

South West Edinburgh in Motion Deputation: Agenda Item 7.1 Options for Lanark Road

1. About South West Edinburgh in Motion

South West Edinburgh in Motion was formed to call for genuine community consultation on the Spaces for People measures installed on Lanark, Longstone and Inglis Green Roads.

Our Facebook group has over 800 members made up of residents and local business owners impacted by the council's Spaces for People schemes on Lanark, Inglis Green and Longstone Roads.

We organised two local surveys, one conducted in December 2020 by an independent market research company and completed by over 1000 respondents, and another informal survey in June 2021 with over 400 replies, from residents and businesses in the Longstone Community Council catchment.

Based on the findings of these surveys and the [many hundreds of comments made by respondents](#) since the initial introduction of SfP in the area, **SWEM has been able to collect more local opinion on the Spaces for People schemes than local community councils, and therefore has a clear mandate to represent these views to the council.**

2. What we now know about the Lanark Road scheme

Previous council data and the report before councillors today allow a more complete picture of the scheme on Lanark Road.

At a cost of up to £200,000, the scheme on Lanark Road:

- Has not increased cycling by a statistically significant amount
- Has a negative impact on people with disabilities (council's own scheme assessment reported to full council in June 2021), including removing parking previously accessible to blue-badge holders
- Has introduced a more complex layout in which 1 in 6 cars now exceeds the speed limit by 7 mph or more.
- Has received no majority support from the community in any public engagement exercise
- Has prioritised pedestrians below cyclists contrary to the transport hierarchy

3. A flawed consultation exercise

The recommendations before the Transport & Environment Committee today are based on a flawed consultation exercise.

Councillors will be aware of the legal implications here, and SWEM has received legal advice that a decision based on a flawed or misleading consultation would be challengeable.

On 6 September 2021, residents of Lanark Road and the neighbouring streets were presented with the council's "local engagement" survey, which asked about two specific elements of the Lanark Road scheme.

SWEM noted that, if respondents wished to submit the survey, they must agree with one of the options presented by the council concerning parking opposite Dovecot Park, namely "Relocate Parking" or "Remove Parking".

We considered that this was unacceptable, and on 7 September SWEM wrote to the council with a formal complaint, which was **UPHELD** with the following response:

“...we recognise that people should have been able to choose neither of the options presented. As such the survey has been updated and an answer to this question is no longer required.

“We will contact participants (where we are able to) who provided responses prior to the update to ask them if they would like to change their response.

The changes to the survey only came into effect after 223 people had submitted responses. Of these, the council only managed to make confirmed contact with 33, of which 23 (70%!) then said they wanted to remove their response to this question.

Furthermore, the survey still failed to include a “Do not agree” option, or indeed to state that a mandatory response was no longer needed.

Also, the survey preamble refers to the support from the community councils for retaining the cycle lanes outside Cranley Nursery, an unusually ‘leading’ statement in a survey which is simply bad practice.

All of these are examples of an engagement exercise that breached the council’s own quality criteria.

More disturbingly, the decision to ignore a clear 75% rejection from residents of the cycleway layout at Spylaw Park raises the question of just how authentic this “engagement exercise” was, again failing to meet the council’s own criteria.

Finally, we view the change of scope of the survey from the leafleted area of directly affected residents of Lanark Road to a wider, self-selecting group to be a direct over-reach of the brief to engage with residents and community council. As a reminder, the brief from full council was unambiguous:

Item 7.13 – Potential Retention of Spaces for People

“Asks officers to **engage with Lanark Road local residents** and the Community Council...”

Targeted leafleting to specific addresses was adopted as means of doing this, but then mission creep occurred, and the engagement exercise became meaningless, with responses from outside the area being submitted.

4. Questionable Data

The recommendations before the Transport & Environment Committee today ignore some data-based evidence and are based on questionable interpretation of data.

Councillors will note that the speed calculations in Table 2 of the report chose to avoid a year-on-year comparison in order to include post-implementation data from July 2021 where speeds are much lower. (It is likely that this date coincided with roadworks on Slateford Road, which had an effect on the traffic near Redhall Bank Road).

Since year-on-year (in fact, week for week—highlighted below) data exist, choosing to mix and match the data from different weeks, some including school holiday periods, guarantees a poor comparison.

Table 2: Vehicle Speed (Mph)

Lanark Road - Vehicle Speed Pre-Implementation		City Bnd		Out Bnd		Combined	
		Avg	85 %-ile	Avg	85 %-ile	Avg	86 %-ile
Site/ Date	Kingsknowe Dr - Aug 2020	33.4	37.3	36.5	40.3	34.9	39.1
	Hailes Pk - Aug 2020	34.3	37.7	35.6	39.2	34.9	38.4
	Spylaw Bank Road - Oct 2020	34.6		34.9		34.7	
	Combined	34.1	37.5	35.7	39.8	34.8	38.8
Lanark Road - Vehicle Speed Post-Implementation		City Bnd		Out Bnd		Combined	
		Avg	85 %-ile	Avg	85 %-ile	Avg	86 %-ile
Site/ Date	Redhall Bank Rd - Jul 2021	24.8	28.4	23.5	26.6	24.2	27.5
	Redhall Bank Rd - Aug 2021	30.2	34.7	32	36.9	31.1	35.8
	Spylaw Bank Rd - Jul 2021	26.5	30.2	33.4	39.4	30	36.5
	Spylaw Bank Rd - Aug 2021	31	36	33.6	40	32.4	38.3
	Combined	28.1	32.3	30.6	35.7	29.4	34.5

In fact, the most recent picture (August 2021) is one where **most traffic is exceeding the speed limit** (mean speeds August 2021, 31.7mph) and where **1 in 6 drivers is exceeding the speed limit by 7 mph** (85th percentile of 36.9mph).

Handling of the cycle volume data is selective since, unlike the speed data, figures for July 2021 are disregarded without any reason being given.

The comparison is still not year-on-year, choosing to compare October 2020 ([dates where new COVID restrictions had just been introduced](#) to limit unnecessary travel) with August 2021 (a vaccinated population with all social settings reopened and many businesses working as normal).

Furthermore, cycling is a seasonal activity, and [Cycling UK's own figures](#) show that urban cycling is 15% higher in August than in October. With this in mind, the increase of 8 cycle journeys per day (3.3%) is not a success story for the scheme, and is a real-terms decrease.

Still, even putting the COVID restrictions and seasonality aside, the 8 cycle journeys per day increase is not statistically significant, when the standard deviation (the "uncertainty") of the daily numbers is between 8 and 9.

5. What this means for proposals for an ETRO

Specific proposed amendments to the scheme

The report recommends the relocation of parking to the opposite side of the road from Dovecot Flats.

If councillors approve this then the impact on some residents will be severe because:

- Access from the parking at back of the flat involves stairs, which makes loading / unloading from a car difficult for those with mobility problems
- There is no buzzer access from the back of the property, so delivery drivers and visitors cannot gain access from here
- Residents with mobility issues will therefore have to cross the road from parking if they need front access

The proposals for timed parking at Spylaw are not supported by residents. It is notable that 75% of respondents chose the option to remove the cycle lane, but that this has been ignored.

In particular, the proposal to introduce timed parking is only necessary because of the restrictions on parking created by the scheme itself. Previously there was not a parking problem on Lanark Road.

Wider implications

When the Lanark Road scheme was put in place, you told us that its purpose was to reduce the risk of transmission of COVID on the Water of Leith and canal paths. Cllr Macinnes insisted the move to make some schemes permanent was "by no means a done deal".

But voting to approve these recommendations for Lanark Road and to progress them as part of an ETRO is doing exactly this.

Any ETRO you seek to progress for Lanark Road will:

- Be progressed in the face of clear majority public opposition
- Be discriminatory to people with disabilities, as evidenced by your own integrated impact assessment
- Be investing in a scheme benefiting only cyclists but for which no demand can be evidenced, even with the most preferential handling of the data
- Be prioritising cyclists over pedestrians in the transport hierarchy (see below)

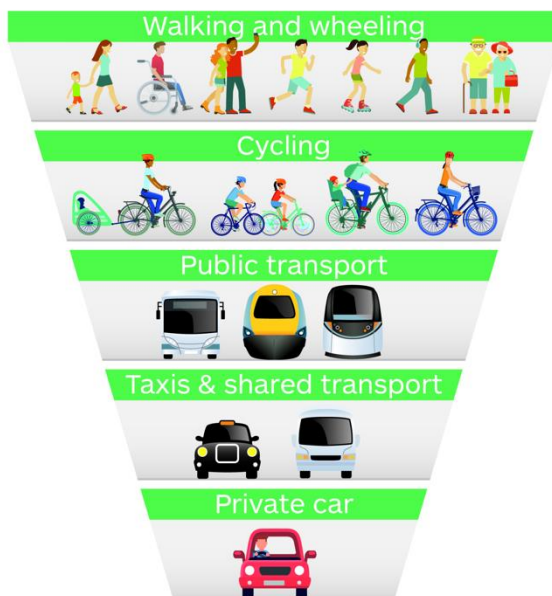
Failure to consider transport hierarchy

Given—

- the failure of the installed cycling infrastructure to attract more cyclists; and,
- the lack of benefits to pedestrians; and,
- the negative impacts on those who use wheelchairs to move along and across Lanark Road,

we consider that the transport hierarchy — which should place pedestrians at the top — has been ignored:

Prioritising Sustainable Transport



The difference in the treatment of cyclists and pedestrians in this scheme, in the consultation and subsequent proposals is plain to see:

Lanark Road Spaces for People adherence to transport hierarchy in Sustrans-designed scheme.	Pedestrians including disabled people	Cyclists including disabled cyclists
<p>Volume of users in one section of the street</p> <p>Source: Council VMC Analysis 003682 Lanark Road and 003683 Lanark Road</p>	<p>Pedestrians are double the number of cyclists (however could be proportionately much more than this as survey has been done for short stretches over half a mile apart. Most pedestrians will not walk the whole length of Lanark Road. So the pedestrians in both places (over half a mile apart) are more likely to be different people)</p> <p>Hailes Average week day 248 Average weekend 218</p> <p>Redhall Average weekday 236 Average weekend 262</p>	<p>Cyclists are around half the number of pedestrians, however could be proportionately much less than that as survey has been done for short stretches over half a mile apart. More cyclists than pedestrians are likely to travel the whole length of Lanark Road. So the cyclists in both places (over half a mile apart) are more likely to be the same people.</p> <p>Hailes Average weekday 117 Average weekend 110</p> <p>Redhall Average weekday 126 Average weekend 162</p>
<p>Official council scheme assessment of impact for Spaces for People</p> <p>Source p47 Potential Retention of Spaces for People measures – referral from the Transport and Environment Committee - 24 June 2021</p>	<p>Minor negative impact for disabled people. (Contested by disability representatives who believe it is significantly negative.)</p> <p>Neutral impact for pedestrians</p>	<p>Significant positive for cycling. (Not all cyclists agree that it is.)</p> <p>No criteria included for grading for disabled cyclists. Some resident feedback that the scheme is not properly designed to be of real benefit to some disabled cyclists requiring adapted bikes, and previous travel on the road by adapted tricycle is no longer possible when it was previously.</p>
<p>Improvements made in last calendar year</p>	<p>Traffic island upgrades agreed 4 years ago in 2017 for consultation then implementation by 2019/2020 have not happened.</p> <p>Source: Transport and Environment Committee Pedestrian Crossing Report in 2018.</p>	<p>Sudden installation of 4km of cycle lanes giving directly impacted residents only 2 working days' notice (in spite of design being done by Sustrans over six months earlier).</p>
<p>Funding decisions for future improvements</p> <p>Source: Transport and Environment</p>	<p>P10 Appendix 2 of report for today's TEC meeting states <i>"the introduction of standalone pedestrian crossings as a Road Safety intervention is subject to</i></p>	<p>Data on p4 on Appendix 2 of report for today's TEC meeting shows a very low level of cycling with no statistically significant increase in cycling between pre and post</p>

<p>Committee, Thursday, 14 October 2021 Active Travel Measures – Traveling Safely Update</p>	<p><i>strict criteria to ensure that funding is focussed on the areas of greatest need. These criteria were applied to several sites on Lanark Road with only one site... meeting the criteria for un-controlled crossing improvements and none meeting the criteria for controlled (signalised) improvements”</i></p> <p>A request for a pedestrian crossing was declined in 2019 as the road was not dangerous enough.</p>	<p>scheme implementation (Oct 2020/August 2021). A seasonal uplift of 15% would be expected without any scheme implementation (Source: Cycling UK).</p> <p>Crash map data show a low level of accidents involving cyclists, with most common accidents caused by poor road surface. There are no council and police recommendations on road changes following any accident. The police and council recommended switching off the speed cameras as compliance was so good (not supported by residents).</p> <p>Yet, on p11 of Appendix 2 of today;s report: “Following the monitoring and engagement carried out, it remains the officers recommendation that this scheme be retained, subject to further revisions..”</p>
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6. Moving forward

There are aspects we welcome in the detail of the recommendations.

The proposals for crossings, already requested (and promised) for some years by our community, are positive, and rightly prioritise the pedestrian in a way that the Spaces for People scheme does not.

We need a commitment to get control of speed on Lanark Road. Council officers told us that the new layout would naturally limit the speed, and so enforcement would not be necessary. However, **the report shows the need to reinstate the safety cameras on Lanark Road**, ideally combined with positive reinforcement of driver behaviour using a radar speed sign, as is deployed on Redford Road.

The intention to review the sightlines around floating parking is welcomed, but we note that this is a problem created by the “floating parking” feature scheme in the first place.

Before you vote through a scheme with no evidenced demand, no public support and which is disadvantageous to the most vulnerable people living on Lanark Road, please consider the alternatives.

We have actively consulted the local community, road engineers, disability representatives and have concrete proposals for how the street could work for everyone. Our proposals were presented to the Longstone Community Council in detail at a meeting convened by them on 2 August 2021 and at which broad support was voiced by those attending. We would be happy to meet with council officers to work with them constructively on these.

7. Summary

The instructions on 24 June to council officers were clear:

“[Council] Asks officers to **engage with Lanark Road local residents** and the Community Council to achieve cycle speed mitigation measures as well as **to reconsider parking provision where parking spaces sit outside protected cycle lanes**, with a view to mitigating potential conflict and safety concerns as soon as practicable on the ground – and that these measures are reported to Transport and Environment Committee in September.”

This instruction from the council was not followed. The scope of the engagement exercise went beyond the extent of local residents. **Council officers have over-reached councillors** by including responses from outside the area and using these to contribute to the decision-making process.

Officers could have also reasonably included an option for a cycle lane going around parked cars, which was in the report recommendations that went to full council on 24 June:

4.101.3 In some circumstances, replacing floating parking with a new layout which places the cycle lane between parked cars and the running carriageway.

This would be within remit and consistent with an option presented to councillors in the previous report, but this option was not offered.

More concerningly, the engagement exercise has failed to apply insights from data on speed, vehicle and cycle volumes in the options for inclusion in the survey (which had been gathered prior to the survey). Nor are these data being used as a basis for decision making.

Finally, where engagement opinion has diverged from the “right answer” it has been ignored, and actions like relocating parking at Dovecot Flats will only exacerbate the negatives of this scheme for people with mobility problems.

We call on members of the committee to listen to the community opinion.

- The narrow scope of the “engagement exercise” shows an **absence of common sense creativity**.
- The inability to accept community opinion that differs from that of councillors shows the **absence of a constructive approach**.
- And the recommendation to consolidate the impact on vulnerable residents by further parking changes shows an **absence of compassion**.

There are good alternatives to the current Lanark Road scheme that will be broadly acceptable to the people who live here.

Please work with our community on the future shape of our neighbourhood, rather than against us.

Appendices

The Transport & Environment Committee cannot justify voting to accept the recommendations in this report for several reasons. Further detail around these is provided in the following appendices.

Appendix 1: Flawed local engagement exercise. The local engagement exercise breached basic quality standards to a significant extent, and was not adequately checked before it went live requiring “mid-flight” changes which did not fully address the issues.

Appendix 2: Report with missing and misleading information. Misleading statements and missing information in the report mean that any committee vote can not be properly informed.

Appendix 3: Maladministration extended to managing the complaint process. All correspondence is provided for reference.

Appendix 4: Maladministration as public survey issued without proper basic checks being made. Response to Cllr Johnston’s question to full council.

Appendix 1 Flawed local engagement exercise

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Structure, timings and related issues

Community councils

- A meeting was held with local community councils on Tuesday 3 August. Balerno, Currie, Juniper Green & Baberton Mains, Colinton, Longstone and Craiglockhart were invited.
- Only Longstone and Colinton Community Councils represent residents directly impacted by the schemes
 - Colinton CC were unable to attend the meeting
 - Longstone CC did attend. Publicly, they have stated within the community that they were taking a balanced and neutral approach on the issue (but had not undertaken any of their own activity to justify that position). Then, the minutes published from the council meeting do not record that a neutral position was presented, and indicate that a preference was stated for solutions proposed by the council, including for the area outside their ward.
 - Therefore half the impacted community were not represented at all by Colinton and the other half do not seem to have been neutrally represented in line with the public stance.

Residents

- **Dates.** The local engagement survey for directly impacted residents and businesses launched on Monday 6 September and closed on Monday 27 September.
- **Volume.** 590 addresses apparently received written invitations to complete the survey. This was apparently the only public official council communication which shared the URL to access the survey.
- **No proper quality control.** The response to Cllr Johnston's question to full council on 23 September highlights that once again, a public survey has been issued without proper checks being made (see Appendix 4)
- **Lack of clarity of scope .** No council communication suggested it was acceptable for people who did not receive an invite to participate, but no clear statement was made either way. However, the implication, through use of invitations, requiring postcodes to submit a response, and no communication otherwise, suggested it was not acceptable for those not receiving an invitation to then participate.
- **Odd choice of addresses.** The choice of which addresses would receive an invite was not checked with local councillors first. Prior to issuing the survey, the communication the council issued to councillors, illustrating which households will be invited to respond was a poor quality map which was impossible to decipher. (A better quality map was subsequently provided, not long before the survey closed, in response to Cllr Johnston's question to full council - see Appendix 4.) It meant that councillors and community councils could not adequately query, in advance, the rationale for the choice of households for responding. It is not clear why the natural and logical boundaries of the Water of Leith and the railway line were not used to define the local area in Spylaw and Kingsknowe. This led to some strange decisions, of why some parts of streets were included and not others. A particularly baffling choice was to exclude addresses alongside the official "quiet routes" which are, in theory, linked to and part of the scheme.
- **Personal data and validation.** Rather than use a standard survey mechanism to validate responses without requiring the council officers to have access to personal data, respondents were asked for their personal email address and postcode so the council could validate them as local. Worryingly, and in breach of best practice, the council officers would be able to view this data alongside participants' responses about whether or not they support the council on this issue. Now the council officers have ignored those objecting, they have disclosed their personal data for no purpose.

- **Trust breach.** This approach has also led to lack of trust in the outcome from those on both sides of the debate with other concerns that people could have chosen local postcodes to appear valid.
- **Delivery issues.** Some addresses did not seem to receive the letters. In some instances this was resolved. It is not clear if it was resolved in all cases.
- **Confusion.** In the final few days of the Lanark Road survey, a survey with the same methodology was launched for another area - Braids and Comiston Road. A local councillor shared on Facebook that council officers would in fact include responses from outside the area of invitation within the final report. This created confusion in Lanark Road with those outside the “official area” unclear as to whether they could or should respond or not, as they did not want to be accused of spamming it.
- **Inclusion of invalid sample.** It turns out, in the Lanark Road report, that council officers have indeed included responses from outside the area without communicating up front that they would do this.

Survey content

- **Inaccessible diagrams.** Although this time a key was added, once again, the diagrams communicating information about proposals were hard to follow on a screen, and house numbers were not added. Previous complaints have been made about inaccessible technical drawings. One had been upheld and a commitment was made previously to improve this. We do not think this has gone far enough. (See screengrab below)
- **Inadequate information.** In question 5, a statement is made that relocating the parking will result in a “net increase in spaces”. This was not quantified. In the end, after the survey closed, a local councillor managed to find out that the net increase was 3 spaces, however due to the delay in providing that response, and extra time needed to check it, it seemed that this information had not been worked out prior to creating the survey and making the statement about net increase.
- **Leading statements.** Question 4 provided three options for cycle lanes outside Cranley Nursery.
 - Retain existing layout
 - Option 1 – remove the parking
 - Option 2 – remove the cycle way

However right before the question, it referred to Community Council feedback to lead respondents to reject the option to remove the scheme.

“These options have been discussed with community councillors in the surrounding area and their comments have helped to inform the proposals. At the workshop with community councillors, there was no support for removing the cycle lanes at this location, with the preference being for retention.”

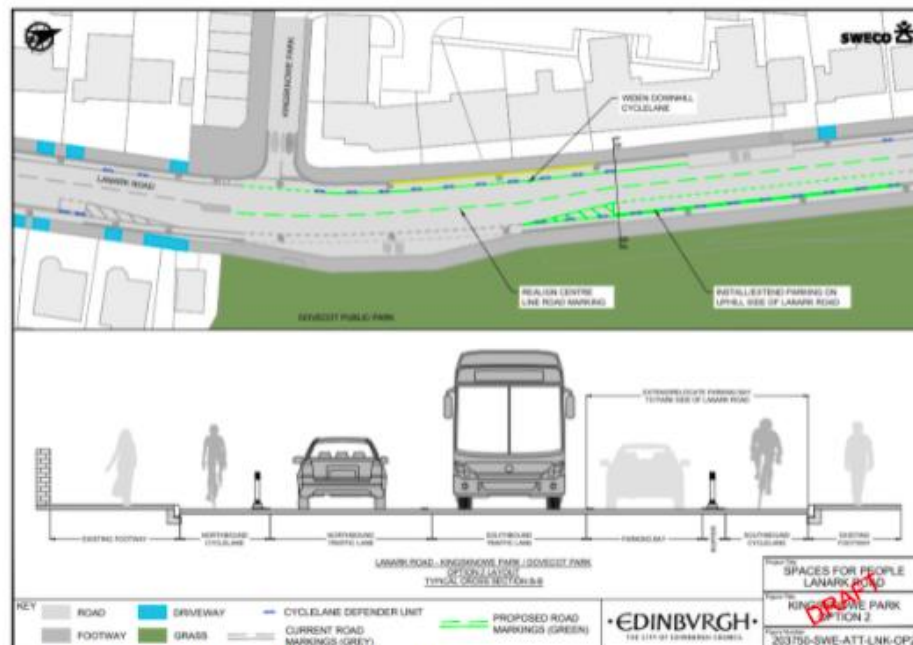
Leading statements are very bad practice in any survey. This repeated the error of the leading statements being used in the main public consultation in an apparent attempt to elicit a positive response – these statements then had to be removed. This statement did not include feedback on this matter from Colinton Community Council which is the community council representing residents on the section of Lanark Road outside Cranley Nursery.

- **Respondents forced to agree with the council.** The council presented a Hobson’s Choice at Question 5, where respondents were forced to agree with one of the options presented by the council (remove parking entirely, or relocate it) or be unable to submit their responses to any other question. (see screen grab below)

The council has already ignored overwhelming public objection to this scheme in the last consultation which had 17,600 responses. But to attempt to manipulate public support in this way to create a result along the lines of “85% of people support this option” was unacceptable.

A survey hosted on the council's consultation hub where residents could not communicate their opinion without agreeing with the council creates further public distrust in council consultations. In November 2020, Audit Scotland reported that CEC needed to do more around community engagement, empowerment and reducing inequality. This survey appears to move even further away from achieving that.

Screen grab showing inaccessible diagram and Hobson's choice question 5



Dovecot Park, Option 2 – Relocate Parking

► [Implications of retaining the existing layout](#)

5. Which of these options do you prefer?

(Required)

An answer is required

- ☐ Option 1 - Remove parking
- ☐ Option 2 - Relocate parking to uphill side of the road

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Strangely, the council responded quickly (and without telling SWEM - the original complainant) allegedly changing the functionality on the survey on 9th September at 9.23am, meaning an individual could then technically miss out the question.

However no wording within the survey was ever changed to let individuals know that that was possible. The council then took until Wednesday 22 September to email those who'd submitted responses prior to the change, to invite them to resubmit. This was done from the Spaces for People email address.

Some key numbers illustrating the impact of this:

- 574 survey responses were received overall.
- 223 people had responded prior to the technical change, so they were not able to miss out the question at time of submission.
- The council only had permission to email 143 out of these 223 respondents (64%). 80 people did not consent to being contacted - 21 from leafleted areas and 80 from EH13 EH14 area.
- The council successfully made contact with 33 people of the 143 who then indicated what they wished to happen:
 - 23 of those they had confirmed contact with, wanted to miss out the question now (70%!)
 - 8 did not want to change
 - 1 said they had no preference
 - 1 changed from “remove parking” to “relocate parking”

In spite of this, the graph is presented in the report in a way that, at a glance, shows support for “Relocating Parking” and this is the recommendation made by the council for vote on Thursday. At a minimum, we believe people should have been clearly offered an option to miss out the question and that this is serious maladministration breaking all basic survey quality standards.

Appendix 2: Report with missing and misleading information

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Missing information

- **Water of Leith:** Extensive comment is made in the report about the Water of Leith walkway with judgement made relating to its suitability as a route. Yet no data on cycle counts has been included in comparison with the cycling data provided for Lanark Road. There are (or should be) cycle counters on the relevant stretch of the Water of Leith, especially as this information is critical to future local decisions, and the scheme was justified due to an alleged public health risk on the Water of Leith due to alleged over-crowding so this should have been monitored closely.
- **Parking data:** In the statement on p3 Appendix 2: "*this shows levels of use are consistently below 50% of the available space*", this is an inappropriate use of the word "consistently" as it is clear in the report that the parking sampling was done on a single day in the holidays - Tuesday 27 July 2021. No data has been included covering weekends during term time, when children's activities cause real pressure and when recent accidents have occurred.
- **Cycle speeds:** p3 Appendix 2 it states that at least 85% of cyclists are travelling below 20mph at all locations/directions, but even although there are very few cyclists, it is surprising the report does not seem to provide the maximum speed they travel between pavement and floating parking, as the report is supposed to be responding to this specific safety issue.
- **Residents v businesses:** The report provides no insight on how many businesses responded.
- **Comments:** Question 6 enabled people to leave comments. The report included no analysis of these which is unacceptable.
- **Times and dates of change to survey and updating previous respondents.** The report does not include that the technical change was made to the survey on 9th September so respondents could, in theory, miss out the question. It does not mention that it took until 22 September (3 working days before survey closing) to then contact 143 people who had granted permission for contact (out of 223 who had submitted responses prior to the survey change), that the survey had been changed.
- **No data on pedestrians has been included.** However recommendations are made on pedestrian crossings (or not installing pedestrian crossings) and how no sites meet the criteria for un-controlled crossing improvements.

Misleading information

- **Speed data:** p4 Appendix 2. It may appear that there have been some improvements in speed - with lower speeds on average. However it is not made clear in the report that the speed limit has been reduced to 30mph and the road design is now much more dangerous at higher speeds (in an apparent attempt to calm speeds). Therefore the speed reductions are inadequate in this context, and the speed levels are now arguably more dangerous.
- **Survey completion:** p6 Appendix 2 - for reasons already highlighted it is misleading to say "*Notification of the survey was sent to all 590 addresses shown on the map below, though anyone was free to complete the survey.*" While this may technically be true, no council communication stated that, or promoted it elsewhere to create a valid sample.
- **Community councils:** p7 Appendix 2 in relation to Spylaw Park cycleway: "*At the workshop with Community Councillors there was no support for removing the cycleway at this location, with a preference noted for retention.*" It does not clarify that the Community Council representing this area was not present and did not submit a preference. This is the same on p11 Appendix 2 where it says "*Community Council representatives were generally positive in terms of retention and revisions to the parking arrangements.*"
- **Inclusion of responses from outside the area:** P7, 8, and 9 Appendix 2, include responses from EH13, EH14 and outside the area. These should not have been included as no valid attempt was made to capture a valid sample.

- **Inclusion of survey results for Kingsknowe Park.** As highlighted above in relation to the Hobson's choice question, and the fact 70% of people who were successfully contacted wanted to change their response, this data for support of relocating parking is very misleading and cannot be used for decision making.
- **Reference to Water of Leith p9 Appendix 2.** A statement is made that *"In order to head into town this route still leads to the Slateford Aqueduct which remains a dramatic pinch point... and is completely inaccessible to numerous types of people cycling"*. The inaccessibility at that point is correct, however it is incorrect to imply that it is the only route into town from there. Cyclists can continue along the Water of Leith pathways to come out at the Water of Leith Visitor centre and continue on the Water of Leith to take alternative routes into town, or join the road at that point. An alternative proposal that officers may have been justified to make would have been to keep segregation for a short way for those wishing to switch to the road from the Water of Leith to avoid the pinch point. It is also worth pointing out the existing cycle lanes have not been designed for full accessibility with at least one resident no longer cycling on Lanark Road with their relative who requires a non-standard bike, which they did do prior to scheme installation.
- **Statement saying useability and potential impact on journeys of the Water of Leith is limited. P 10 Appendix 2.** This statement cannot be accepted in the absence of data comparing use of Water of Leith for cyclists over the Lanark Road, and change over time (which may of course support the statement).
- **Reference to Spaces for People Consultation, Market Research and scheme assessment criteria: p11 Appendix 2 it states:** *"In June 2021, officers recommended to the Transport and Environment committee that the Lanark Road Spaces for People scheme to be retained throughout an experimental period of up to 18 months. This recommendation was made on the basis of the Spaces for People scheme assessment criteria, results from the Spaces for People Consultation and Market Research in cognisance of the scheme's potential to contribute to strategic aims..."* A reader may therefore assume these outcomes were positive however:
 - The consultation and market research both showed opposition
 - The council's own scheme assessment showed negative impacts for people with mobility issues and disabled people and parking for residents and businesses
- **Island crossing upgrade p11, Appendix 2** - this is being presented as positive and proactive in content about an upgrade to island crossing p11 Appendix 2. However, upgrades to a traffic island in this area were already in the pipeline since approval by the August 2017 committee (over 4 years ago) and referred to in the Transport and Environment Committee Pedestrian Crossing Report in 2018, to be implemented in 2019/2020 following design and consultation that did not happen, and seems to have been delayed by Spaces for People cycle lanes.

Appendix 3: Maladministration extends to complaint process

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The following outlines the timings of SWEM's prompt complaint and significant delay by the council in providing an incomplete and inadequate Stage 1 response, or implementation of improvements on the back of information provided in the complaint. All communications have been included for reference.

- Tuesday 8 September. **Formal complaint and commitment for 5 working day response.** SWEM submitted a detailed formal complaint about the survey content and approach on Tuesday 8 September at 9.25pm, to Paul Lawrence (Executive Director of Place) and Andy Edwards (Senior council officer seconded to Spaces for People). All relevant local councillors and Transport and Environment Committee members were cc'd. On Wednesday 8 September. A response receipt email was received from Senior Council Officer on Wednesday 8 September promising a response within 5 working days. **See section 3.1**
- Friday 17 September. **Council notification of delayed response, 2 working days after committed response time.** After the end of the working day at 6.09pm, Senior Council Officer emailed apologising for delay in responding. This was 2 days after a proper response should have been received. SWEM responded with acknowledgement on Saturday 18 September. **See section 3.2**
- Tuesday 21 September. **SWEM chasing response and finally receiving response after 10 working days.** At 8.59pm after still receiving no response, SWEM chased a response and this was then received the following morning on Wed 22 September before 8am. This was 10 full working days after the original complaint relating to a time limited survey, and now only 4 working days before the survey closed on 27 September. This response did not deal with all the issues raised in the complaint. **See section 3.3.** *On 8 October, long after the survey closed, Senior Council Officer notified a councillor that the amendment to the survey meaning the question was no longer mandatory had been made on Thursday 9th September at 9.23am. It is unclear why this information was not provided as an interim update prior to 21 September.*
- Thursday 24th September. **SWEM highlight response was incomplete, and follow up response received after survey closed.** After 9pm, SWEM responded highlighting only one of the missed issues relating to data protection which had not been addressed. On 29th September at 11.20am, after the survey had closed, Senior Council Officer responded. **See section 3.4**
- Thursday 7th October, **SWEM updated Community Councils and councillors** prior to the council's evening meeting with community councils. **See section 3.5**

3.1: Formal complaint and commitment for 5 working day response

From: South West Edinburgh In Motion <southwestedinburghinmotion@gmail.com>

Sent: Tuesday, September 7, 2021 9:25 pm

To: Executive Director of Place; Senior Council Officer; Customer Care

Cc: MP, MSP, Local Councillors, TEC Councillors, Governance, Risk & Best Value Councillors, Community Councils, FSB, Edinburgh Access Panel
Subject: "Hobson's Choice" survey for Lanark Road Spaces for People scheme - formal complaint

I'm writing on behalf of South West Edinburgh in Motion, a residents' group with over 800 Facebook members, which was set up to campaign for robust and fair consultation on Spaces for People schemes for residents and businesses in Lanark Road and Longstone.

Once again, we must express serious concerns about how the council is conducting consultations, this time, in relation to the most recent survey on the council's consultation hub: "Lanark Road Proposals - Local Engagement" accessed via www.edinburgh.gov.uk/lanarkroad

We wish to log this as a formal complaint.

In the last year, Edinburgh residents and businesses have experienced consultations from the Place directorate where, for example:

- residents have been asked for their opinion on schemes which don't exist and where the council has refused to publish plans
- complex information has been presented in an inaccessible way
- leading and biased statements introducing a consultation have had to be removed
- It was implied that schemes were created as a response to local feedback when that feedback did not exist
- untrue statements have been made about results being statistically conclusive
- surveys have been run by organisations that stand to gain financially if the project is approved
- majority opposition has been ignored
- consultations have not met the council's own quality standards

But no lessons have been learned.

1. "Hobson's Choice" question

1.1 Respondents forced to agree with the council.

This latest survey has sunk to a new level by presenting a Hobson's Choice at Question 5, where respondents are forced to agree with one of the options presented by the council (remove parking entirely, or relocate it) or be unable to submit their responses to any other question.

The council has already ignored overwhelming public objection to this scheme in the last consultation which had 17,600 responses. But to attempt to manipulate public support in this way to create a result along the lines of "85% of people support this option" is unacceptable.

A survey hosted on the council's consultation hub where residents cannot communicate their opinion without agreeing with the council creates further public distrust in council consultations. In November 2020, Audit Scotland reported that CEC needed to do more around community engagement, empowerment and reducing inequality. This survey appears to move even further away from achieving that.

2. Inadequate options presented for consideration

2.1 Disability issues have not been addressed

The council itself graded the Lanark Road scheme as having a minor negative impact for disabled people. We disagree with this grading as we believe it has a significant negative impact. We believe that organisations representing the disability sector, such as Edinburgh Access Panel, would also grade the scheme as having a significant negative impact, given the lack of any kerbside parking and the transfer of risk across the scheme from cyclists to pedestrians who are higher up the transport hierarchy than cyclists.

Regardless, it is surprising that the council did not take the opportunity to do anything with the design to reduce the negative impact they themselves identified.

Both the Integrated Impact Assessment for the retention of Spaces for People and the main report stated that consideration would be given to replacing floating parking with a layout with the cycle lane between parked cars and the running carriageway. No explanation has been provided why this option has not been included for consideration in the survey.

2.2 Speed cameras

FOI responses showed that the police supported making the speed cameras dormant stating that if there were any issues, then they could easily be reactivated.

However the scheme design has rendered them inoperable because the marker lines were removed to accommodate the new road design, therefore they cannot be reactivated in the proposed road designs. A recent police mobile unit spot-check (for a few hours) identified an individual travelling at 68mph in the "slalom layout", this layout is even more dangerous than the previous layout for speeds like this.

Residents would be much happier if any road design enabled the reactivation of the speed cameras but the council has failed to suggest any options to achieve this. This is hard to comprehend in a scheme now branded "Travelling Safely" where speed is the main element of danger.

3. Flawed methodology

3.1 Leading statements.

Question 4, provides three options for cycle lanes outside Cranley Nursery.

- Retain existing layout
- Option 1 – remove the parking
- Option 2 – remove the cycle way

However right before the question, it refers to Community Council feedback to lead respondents to reject the option to remove the scheme.

"These options have been discussed with community councillors in the surrounding area and their comments have helped to inform the proposals. At the workshop with community councillors, there was no support for removing the cycle lanes at this location, with the preference being for retention."

Leading statements are very bad practice in any survey. This repeats the error of the leading statements being used in the main public consultation in an apparent attempt to elicit a positive response – these statements then had to be removed.

It should also be noted that the minutes of the workshop referred to in this statement did not include feedback on this matter from Colinton Community Council which is the community council representing residents on the section of Lanark Road outside Cranley Nursery.

3.2 Inadequate information

In question 5, a statement is made that relocating the parking will result in a "net increase in spaces". This is not quantified.

3.3 Inaccessible diagrams

Although this time a key has been added, once again, the diagrams are hard to follow on a screen, and house numbers have not been added. Previous complaints have been made about inaccessible technical drawings. One had been upheld and a commitment was made previously to improve this. We do not think this has gone far enough.

3.4 Failure to communicate which households will be invited to respond

Prior to issuing the survey, the communication the council has issued to illustrate which households will be invited to respond is this map below. This is impossible to decipher and the quality of this is indicative of the poor quality standards throughout the consultation. It meant that

councillors and community councils could not adequately query in advance the rationale for the choice of households for responding. It is not clear why the natural and logical boundaries of the Water of Leith and the railway line have not been used to define the local area in Spylaw and Kingsknowe

4. Data protection

4.1 Concern over the council's ability to handle personal data.

There was a data protection breach in the last public consultation where the personal data of around 1,200 people, including characteristics such as age, gender, long-term health status, use of wheelchair, and opinion of Spaces for People was published with their postcodes in a way they could be personally identified. This was live for around 8 days until SWEM highlighted the breach. However, in this survey, the council is insisting on gathering even more personal data with mandatory name and email address fields now combined with postcodes, without which residents cannot submit a response. We welcome the attempt to ensure the local engagement remains local, but there are better ways to validate that respondents are local without forcing people to submit their personal details in this way. Some residents have no confidence that the council can safely handle their data.

4.2 Concern over close activist relationships with the council.

There is a complex network of relationships and funding arrangements between the council and the campaign groups Sustrans, Spokes, and BEST. Sustrans and Spokes have both had council stakeholder status for years and BEST, formed in April this year, appears to have had feedback logged as a stakeholder too.

A recent internal audit graded Spaces for People 'red' meaning: *"Significant and / or numerous control weaknesses were identified, in the design and / or effectiveness of the control environment and / or governance and risk management frameworks. Consequently, only limited assurance can be provided that risks are being managed and that the Council's objectives should be achieved."*

The report highlights that *"initial SfP initiatives considered for prioritisation were based on suggestions from a relatively small group of officers and external local community stakeholders."*

We note that in the Spaces for People team (which appears to be leading this "engagement" process) there is a policy of secondments and recruitment between the council and Sustrans - an environmental and cycling pressure group and council stakeholder, which, under its charity structure, cannot be subject to FOI requests.

- Sustrans designed the Lanark Road scheme in London and staff members were named on the scheme's Integrated Impact Assessment, which stated, inaccurately, that the scheme provided positive benefits for disabled people and those with visual impairments.
- We understand it is taxpayer money controlled by Sustrans and provided via their confusingly named "Places for Everyone" which will continue the Lanark Road scheme through the ETRO.
- Sustrans seems to collaborate closely with Spokes on stakeholder consultations and sells the Spokes branded cycle map from the Sustrans online shop.
- Sustrans also works in close collaboration, and has provided funding or support, for one or more of the 16 organisations making up the activist group BEST - Better Edinburgh for Sustainable Travel.
- The council also works in close collaboration and provides funding to one or more organisations within BEST.
- The council quoted two or more people who are involved with BEST and Sustrans in leading statements promoting the main Spaces for People public consultation. These statements then had to be removed.
- The council has closely collaborated with Spokes for many years, with Spokes playing a proactive role in defining Spaces for People as a pandemic response. Local residents and

businesses who are directly impacted by the schemes have not enjoyed any equivalent level of collaboration or, indeed, any collaboration at all.

- In the last 12 months, four councillors out of 11 (36%) on the Transport & Environment committee were members of Spokes and currently we understand there are three Spokes members.
- Cllr Lesley Macinnes and the Active Travel Team Lead, council officer, took the time during the public consultation to attend a lengthy Spokes meeting to present and contribute, in an open discussion, but did not seem to do the same for local resident groups or Community Councils.
- Two Spokes subgroups are members of BEST, and Spokes, with BEST, has delivered a joint written and verbal deputation to the Transport & Environment Committee on 19 August, in relation agenda item 7.1 Active Travel Measures – Travelling Safely (formerly known as Spaces for People) – Report by the Executive Director of Place.
- BEST coordinated an open letter and hosted a cycle protest to retain the Lanark Road cycle lanes where evidence showed that of around 165 cyclists attending the protest, only around 20 used the Lanark Road cycle lanes to get to and from the protest. The open letter is available here: ["https://betteredinburghsustainabletravel.wordpress.com/2021/06/22/lanark-road-an-open-letter-to-city-of-edinburgh-council-coalition-leaders/"](https://betteredinburghsustainabletravel.wordpress.com/2021/06/22/lanark-road-an-open-letter-to-city-of-edinburgh-council-coalition-leaders/). Evidence that BEST hosted the cycle protest event can be seen on [facebook.com/BESTEdinburgh](https://www.facebook.com/BESTEdinburgh).
- The council drafted an amendment after the protest had been announced and publicly U-turned within an hour of that protest, from a recommendation to remove the scheme (informed by the public consultation) to retaining the scheme. They published this amendment to a council report and submitted unusually late, immediately prior to the full council meeting.

Some local residents found BEST's evidenced "rent-a-mob" protest approach intimidating, and were dismayed by the apparent support from the council for that behaviour from an organisation so closely linked to official council stakeholders.

It is understandable that, especially given the previous data protection breach, some have no wish to submit their personal data and opinions to council officers (and councillors) who collaborate and may have links directly or indirectly with activist organisations and pressure groups who behave in this way.

5. Next steps

5.1 Pause and consult properly.

We urge you as council officers and all cc'd elected representatives to pause this flawed survey and review the entire approach to Lanark Road.

We have produced a constructive vision of how Lanark Road could genuinely embrace "Travelling Safely" - something that all residents and businesses want for all road users. This was shaped by an independent survey of over 1,000 responses and an informal survey of 440 responses. It was shared with Longstone Community Council at a meeting held on 2 August 2021, who commented, "there is much we can be supportive of."

We request that a local meeting is urgently organised where we can present this vision and collaborate alongside Longstone and Colinton Community Councils representing the directly impacted residents, whose voice and contribution to shaping the scheme has so far been drowned out by activists from outside the area.

Doing so will create a solid platform for a robust, credible and accountable community consultation.

Yours,

Chair, South West Edinburgh in Motion

Wed, Sep 8, 5:06 PM

Senior council officer

to Executive Director of Place, Customer Care, SWEM

Thank you for your correspondence regarding the Lanark Road Spaces for People measures.

This email is to acknowledge your complaint and a response will be provided within 5 working days.

A service request number will be forthcoming so your complaint can be tracked.

Regards

Senior Council Officer

3.2: Notification of delayed response, 2 days after committed response time

Fri, Sep 17, 6:09 PM

Senior Council Officer

to SWEM, Executive Director of Place

I am writing to apologise that I have not been able to provide a response to your complaint this week. I required to take some time off work at the start of the week which set my plans back. I will get a response out to you early next week.

Regards

Senior Council Officer

South West Edinburgh In Motion
<southwestedinburghinmotion@gmail.com>

Sat, Sep 18,
5:36 AM

to Senior Council Officer

Thank you for letting me know about the delay. I look forward to a formal response soon.

Kind regards,
SWEM

3.3: SWEM chasing response and finally receiving response after 10 working days

Tue, Sep 21,
8:56 PM

South West Edinburgh In Motion
<southwestedinburghinmotion@gmail.com>

to Executive Director of Place, Senior Council Officer

I appreciate you are busy, but this is now 10 working days since our complaint was submitted, so well beyond the agreed timescale for a reply to our complaint.

As the deadline for survey submissions is now less than 1 week away it's clearly urgent for residents to have sight of a response from the council.

Could you please advise when we can expect a reply?

Many thanks.
SWEM

Sep 22, 2021, 7:44 AM

Senior Council Officer

to SWEM, Executive Director of Place

Please find response attached and I can only apologise for it being late.

Regards

Senior Council Officer

southwestedinburghinmotion@gmail.com

Date: 21/09/2020

Your Ref: Complaint: "Hobson's Choice" survey for Lanark Road Spaces for People

Our Ref: SR1096241

Dear

Lanark Road Spaces for People scheme – Complaint

Thank you for your recent complaint on the current engagement on active travel measures on Lanark Road. This has been dealt with at Stage 1 of the Council's complaints procedure however I am sorry that the response has taken a little longer than the Council's target of five working days to respond.

In your complaint you asked for three outcomes and I have structured my response on that basis.

Review of the Lanark Road Scheme

The motion approved by the Council in June instructed officers to engage with Lanark Road local residents and the Community Council to achieve cycle speed mitigation measures as well as to reconsider parking provision where parking spaces sit outside protected cycle lanes, with a view to mitigating potential conflict and safety concerns as soon as practicable on the ground in advance of a decision on removal of the scheme.

Following the Council meeting, proposals to achieve the mitigations requested were discussed with four of the six surrounding Community Councils (CC) (all six were invited but did not attend). The feedback received on the proposals was then incorporated into the proposals. A letter to residents was then distributed, inviting them to take part in the survey.

This engagement activity is not intended to constitute a full review of the Spaces for People (SfP) measures on Lanark Road. Instead this engagement activity is focussed only on the actions approved by Council. The results of this survey will sit alongside the results of the previous consultation on these measures and inform the decision on whether they should be retained or removed at the next meeting of the Transport and Environment Committee on 14 October 2021. On the basis of the action agreed at Council, officers are not currently reviewing the entire approach on Lanark Road.

Pause Consultation

Thank you for your feedback in respect of Question 5 in the engagement survey. As the scope of this engagement activity is focussed on mitigating conflict, participants were asked to state their preference from two options which would achieve this goal of

Transport | Place

Waverly Court, Market Street, Edinburgh EH8 8BE

✉: andy.edwards@edinburgh.gov.uk

mitigating conflict without fundamentally undermining the scheme. However, we recognise that people should have been able to choose neither of the options presented. As such the survey has been updated and an answer to this question is no longer required.

We will contact participants (where we are able to) who provided responses prior to the update to ask them if they would like to change their response. We feel that this will address the issue and as such there are no grounds for the survey to be paused as this will only delay any changes to the current measures or a decision on the retention or removal. We therefore uphold your complaint in relation to Question 5 of the survey but confirm that we have taken steps to address the issue raised and therefore we do not propose to pause the consultation.

Urgent Local Meeting

As set out in the motion, Council officers were instructed to engage with residents and CCs. The engagement planned has two elements – meetings with the CCs and the online survey. I note from your email that you have already contacted some of the CCs and that you have received positive feedback so I hope that this has come/will come through our discussions with the CCs. We would welcome you sharing your vision for Lanark Road with us, where this relates to the mitigations which officers have been asked to consider and report back on, in advance of the consultation closing on 27 September 2021. This will enable us to consider your vision, alongside the consultation responses and any other feedback received, in advance of finalising proposals for the Transport and Environment Committee to consider on 14 October 2021. Once we have considered all of the feedback, we will meet again with representatives of the relevant CCs to present the outcomes of the survey and the share the proposals which will be presented to Committee.

I hope that this response has been helpful but if you are not satisfied, then you can request that your complaint be escalated to a Stage 2 of the Council's complaint procedure

Yours sincerely,

Spaces for People Team (Secondment)

3.4: SWEM highlight response was incomplete, and follow up response received after survey closed

Thu, Sep 23,
9:04 PM

South West Edinburgh In Motion
<southwestedinburghinmotion@gmail.com>

to Senior Council Officer

Thank you for the detailed response you provided yesterday.

I would welcome an opportunity for local residents to meet with council officers to discuss directly our vision, which is a development of what we presented in our deputation to full council on 24 June. I provided this in writing to LCC but have no information on whether they represented this to officers in the meeting held on 3 August.

One element of our complaint remains unanswered. I note that there has been no change to the survey in terms of the personal data that it will collect (this was point 4 in our complaint). The data breach that occurred during the main Edinburgh SfP consultation released the postcode field of respondents. The requirement to submit a full postcode, allowing identification to as few as three homes is of real concern, given the track record of the council here. Could you please advise: is this element of our complaint not upheld, and if not why?

Kind regards,
SWEM

Sep 29, 2021, 11:20 AM

Senior Council Officer

to SWEM

Thank you for your email.

I refer to the previous response regarding the Urgent Local Meeting in which it is mentioned that a follow up meeting is going to be arranged with the Community Councils who represent the surrounding communities. I would encourage you to share the vision with the Community Councils so that they can consider this work and raise it with Council officers. This can also be shared with ourselves so it can be considered as part of the engagement if the Community Councils do not raise this at the meeting. As mentioned, the motion has set out what Council officers are instructed to do and it would not be fair to arrange meeting with one group and not others.

Due to the scale of the fraudulent responses to the previous online survey the Council was required to introduce measures to reduce the possibility of this occurring again as set out in the [Committee report](#). As no GDPR breach has occurred then this complaint has not been upheld.

Regards

Senior Council Officer

3.5: SWEM update Community Councils and councillors

South West Edinburgh In Motion
<southwestedinburghinmotion@gmail.com>

Thu, Oct 7,
1:27 PM

to MP, MSP, Local Councillors, TEC Councillors, Governance, Risk & Best Value
Councillors, Community Councils

Dear community councils,

Noting the meeting happening today with the city council, South West Edinburgh in Motion (SWEM) would like to bring to your attention a number of issues concerning the local engagement survey conducted in September with residents of Lanark Road.

SWEM is a Facebook group with over 800 members made up of residents and local business owners impacted by the council's Spaces for People schemes on Lanark, Inglis Green and Longstone Roads.

We organised two local surveys, one conducted in December 2020 by an independent market research company and completed by over 1000 respondents, and another informal survey in June 2021 with over 400 replies, from residents and businesses in the Longstone Community Council catchment.

Based on the numerical findings of these surveys and the [many hundreds of comments made by respondents](#) since the initial introduction of SfP in the area, SWEM has been able to collect more local opinion on the Spaces for People schemes than local community councils, and therefore has a clear mandate to represent these views to the council.

On 6 September 2021, residents of Lanark Road and the neighbouring streets were presented with the council's "local engagement" survey, which asked about two specific elements of the Lanark Road scheme.

SWEM noted that, if respondents wished to submit the survey, they must agree with one of the options presented by the council concerning parking opposite Dovecot Park, namely "Relocate Parking" or "Remove Parking".

We considered that this was unacceptable, and on 7 September SWEM wrote to the council with a formal complaint, which was UPHeld with the following response (attached):

"...we recognise that people should have been able to choose neither of the options presented. As such the survey has been updated and an answer to this question is no longer required."

"We will contact participants (where we are able to) who provided responses prior to the update to ask them if they would like to change their response.

We feel that this will address the issue and as such there are no grounds for the survey to be paused as this will only delay any changes to the current measures or a decision on the retention or removal. We therefore uphold your complaint in relation to Question 5 of the survey but confirm that we have taken steps to address the issue raised and therefore we do not propose to pause the consultation."

This response by the council remains unsatisfactory for a number of reasons:

- The confirmation the council had taken this step was not communicated until much later on in the survey period – reducing the time people had to respond (the council took 10 days to respond to the complaint, not the 5 days expected for a Stage 1 complaint)
- It is not clear what day the council took this step, how many people had submitted responses before this change and how many the council were able to contact.
- Very disappointingly, there was no effort to change the survey, beyond allowing respondents to submit without completing Question 5.
- No indication was provided that it was possible to omit the question, and no explicit "disagree" option was possible.
- There was (and still is) considerable confusion over who could or should complete the survey:
 - Some residents who are impacted were excluded from receiving a survey invitation, with the selection of some properties on some streets and not others appearing illogical. Even properties along the supposed quiet route from Gillespie Road through Spylaw Avenue to Spylaw Bank Road (which is supposed to be part of the scheme) were excluded.
 - Some residents within the chosen area did not seem to receive letter invites (and some have complained to the council and local councillors).
 - The assumption was made that if people were outside the invitation area that they should not submit a response. However, close to the deadline, the council said that in the parallel consultation in Braids/Comiston Road area that they would accept responses from outside the area but would just segment them as such in the final report. If responses from outside the invited area in Lanark Road are being included in the report, then this should have been made clear at the outset, and advertised accordingly or it can have no value.
 - Residents with opinions on both sides of the debate have no confidence that the method of identifying valid responses via postcode is valid and not open to spamming. The capturing of personal data also feels inappropriate. There are more robust and confidential ways to ensure valid participation. The end result is that no one will trust the output of this consultation, so failing to use more robust methodology has been a false economy.

Not only does this survey fall short of best practice in its design, and implementation but the scope was extremely narrow.

In its report of 24 June, the Council's report committed to reviewing floating parking arrangements, specifically stating that:

4.101.3 In some circumstances, replacing floating parking with a new layout which places the cycle lane between parked cars and the running carriageway.

We ask why this was not offered in the community survey when it was a commitment in the report?

The road is now officially 30mph, so this should be perfectly possible and reasonable if speed enforcement was in place as it was previously. The volume of traffic at this point will be the same

as, if not less than the volume of traffic in the run up to and beyond the Inglis Road junction where there is no segregation, and then on through Slateford where there are bus lanes only operational for part of the day. Or, turning left over Chesser where similar advisory lanes are in place with kerbside parking.

In addition, this scheme has been officially scored as having a negative impact on disabled people. Yet the council did not take this opportunity to consider any improvements for this in the Dovecot area and their suggested options increase the negative impact.

Finally, why has this survey concentrated so exclusively on the speed of bikes?

While SWEM has indeed done much to bring to the attention of the council the new safety hazards to cyclists and pedestrians that the scheme design has created, we should not overlook the other obvious issue now caused by the lack of speed enforcement for cars, buses and lorries, which has been created by the scheme design. Surely this must also be addressed?

While we recognise that community councillors hold differing personal views on the changes to Lanark Road, we hope that you can agree that the “local engagement” which took place in September fell far short of what should reasonably be expected.

We ask that you reflect this to the council in your discussions, and also represent to them the [comments submitted to SWEM from a large number of local residents](#).

South West Edinburgh in Motion

Appendix 4: Maladministration as public survey issued without proper basic checks being made.

[\(back to appendices\)](#)

Cllr Johnston question to full council - quality checking process for Lanark Road survey (23 September full council meeting)

Item no 10.15

QUESTION NO 15

**By Councillor Johnston for answer
by the Convener of the Transport and
Environment Committee at a meeting
of the Council on 23 September 2021**

In QUESTION NO 15 on 11 March 2021, the Convener of the Transport and Environment Committee was asked what pre-testing of the public consultation survey was carried out and what was the scale and profile of the test sample? the response was: "Given the timescale for development and delivery of the engagement, it was not possible to pre-test the survey..."

Question

- (1)** Given, there was more time to prepare for the Lanark Road engagement, what pre-testing, quality control and approval process was undertaken for the Local Engagement Survey for Lanark Road?

Answer

- (1)** The timeline and arrangements put in place to engage with local residents recognised that it would be challenging to complete all of the actions from Council in time to report to Transport and Environment Committee in September. The change of date for Committee has not provided more time to prepare but has ensured that responses from residents through the survey will be available in advance of Committee.

Internal testing (including quality checking) was undertaken proportionate to the need to work at pace and the timeframe available. However, following feedback particularly in respect of Question 5 in the engagement survey, the survey has been recently amended.

Question	(2) What steps were taken to ensure all residents in the prescribed local area received a letter?
Answer	(2) A distribution company was engaged to deliver the letters and non-deliveries were reported back to the Council. Four properties within one block did not receive the letter on the 1 st attempt as entry could not be gained. However, letters were delivered on the 2 nd attempt, which was within 5 days of the 1 st delivery attempt.

- Question** (3) How did council officers decide on the designated letter drop boundary?
- Answer** (3) The map below shows the boundary which was developed to include the properties (both residents and businesses) which have a frontage directly adjacent to the measures, cul-de-sacs leading from the measures and properties approximately within 300m of the measures.
- Question** (4) Did council officers consult any elected councillors when setting the boundary of the area designated to receive letters, to ensure local knowledge was incorporated?
- Answer** (4) Following a request from a Councillor, the boundary information was shared with local ward Councillors (from the four affected wards) and Transport and Environment members. There was no feedback received on the proposed boundaries.

