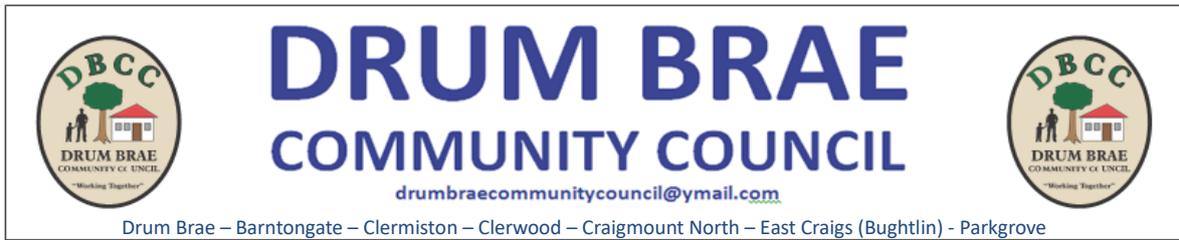
There are Corstorphine CC members who are informed; eloquent; and measured in their advocacy of active travel and related matters. This does not mean that they should be dismissed as 'activists'. Corstorphine CC is not 'anti car'. Rather we support the right of all our residents to move freely and safely and that includes cycling and walking.

Ultimately Corstorphine CC would be failing in our duty to a significant number of our residents if we did not advance their strongly held concerns about the introduction of the East Craigs LTN. Firstly, there are concerns about democratic accountability. Secondly there needs to be greater transparency from the Council administration about the strategy and methodology they are employing to achieve their objectives. Change and modal shift requires community buy in. This will not be achieved in a polarised and increasingly politicised argument. We believe that the Community Council as an apolitical representative body has a pivotal role going forward in achieving outcomes that all can appreciate as meretricious. The 'Say No East Craigs LTN' Residents Action Group have been invited to join Corstorphine CC in the same manner as Residents Associations in Pinkhill and Forrester. We hope the Committee will accept and work with the Community Council.

I appreciate that this exposition is lengthy, but I felt it was important to correct any misapprehension about Corstorphine CC's motivation and give some context to our continued commitment to improving our areas environment and enriching the lives of our residents. We will continue to engage with the City Council in a collaborative manner to achieve these ends.



STEVE KERR
Chairperson
Corstorphine Community Council



Drumbrae Community Council – Written deputation to the Transport & Environment Committee, Thursday 1st October

IRO Item 7.1 - East Craigs Low Traffic Neighbourhood

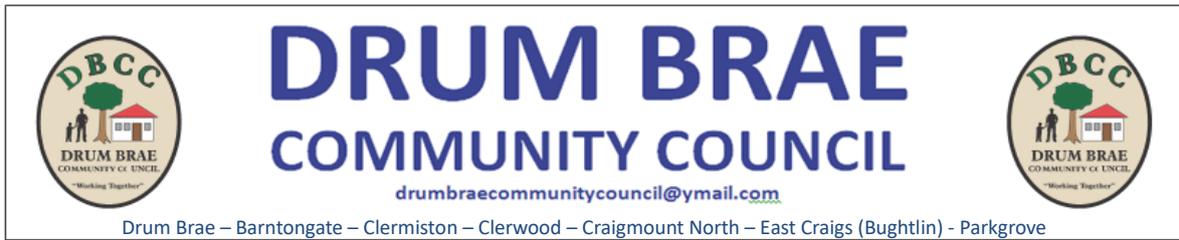
Our written deputation today seeks to lay out our ongoing concerns in respect of the regrettably very divisive Low Traffic Neighbourhood proposals impacting our community council area.

It also requests that Transport & Environment Committee take stock of the ongoing community opposition to the proposals and halt the East Craigs LTN process in order to consult and engage in the appropriate manner and to then progress with the benefit of informed decisions based on accurate and fit for purpose information and statistics, achieving consensus where it can be delivered and to review the whole matter with a view to learning from the mistakes made to avoid repeats.

In relation to the report, it is to our recall that we spoke in terms of the impact of developments at Cammo and West Craigs purely on the basis of obvious arterial routes and impacts of congestion and traffic volumes. We are happy to be corrected, but in DBCC's view we never really did get into the minutia of our separate community routes and impacts and it is simply disingenuous in our view to suggest that we have 'longstanding concerns from local Community Councils' regarding increases in traffic through East Craigs and surrounding areas due to the West Craigs/ Cammo Developments. The City of Edinburgh Council know full well that the concerns are about increased traffic and congestion in Edinburgh West in general, due to these developments, and this Committee will inevitably be charged with rubber stamping proposals to make good the infrastructure fit for purpose for the future.

DBCC also do not recognise the Spaces for People feedback which we are now told apparently included these same issues reported during the WEL consultation as well as highlighting unsafe conditions for cycling, narrow footways and requests for certain roads to be closed in the East Craigs area) subsequently DBCC feel that the continued approach of non-provision of the requested statistics is frankly absurd. In preference, we appear to have an approach applied by the City of Edinburgh Council which has been akin to community engagement being a type of hostile process because it seems that the City of Edinburgh Council appear to believe they just cannot be wrong (god forbid be seen to change after representation from concerned parties).

Put bluntly DBCC has an overwhelming sense of disappointment in regard to what we see were proposals in which we believe there were perhaps many good intentions and benefits for our communities but these were then overtaken and carried out with a quite woeful approach to implement them. This Committee today have to be made aware that there are continued major concerns in regard to this type of approach, these are exacerbated when main reasons for speed being offered are the necessity due to the current Covid -19 pandemic to push through what clearly appears to be an Administration agenda without the required rationale to allow informed comment on concerns of legality of process, more so when DBCC does not have the expertise and competence to respond accurately to concerns raised.



DBCC simply ask that we should be striving for an outward looking Council which is open and accessible to members of the public to ensure the Council stays close to the people they purport to serve, regardless of their differing views on the subject matter? DBCC see this episode as quite a litany of failure so far on an important issue to our community and it does seem to us that talks with communities appear to have stopped in preference to utilisation of valuable City of Edinburgh Council time and vast resource, to have what appears to be yet another tick box exercise, this time once again with extremely late to no notification and with hard to meet, extremely tight timescales, all of which unfortunately seem to have become the norm within the City of Edinburgh Council.

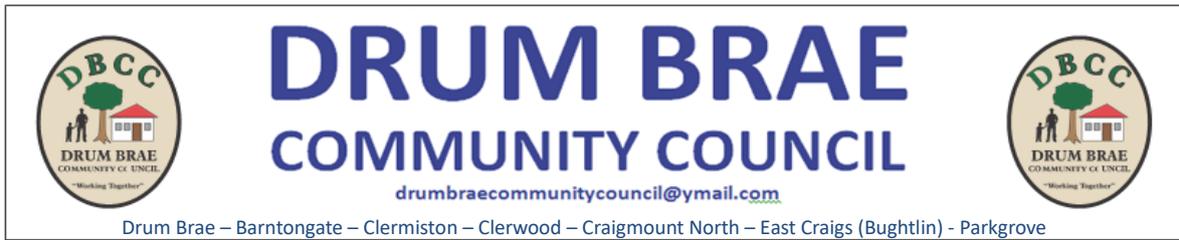
The Committee should also be aware that with the demise of Neighbourhood Partnerships followed by the brief life of Localities, Community Councils such as ours now find themselves cast adrift with no direct means of representing their communities to the various departments and functions of the City of Edinburgh Council. If there has been a replacement for Localities established, or even planned we have neither been consulted nor invited to any meeting of such a body for many, many months, subsequently and as things stand we are finding it more and more difficult to function despite the onerous responsibilities imposed up in us by Governance; subsequently you should be aware that the approach taken on this issue by the City of Edinburgh Council has made that situation substantially worse. From a DBCC perspective, the resentment and factionalism seen currently in our communities is hardly surprising when the City of Edinburgh Council are not seen to listen or engage in major concerns or fully consider democratic accountability properly ... anyone who doesn't see the danger in that simple fact, is simply not paying attention.

We can advise for example, as a Community Council we've always believed in prioritising doing it properly rather than at speed, that way we don't waste time, inordinate amounts of money and resource by going back to repair the mistakes we should have noticed in the first place, perhaps you will be familiar with that?

Additionally - and under DDA legislation (disability access and egress is a genuine and significant concern) - there is a requirement that public bodies promote equality of opportunity and minimum standards for people with disabilities. One therefore rightly assumes this includes East Craigs. Can we really say in all honesty that this consultation and opportunity has been completed in this case? If you believe the answer is yes, then resolution of our many concerns should therefore be relatively simple; please provide the supportive evidence that this requirement has been fully completed confirming this to the extent required by the legislative process. This is part of the evidence and statistics which we requested in regard to these proposals which would assist our understanding.

Given that we are similarly uninformed in regard to this matter, please also tell us more also of the East Craig's Primary School Travel Plan in which we are now told, apparently indicates that some of the same issues reported in the WEL consultation are also ones that make parents and pupils feel less safe about travelling to school by walking, cycling or wheeling.

Similarly, in the same vein, perhaps you could also show us the data where and when vehicle volume and speed surveys were carried out which confirmed these issues. We would be grateful if you could tell us more surrounding this detailed feedback which was received from, an as yet unknown,



'advisory group of local residents', such as the circumstances on how was this group formed and why the local community council (DBCC) know nothing about them?

This would perhaps help to resolve at least some of the concerns of whether input was requested and afforded to the main bulk of residents of East Craig's in this matter and not just residents of one particular view in a matter.

Also given that we were afforded negligible informative feedback on the points already submitted to the City of Edinburgh Council 'stakeholder' consultation back in July 2020 (and let's all be honest here, this process was not just produced from the void or ether in May 2020, there had to be much resource and work completed prior to that and the Covid 19 pandemic ... and we all know that).

DBCC would like to make it crystal clear to any Councillor or officer who foolishly believes that these huge decisions affecting our communities, which on the face it, are being made predominantly by officers and box ticked by Councillors, is not the officer tail wagging the Council dog ... or that by wilfully bypassing local democracy and pushing on with your own already pre-determined decisions and version of events is a good thing ... is sadly mistaken.

We can advise therefore that from DBCC's perspective, this current proposal as it stands contains an unnecessary, untenable, damaging and completely unacceptable approach taken by the City of Edinburgh Council which requires further urgent review and remedial action from the City of Edinburgh Council to fully and comprehensively address the continued and considerable concerns of our residents/ communities, residents who unfortunately still currently feel they are being railroaded and misinformed by the City of Edinburgh Council. DBCC will always continue to commit to supporting initiatives which improve our communities, and by doing so, also support our residents as we do now, all we ask is that the City of Edinburgh Council reciprocate in a meaningful way to engage appropriately to achieve these ends.

Kenny Wright
Chair Drum Brae Community Council