

Report to the Scottish Ministers



ROADS (SCOTLAND) ACT 1984

Report by Mike Croft, a reporter appointed by the Scottish Ministers

- Case reference: ROD-230-2.
- Site address: Roseburn Terrace, West Coates, Haymarket Terrace and adjoining roads, Edinburgh.
- Promoting authority: City of Edinburgh Council.
- The order sought: The City of Edinburgh (Roseburn to Haymarket Area Edinburgh) (Redetermination of Means of Exercise of Public Right of Passage) Order 201_ RSO/18/05.
- Statutory objectors: none.
- Non-statutory objectors: see appendix 1 below.
- Dates of hearing sessions: 4 and 5 November 2019.
- Dates of site visits: 21 February 2019, 26 September 2019, 31 October 2019, 14 January 2020 and 30 January 2020 (unaccompanied).

Date of this report and recommendation: 04 March 2021

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CCWEL	City Centre West to East Cycle Link and Street Improvements project
DPEA	Planning and Environmental Appeals Division
NCR1	National Cycle Route 1
TRO	Traffic Regulation Order



The City of Edinburgh (Roseburn to Haymarket Area Edinburgh) (Redetermination of Means of Exercise of Public Right of Passage) Order 201_ RSO/18/05

Roseburn Terrace, West Coates, Haymarket Terrace and adjoining roads, Edinburgh

• Case reference	ROD-230-2
• Case type	Redetermination Order
• Reporter	Mike Croft
• Promoting authority	City of Edinburgh Council
• Other parties	Non-statutory objectors: see appendix 1 below
• Date of order	20 April 2018
• Date case received by DPEA	26 October 2018
• Methods of consideration and dates	Written submissions, hearing sessions on 4 and 5 November 2019, and unaccompanied site inspections on 21 February 2019, 26 September 2019, 31 October 2019, 14 January 2020 and 30 January 2020
• Date of report	04 March 2021
• Reporter's recommendation	That the order be confirmed with one modification

The background to the Order

The Order relates to transport policy at national, regional and local levels where sustainable and active travel, including the improvement of cycling facilities, are encouraged.

At national level, the National Transport Strategy (2016) seeks a transport system that meets everyone's needs, respects our environment and contributes to health. Amongst the Strategy's high-level objectives are those protecting our environment, improving health and improving the safety of journeys. The new draft National Strategy (2019) seeks to promote walking, cycling and public and shared transport so that they take precedence ahead of private car use.

At regional level, the most recent version of the South East Scotland Transport Partnership's Regional Transport Strategy (2015) seeks to increase walking/cycling. It recognises that transport must play its part in reducing greenhouse gas emissions and improving local air quality.

Cycling for journeys to work increased substantially in Edinburgh between 2001 and 2011. Edinburgh is the only city in Scotland that saw walking, cycling and public transport with a strengthened role between those dates. A lower percentage of households owned a car in 2011 than in 2001. The council is seeking to increase the percentage of residents cycling to

work to 15% by 2020, as a milestone towards 15% of all journeys being made by bike. Edinburgh is very well suited to active travel and there is great potential to increase cycling, with around three quarters of all journeys in the city being shorter than 5 km (3 miles), a distance ideal for walking and cycling.

However, surveys indicate concern amongst Edinburgh residents about the safety of cycling because of traffic. 80% of residents support building more protected cycle lanes, even when this can mean less room for other road traffic.

Active travel is seen to have a wide range of benefits, including better health, road safety, environmental and economic benefits, benefits to businesses, social benefits, and an overall improved quality of life. The council's Edinburgh Design Guidance seeks to introduce a shift in mindset from focusing on movement to focusing on creating and improving places in designing and altering roads, and prioritising walking and cycling over other modes, especially private car. It is the council's ambition to have one of the most environmentally friendly, healthy and accessible transport systems in northern Europe.

Important in reaching the council's targets for greater cycle use is the ongoing development of a network of cycle routes, known as QuietRoutes, to provide safe, direct and convenient routes for everyday utility and leisure journeys. The network uses traffic-free paths, quiet roads or cycle paths separated from traffic, and provides protected segregated cycle tracks, complemented by parking and loading restrictions where necessary.

The council has made a policy decision to improve east-west cycle connections across Edinburgh. The CCWEL project is a key project to fill key gaps in the QuietRoutes network. It consists of significant road, footway and cycle route improvements along a 4 km route on key streets between Roseburn (where the off-road cycle network can be accessed) and Leith Walk (where further segregated facilities are planned). The project is intended to transform the nature and operation of these streets, providing segregated cycle infrastructure on main roads and significant improvements to the pedestrian experience. The project is being delivered in a number of phases over several financial years.

The CCWEL project's potential cycle trip generation has been determined through a cycle demand model. As input to the model, the council's estimate is that 1,675 existing commuter cyclists would now be using CCWEL if the proposals had been implemented. In addition, the cycle demand model predicts that a further 1,467 commuters (equivalent to 88% of the existing cyclists) would change from other modes to cycle on the CCWEL route. The council applies that 88% figure to non-commuting trips.

The economic case for CCWEL comprises a reduction in early mortality by increasing the number of people regularly exercising through cycling; reduced absenteeism by healthier commuter cyclists; improved journey quality; wider economic benefits in terms of supporting jobs and driving tourism; and modal shift from cars; offset to a limited degree by a disbenefit from increased cycle collisions (because there would be more cyclists). The total forecast benefit over an assumed 10 years scheme life is over £20 millions (at 2010 prices). That is 3.3 times the cost of £6.3 millions forecast by the initial feasibility study.

Funding is anticipated from the Sustrans Community Link Programme and internal council funding programmes. Implementation is expected to start in May 2020, with the whole project operational in December 2021.

An Equalities and Rights Impact Assessment for the CCWEL scheme commenced during the initial design phase and would be in effect throughout the delivery of the project. Positive and negative impacts have been identified. The council continues to work with stakeholder organisations who represent the interests of mobility- and visually-impaired users in the further development of the project.

The Redetermination Order, and an associated TRO, would allow the necessary works to proceed for the western section of CCWEL, between Roseburn and Haymarket.

A significant component of this section would be the installation of a two-way, segregated cycle track on the north side of the A8 road between Roseburn and Rosebery Crescent. Also included would be an extensive programme of other improvements, including upgrading crossings, some prohibitions on vehicular movements, alterations to parking and loading facilities, reducing carriageway widths and increasing footway widths, and relocating the Haymarket taxi rank.

Thorough and comprehensive monitoring would take place to provide information on the outcome of the overall scheme.

The council held stakeholder workshops in March 2015, and consulted on the preliminary designs between November 2015 and February 2016. There was considerable support, but with evidence of some opposition along the cycle track route itself. Changes were made to the scheme as part of the consultation process. In 2014, Murrayfield Community Council had created the Roseburn Action Plan which called for and sought to encourage various improvements to the Roseburn area. The city council is seeking to deliver many aspects of this, partly through CCWEL.

The council considers that the following are amongst the factors supporting confirmation of the Redetermination Order: strong policy support at national, regional and local level; modelling predictions of minimal/modest impact on A8 vehicle journey times; a reduction in emissions; robust justifications for the preferred route and for safety; increased hours of operating some retained loading bays to mitigate the loss of other bays; increases in parking provision where necessary; and cycling as a mobility aid offsetting access difficulties in some cases for disabled people with mobility issues.

Procedural matters

The Redetermination Order is promoted by the council as local roads authority under the Roads (Scotland) Act 1984. It relates to public rights of passage on about 1.3 km (0.8 mile) of the A8 road between Roseburn and Haymarket and on short stretches of nearby roads. It is accompanied by plans indicating the parcels of land to be redetermined.

The procedure for making such orders is contained in regulations made under the 1984 Act. These are The Stopping Up of Roads and Private Accesses and the Redetermination of Public Rights of Passage (Procedure) (Scotland) Regulations 1986. The council has confirmed that all of the statutory procedures required by the regulations have been complied with.

The statutory advertisement process in April-May 2018, required by the 1986 regulations, led to objections. In addition, the council took account of one objection made just before the statutory advertisement period, and I do that too. As objections remained unwithdrawn,

the council remitted the matter to Transport Scotland in August 2018, also in accordance with the 1986 regulations.

The council's promotion of both the Redetermination Order and the TRO represents the two strands, required by different legislative provisions, of a single scheme. With synchronised advertisements for the two Orders, a single representation could, and did, contain (a) objections to the Redetermination Order that were within my remit as covered in this report, (b) objections to the TRO within the remit of my separate appointment by the council to hold a public hearing in connection with those objections, (c) objections that combined elements (a) and (b), and (d) other submissions including submissions objecting to elements of the TRO other than those in (b) or (c), and not before me in any capacity. So that all parties were as clear as possible which submissions fell within my remit, I prepared initial, and then amended, allocations of the submissions to distinguish between the categories above. I reached the view that, in all, 36 submissions contained substantive objections to the Redetermination Order. One was subsequently withdrawn.

I also reached a view as to which Redetermination Order objections were suitable for consideration at hearing sessions, but only some of those making those objections wished to participate in that way. I held hearing sessions involving the council and those objectors.

Other objectors were invited to make further written submissions, and some did so. I also carried out unaccompanied site inspections.

The objections, the council's responses, and my assessments

Figures are presented by objectors and the council for the amount of existing use of the A8 road by cyclists. I conclude that about 120 cyclists were using the A8 here in both directions in each peak hour in November 2019. But I also accept the council's contention that this is not the correct baseline for forecasting, given the significant change in the cycling environment that the CCWEL proposals include.

The objectors dispute the extent to which non-cyclists would change mode to use CCWEL. The council's zone-to-zone analysis is criticised on the basis that cyclists would not go out of their way to use CCWEL in order to take up travelling to work by cycling. One figure is put forward of only 180 non-cyclists changing behaviour because of CCWEL. A local group's questionnaire survey in 2016 found only 69 people saying they would take to their cycles as a result of CCWEL. Objectors say that the economic case for CCWEL is reduced on that basis.

The council's estimate of 1,675 existing commuter cyclists who would now be using CCWEL if the proposals had already been implemented (see above) formed an input to the cycle demand model. 531 of those journeys would be on the western part of CCWEL including the stretch of the A8 covered by the Order. The council accepts that, on the face of it, the model's output of an 88% increase over and above that (ie 1,467 change-to-cycle-mode trips added to the 1,675 existing-cycle-mode diversions) appears high, but Edinburgh has a significantly high proportion of journeys to work that are short, and CCWEL would bring significant benefits to cyclists on an important desire line. 750 of the 1,467 change-of-mode trips would use the western part of CCWEL. The council provides a detailed zone-to-zone analysis. A re-run of the model in November 2019, with different input, had a very marginal effect on the results. The council contends that the criticism made of its zone-to-zone analysis, by means of a different zone-to-zone analysis, reflects a simplistic approach.

I regard the input assignment of the 531 journeys referred to above as basically sound, sensible and even cautious. In addition, the cycle demand model's zone-to-zone pattern of those who are forecast to change mode to cycle appears sound. The ratio of mode changers to existing cyclists diverting to the western part of CCWEL (750:531) appears high, implying an increase of well over 88%, but does not appear unrealistic given existing travel patterns. I regard the application of the 88% figure to non-commuters as more questionable. That indicates to me that the true economic benefit is likely to lie between 2.4 and 3.3 times the forecast cost.

That, however, still leaves the council's economic case for its proposals generally well made.

Objections were raised that the proposed cycle track should not follow the A8 but that use of part of NCR1 (an existing long-distance cycle route) should be promoted instead. The objections include a supplementary proposal for a west-bound, non-segregated cycle lane on the south side of the A8 road and an east-bound, non-segregated cycle lane on the north side. The objectors describe various advantages for their alternative. The council, however, believes its proposals to be a very significant improvement on the existing NCR1 and its connections onwards into the city centre, and it explains that view. Although NCR1 is less polluted than the A8, I consider that the bulk of the argument on route choice here lies with the council.

Some objectors also consider that the cycle route (in their view probably in the form of non-segregated cycle lanes in each direction) should follow Roseburn Place rather than (as in the council's view) Roseburn Gardens and Roseburn Terrace. They say that it is already more popular with cyclists and avoids the steep hill of Roseburn Gardens. The council rejects this alternative, substantially as it regards its route as more direct and convenient by avoiding the complicated Russell Road - Roseburn Street - Roseburn Terrace junctions, and also on the basis of funding prospects. I support the council's view. The relative popularity of Roseburn Place may not remain in future, and I do not consider the steep hill argument has much force. A route avoiding the complicated junctions mentioned should facilitate cycle use.

There are objections arguing that the council's proposals would make access to the businesses on Roseburn Terrace considerably more difficult for disabled people. The council acknowledges that difficulties would arise for some people, but points to some advantages for disabled people in its proposals generally and at Roseburn. On balance, I support the council's position on these objections.

Some objectors fear serious traffic congestion and delays resulting from the installation of the segregated cycle track. They argue that the council's proposals need to be trialled on the ground before deciding whether to proceed with them on a permanent basis. The council explains why this trialling is not possible, and I accept that explanation. Instead it has assessed congestion and delays through the use of a microsimulation model with a fixed trip matrix. This is likely to generate worst case scenarios. The model forecasts modest increases in vehicular journey times along the A8, although bus journey times would not be much affected. Serious delays are forecast by the model for the Roseburn Street and Russell Road approaches to the junction with Roseburn Terrace, but the council contends that in reality there would be a combination of traffic taking alternative routes and a smaller increase in delays. The main causes of changes in journey times here would be

the crossings (to assist pedestrians) and the proposed northbound closure of Roseburn Gardens (to prevent a significant rat-run). For my part, I note that there is no technical evidence before me that the council has used an inappropriate model for forecasting journey times or that the inputs to it have been inaccurate. Some of the delays are longer than modest in my view, but I accept the council's view that the most serious delays are unlikely to be realised in practice. Such delays as would occur have to be seen in the context of the improvements in the pedestrian experience and the amenity benefits that result from the specific proposals generating the delays.

There are concerns that additional congestion is likely to add to air pollution from exhaust fumes, with particular fears about the prospect of increased air pollution at Roseburn Terrace. Significant amongst those fears is that the reduction in loading provision would move traffic closer to the south side footway and south side buildings, increasing pollution there. The council predicts a reduction in emissions on Roseburn Terrace mainly because of reduced westbound traffic capacity at peak times, with the extent of westbound queuing reduced by management of the local crossings. I accept the council's stance, and I note too that the proposed loading bay on the south side of Roseburn Terrace would be available at peak times, providing an additional buffer which is not now available at those times.

About half the objectors are concerned for user safety, either in general terms or at specific locations. The concerns include those about the width of the proposed cycle track and its separation from the carriageway, and about pedestrian safety in relation to the cycle track, at floating bus stops and at pedestrian crossings. The council puts forward a slightly altered design for the exit at the northern end of Roseburn Gardens which they wish to see processed as a modification to the Order. In its responses on the general points, the council refers to its safety audit work, to the extent of separation of the proposed cycle track from the carriageway and the footway, to the improvements in crossing facilities, to the wider footways, and to the floating bus stops being designed in accordance with design guidance. In my assessment I make the general point that safety depends on user actions as well as inherent design. I am satisfied with that inherent design in relation to the wide range of safety concerns raised by objectors. I accept that the council's proposed modification should go forward.

There is objection to the use proposed for Magdala Crescent and other nearby streets. The council is open to investigating what it considers to be the limited impact of its proposals here, and I am content with that.

Objectors oppose the Order's proposal for additional footway at the western end of Roseburn Place as they say it is unnecessary and would produce an ugly result. However, I believe the council's safety concerns are valid, and I see no prospect of ugliness.

Objectors contend that the proposal for additional footway on the west side of Roseburn Street would involve a reduction in parking that the area can ill afford to lose. However, the council points out that this proposal would not in fact result in a loss of parking space (or in the number of loading bay spaces) on Roseburn Street. I accept this proposal on that basis, and as a sensible part of the council's wider junction priority proposal here.

Some objections relate to the proposals for the two bus stops at west Roseburn. But the council makes a cogent response on the basis of the improvements provided for bus passengers and its expectations regarding traffic flows. I agree with that response.

The council's proposals around the southern end of Murrayfield Avenue attract a wide range of objections. These relate particularly to congestion and potential problems for pedestrians. The thrust of the council's response is its view about the additional safety for pedestrians at and around the Corstorphine Road – Murrayfield Avenue junction. I regard that view as well founded.

There is concern about the council's proposals on conservation area grounds, but the objection is not explained, and I see no need for the Order to be rejected or modified on this basis.

None of the other objections leads me to recommend any modification to the Order.

Overall conclusion and recommendation

My overall conclusion is that the Order should be confirmed with the modification sought by the council, and I so recommend.

DPEA case reference: ROD-230-2

The Scottish Ministers
Edinburgh

Ministers

In accordance with my [minute of appointment](#) dated 22 May 2019 (which superseded an earlier minute dated 5 December 2018), I have examined the evidence in this case. My appointment was to “*examine the evidence by whatever means are appropriate*” in connection with the Order “*and to report to [Scottish Ministers] on the said evidence*”. I have dealt with the matter by holding hearing sessions on 4 and 5 November 2019, by further written submissions from the parties, and by unaccompanied site inspections on 21 February 2019, 26 September 2019, 31 October 2019, 14 January 2020 and 30 January 2020.

The [Order](#) is promoted by the City of Edinburgh Council under various powers including sections 1(1) and 152(2) of the [Roads \(Scotland\) Act 1984](#). It relates to public rights of passage on a number of roads between Roseburn and Haymarket in the city, and seeks to redetermine how those rights are exercised, affecting various parts of the existing carriageway, footway and verge. The works that are related to the Order are part of a wider project called CCWEL. Any reference below in this report simply to the “Order” in the singular is a reference to the Redetermination Order. The CCWEL project consists of significant improvements along a 4 km (2.5 miles) route on key streets between Roseburn in the west and Leith Walk in the east. The project is being delivered in a number of phases over several financial years.

The procedure for making orders of this kind is specified in regulations made under the 1984 Act. These are [The Stopping Up of Roads and Private Accesses and the Redetermination of Public Rights of Passage \(Procedure\) \(Scotland\) Regulations 1986](#). The regulations provide the publication of newspaper notices of a proposal to make a redetermination order, for objections to that proposal to be made and, where objections are made and not subsequently withdrawn, for the matter to be remitted by the local roads authority to Scottish Ministers for their decision.

The council advertised the Order in April-May 2018, and objections to it were received. As objections remained unwithdrawn, the council remitted the matter in August 2018 to Scottish Ministers for determination. Ministers’ role, as defined in Regulation 16 of the 1986 Regulations, is to confirm the Order, with or without modification, or to refuse to confirm it.

The council also promoted a TRO under the Road Traffic Regulation Act 1984 at the same time, dealing with the same roads. I was appointed by the council as the reporter into objections made against that Order, insofar as those objections relate to changes to loading and unloading on Roseburn Terrace, Murrayfield Place, Haymarket Terrace and Morrison

Street. The administration of the two cases has been run very much in tandem with, for instance, a hearing session on the TRO on 5 November 2019. I am reporting to the council on the TRO at the same time as submitting this report to Scottish Ministers.

This report is directed towards making a recommendation as to how Ministers should fulfill their role in this case, and provides

- a summary of the background to the Order, as set out by the promoter (chapter 1);
- a commentary on procedural matters relating to the Order and the objections to it (chapter 2);
- a summary of the objections, the council's responses to them, and my assessments, grouped on a topic basis (chapter 3); and
- my overall conclusions and my recommendation (chapter 4).

CHAPTER 1. THE BACKGROUND TO THE ORDER

Legislative background

1.1 Section 1(1) of the Roads (Scotland) Act 1984 requires a local roads authority, such as the council, to manage and maintain specified roads in its area. For the purposes of such management and maintenance the authority has the power to determine the means by which the public right of passage over those roads may be exercised. Section 152(2) says that that power includes the power to redetermine by order such means of exercise.

National and regional policy

1.2 Important elements of national and regional policy are referred to in the council's [hearing statement and written submissions \(21 August 2019\)](#).

1.3 Transport policy at national, regional and local level encourages sustainable and active travel, including the improvement of cycling facilities.

1.4 At national level, included in the transport vision that appears in the [National Transport Strategy \(2016\)](#) is “... a transport system that meets everyone’s needs, respects our environment and contributes to health ...”. Amongst the Strategy’s high level objectives are “protect our environment and improve health by building and investing in public transport and other types of efficient and sustainable transport which minimise emissions and consumption of resources and energy” and “improve safety of journeys by reducing accidents and enhancing the personal safety of pedestrians, drivers, passengers and staff”. Three key strategic outcomes set out in the Strategy are : “Improved journey times and connections, to tackle congestion and lack of integration and connections in transport ... Reduced emissions, to tackle climate change, air quality, health improvement ... and Improved quality, accessibility and affordability, to give choice of public transport, better quality services and value for money, or alternative to car.”

1.5 The new [draft National Strategy \(2019\)](#) states that the Scottish Government will “reinforce the Sustainable Travel Hierarchy to promote and design our transport system so that walking, cycling and public and shared transport are promoted and take precedence ahead of private car use”. It also highlights that active modes of travel (walking or cycling for everyday journeys) will reduce the social and economic impact of public health problems and that networks will encourage cycling. The draft Strategy points out that the distance travelled on Scotland’s roads by cycles fell 6.5% between 2012 and 2017.

1.6 Transport Scotland’s [Cycling Action Plan for Scotland 2017-2020 \(2017\)](#) sets out a vision for 10% of everyday journeys to be made by bike by 2020. The Plan also states that Transport Scotland “will continue to support local authorities in building community links to the highest standard, including re-allocation of road space in favour of cycling and walking”.

1.7 Transport Scotland’s [Cycling by Design \(2011\)](#) is a comprehensive reference document to be used as a source of sound technical advice.

1.8 At regional level, the most recent version of the South East Scotland Transport Partnership’s [Regional Transport Strategy 2015-2025 \(2015\)](#) states two of its main aspects as “increased walking/cycling, which is considered to be a win/win scenario as motorised travel is reduced and there are health benefits” and “recognising that transport must play its

part in the reduction of greenhouse gas emissions and improvement of local air quality.”
The Regional Strategy highlights that cycling has increased substantially for journeys to work in Edinburgh.

Local policy and developing practice

1.9 Important elements of the local policy background are contained or referred to in the council's [hearing statement and written submissions \(21 August 2019\)](#), its [Local Transport Strategy 2014-2019](#) and its [Active Travel Action Plan \(2016\)](#).

1.10 The council's Local Transport Strategy notes that Edinburgh is the only city in Scotland that has seen walking, cycling and public transport with a strengthened role between 2001 and 2011. A lower percentage of households owned a car in 2011 than in 2001. One of the Strategy's objectives for active travel is to “*ensure that cycling is an attractive, safe, secure option for all short and medium distance journeys*”. Cycling to work has shown a strong increase in recent years, from 1.8% of all work trips in 1991 to 4.1% in 2001, 4.8% in 2011 and 7.5% in 2016. The council is seeking to increase the percentage of residents cycling to work to 15% by 2020, as a milestone towards 15% of all journeys being made by bike.

1.11 Edinburgh has the highest cycling levels of all urban areas in Scotland, yet cycling in Edinburgh still only makes up around 2% of all trips as the main mode. Edinburgh is very well suited to active travel and there is great potential to increase cycling: the city is compact, with over 70,000 people living within a 20 minutes' walk of Princes Street. Around three quarters of all journeys in the city are of less than 5 kilometres (3 miles), a distance ideal for walking and cycling. Furthermore, all public transport trips involve an active travel component.

1.12 However, although there is a strong cycling base in the city, demand is potentially suppressed due to safety fears. The [2017 edition of Bike Life](#) (produced by Sustrans and the council) reported from surveys that only 25% of people thought cycling safety in Edinburgh was good and only 19% thought the safety of children's cycling was good. The survey also found that 22% of people do not currently ride a bike but would like to. The survey also showed that 80% of residents support building more protected cycle lanes, even where this can mean less room for other road traffic.

1.13 [Investing in cycling](#) can help solve various health, social and economic problems. [Walking and cycling](#) produce various economic benefits. In summary, active travel is seen to have a wide range of benefits, including:

- better health, by incorporating physical activity into daily life;
- better road safety;
- a better environment and economy, by reducing short car journeys with a consequential reduction in congestion, air pollution, noise, the visual impact of traffic, and greenhouse gas emissions;
- benefits to businesses, with people travelling on foot or by bike tending to be healthier, absent from work less often and more productive; cyclists may well spend more than motorists when they stop to shop;

- social benefits, with people walking and cycling much more likely to meet and interact, creating community cohesion and social supervision; and
- an overall improved quality of life.

1.14 As about a quarter of domestic carbon dioxide and other greenhouse gas emissions in Scotland come from transport, it is intended in Edinburgh to continue to make significant investment in infrastructure for walkers and cyclists and to give priority to buses on the city's road network. The council has a range of actions aimed at encouraging both walking and cycling, and will be looking at ways in which funding for subsidised bus services can be increased. The already extensive 20 mph zones will be added to. It is the council's ambition to have a transport system that is one of the most environmentally friendly, healthy and accessible in northern Europe.

1.15 The council's [Edinburgh Design Guidance \(2017\)](#) seeks to introduce a shift in mindset from focusing on movement to focusing on creating and improving places when designing and altering roads, and prioritising walking and cycling over other modes, especially private car. The Guidance reflects the role of streets as places for walking and cycling and as social spaces.

1.16 Important in reaching the council's targets for greater cycle use is the development of a network of cycle routes, known as QuietRoutes, to provide direct and convenient routes for everyday utility and leisure journeys. It is intended that these should feel attractive and safe to people of all ages and abilities. The network uses traffic-free paths, quiet roads and cycle paths separated from traffic. However, to provide essential continuity and reasonable directness, the network needs to negotiate some busy streets and junctions. The aim here is to retain a high standard of safety and convenience. This will generally mean using protected, segregated cycle tracks, or potentially wide/mandatory cycle lanes complemented by parking and loading restrictions. Well defined routes through busy junctions are also essential. Sometimes other factors (generally involving provision for other road users) may mean that sub-optimal sections for cyclists need to be accepted.

1.17 Routes upgraded and signed since 2010 include QuietRoute 8 (Roseburn to Edinburgh Park) and QuietRoute 9 (Roseburn to the Gyle and Newbridge). NCR1 (from Roseburn to Queensferry) has also been improved.

The CCWEL

1.18 The CCWEL project is identified in the Active Travel Action Plan as a key project to fill key gaps in the QuietRoutes network. Important documentation on the project is contained in

- the [report](#) to the council's Transport and Environment Committee, 27 October 2015, also containing the report Roseburn to Leith Walk Cycle Links Preliminary Justification Report (2014),
- a 2014 report on [route options feasibility and user impact](#),
- the [Roseburn to Leith Walk Cycle Route and Street Improvements Consultation Report \(2016\)](#),

- the report [City Centre West to East Cycle and Street Improvement Scheme, VISSIM traffic modelling \(2016\)](#),
- the [report](#) to the council's Transport and Environment Committee, 30 August 2016, and
- the council's [hearing statement and written submissions \(21 August 2019\)](#).

1.19 The central argument for the project, made in paragraph 2.2 of the first document listed in paragraph 1.18 above is that it *“would join up a network of routes, which are suitable for people who are less confident riding a bike. In doing so it would be transformative in delivering access to and through the city centre by bike. It would also deliver significant improvements for pedestrians and in the wider street environment. Furthermore, it would transform the accessibility of Haymarket Station by bike ..”*. Amongst other things, it would provide a cycle link between the off-road cycle network at Roseburn and planned segregated facilities on Leith Walk in the east. In 2014 the council approved the appointment of consultancy services for the development of the CCWEL project.

1.20 One of the objectives of CCWEL is to increase cycling activity in accordance with national, regional and local policies. Policy decisions at all levels have therefore been made to encourage cycling activity and, flowing from that, the council has made a policy decision to improve east-west cycle connections across Edinburgh.

1.21 CCWEL has been designed as part of the QuietRoutes network. It consists of significant road, footway and cycle route improvements along a 4 km (2.5 miles) route on key streets between Roseburn and Leith Walk. The project is intended to transform the nature and operation of these streets, providing segregated cycle infrastructure on main roads and significant improvements to the pedestrian experience. The project is being delivered in a number of phases over several financial years.

1.22 The CCWEL project's design criteria relate to safety (collision risk, feeling of safety and social safety), directness (journey time, value of time and deviation), coherence (connections and wayfinding), comfort (surface quality, material, effective width, gradient, directions and undulation), and attractiveness (impact on walking, greening, air quality, noise pollution, minimising street clutter and providing cycle parking).

1.23 The CCWEL project's potential cycle trip generation has been determined through a cycle demand model. That model was based on considerable [research](#) by Wardman, Tight and Page at the University of Leeds. It forecasts the increase in trips by considering the improvements in the attractiveness of cycling for trips of 12 kilometres (7.5 miles) or less. Its use by the council's consultants accords with [Department for Transport advice](#). As input to the model, the council estimates that 1,675 existing one-way commuting trips¹ in the CCWEL route corridor would travel on the CCWEL route itself once it is operational. Put another way, its estimate is that 1,675 existing commuter cyclists would now be using CCWEL if the proposals had been implemented. In addition, the cycle demand model predicts that a further 1,467 commuters (equivalent to 88% of the existing cyclists) would change from other modes to cycle on the CCWEL route. That 88% figure is also applicable

¹ The figures in paragraphs 1.23-25 all relate to the whole of the CCWEL project, of which the works consequent upon the Order form the western part.

to non-commuting trips. This means that as well as 3,588 existing non-commuter cyclists (weekday and weekend) who would now be using CCWEL if the proposals had been implemented, a further 88%, ie 3,142 mode-changers, would use it.

1.24 The economic case for CCWEL comprises the following (with the figures reflecting the output from the cycle demand model):

- a reduction in early mortality by increasing the number of people regularly exercising through cycling (a benefit of £13.2 millions over a 10 years scheme life; that is made up of a benefit of £7.8 millions for commuter cyclists and £5.4 millions for non-commuting cyclists);
- reduced absenteeism by healthier commuter cyclists (a benefit of £0.7 million);
- improved journey quality related to the segregated character of the route (a benefit of £3.3 millions);
- delivery of wider economic benefits in terms of supporting jobs and driving tourism (a benefit of £5.8 millions);
- modal shift from cars, with benefits in the form of decongestion, fewer car collisions, greenhouse gas, air quality, noise and indirect tax benefits (a benefit of £1.1 millions).

offset in part by

- increased cycle collisions (because there would be more cyclists) (a disbenefit of £3.2 millions, reduced in reality as a result of the segregated character of the cycle route).

1.25 The council's conclusion is that the CCWEL project has a strong economic case, with the additional cycle demand leading to a forecast benefit over an assumed 10 years scheme life in excess of £20 millions (at 2010 prices), mainly health benefits through increased active travel. That is 3.3 times the cost of £6.3 millions forecast by the initial feasibility study².

1.26 The council indicated at the hearing I held that the implementation programme for the western part of the CCWEL project provides for a start on the ground in May 2020, with the whole project from Roseburn to Leith Walk intended to be operational in December 2021 (and parts to be open whenever possible before then).

1.27 The council has identified the Sustrans Community Link Programme and internal council funding programmes to finance the project.

1.28 An Equalities and Rights Impact Assessment for the CCWEL scheme commenced during the initial design phase and would be in effect throughout the delivery of the project. Positive impacts so far identified include safer conditions for young cyclists, an increase in road [crossing](#) points for those who cannot walk too far to find a safe crossing, and safer

² During the hearing a figure of £6-9 millions was given by the council as the overall CCWEL cost. A [later estimate \(2019\)](#) of the overall capital cost is given as approximately £11.5 millions. However, no updated estimates for benefits have been provided, so I rely on the figures in paragraph 1.25 above.

footways for those who use mobility aids. Negative impacts include additional sections of road space for disabled people to cross to reach bus stops, wider area impacts of traffic diverting away from the proposed cycle route, and greater difficulties accessing facilities in some streets for those dependent on the private car. The council has worked, and will continue to work, with stakeholder organisations who represent the interests of mobility- and visually-impaired users in the development of the three-dimensional designs to ensure that the needs of protected groups are met.

1.29 Thorough and comprehensive [monitoring](#) would take place to provide information on the outcome of the overall scheme. This monitoring and evaluation would assess rates of cycling, footfall and also vacancy rates in business premises, and would use alternative locations in Edinburgh as a control group. A report would be prepared after the western part of CCWEL has been in operation for 12 months, outlining lessons learned and considering any adjustments to the scheme to better serve the interests of place-making, pedestrians and cyclists.

Section 1 of CCWEL: overview

1.30 Section 1 is the section of the route between Roseburn and Haymarket. The Redetermination Order, and the associated TRO, would allow the necessary works to proceed. A significant component of section 1 is the installation of a two-way, segregated cycle track on the north side of the A8 road (Roseburn Terrace, West Coates and Haymarket Terrace) between Roseburn and Rosebery Crescent. This facility would be physically separated from motor traffic by a 0.5 metre wide kerb, but with the separation width increasing next to parking and loading bays.

1.31 Section 1 also includes an extensive programme of other improvements: some would be facilitated by the Redetermination Order, others by the TRO. They include:

- upgrading the crossing over Roseburn Terrace by the Murrayfield Bar;
- improvements to crossing facilities over the junction of Murrayfield Avenue and Corstorphine Road;
- the introduction of a prohibition on motor vehicles exiting Roseburn Gardens to Roseburn Terrace;
- alterations to parking and loading facilities;
- improvements to footway surfaces;
- reducing carriageway widths and increasing footway widths;
- removing redundant street furniture and reducing street clutter to create a more attractive environment;
- public realm improvements in Roseburn and Haymarket;
- relocating the Haymarket taxi rank to immediately in front of Haymarket Station;
- introducing additional short-stay parking restrictions in Roseburn to support local

shops;

- additional crossing points over the eastern part of Roseburn Terrace;
- additional and upgraded crossing points over West Coates; and
- the introduction of a prohibition on vehicles entering Coates Gardens and Rosebery Crescent from Haymarket Terrace.

Section 1 of CCWEL: consultation

1.32 The council held stakeholder workshops in the Roseburn and Haymarket areas in March 2015, with attendees primarily from community councils and cycling / walking groups; local businesses were not represented, although they had been invited. A consultation process on the preliminary designs was held between November 2015 and February 2016. The Roseburn Terrace, West Coates and Haymarket Terrace sections of the route drew 74-75% support (21-24% opposing) from respondents to an online questionnaire (2,247 respondents overall). There were significant pockets of opposition within some communities along the route. A much smaller leaflet feedback (118 leaflets) indicated 32% support (67% opposing), perhaps because residents who received the leaflet live along the route and so would be directly affected by any changes. Petitions against and for the overall scheme attracted 3,500 and 817 signatures respectively. The former supported an alternative route along Roseburn Place and Russell Road and then following the existing NCR1 along Balbirnie Place and Haymarket Yards. That view was subsequently carried forward into objections to the Order which I deal with in chapter 3 below.

1.33 After the consultation process a Stakeholder Working Group was established to develop improved designs to meet the needs of stakeholders, including affected businesses, community councils, and sustainable travel organisations. Several changes were made as part of this process.

1.34 Since July 2017 a dedicated Stakeholder Liaison Officer has been responsible for organising a number of consultation activities, responding to concerns and queries from members of the public, producing regular (roughly monthly) updates which are published online and distributed through a mailing list of over 2,200 addresses, and meeting stakeholders along the length of the route. The Officer has attended meetings of Murrayfield Community Council³ since October 2017, and has ensured that the West End Community Council is kept up-to-date with the progress of the project.

1.35 In 2014, Murrayfield Community Council had created the [Roseburn Action Plan](#) which called for and sought to encourage various improvements to the Roseburn area. A dedicated consultation and engagement project, [Rejuvenating Roseburn \(2019\)](#), has been developed to progress designs and delivery of an improved public realm within the Roseburn area, [partly](#) through CCWEL.

1.36 The council gave consideration to a wide range of matters arising from its engagement with the local community before it published the Order. These included

³ I refer to Murrayfield Community Council by its full name in this report. References to “the council” are to the City of Edinburgh Council.

alternative cycle routes that might be fostered, and the extent of additional congestion and delays that might follow the installation of a cycle track. These matters remained contentious. As they became the subject of formal objections, I deal with both sides of the argument in chapter 3 below.

The council's conclusions on the Redetermination Order

1.37 Summarising from the council's [hearing statement and written submissions \(21 August 2019\)](#), the council considers that the following factors support confirmation of the Order:

- There is strong policy support for it at national, regional and local level.
- Extensive consultation has been undertaken and changes have been made to take account of comments raised.
- Modelling predicts a minimal/modest impact on motor vehicle journey times on the A8, and while there are predicted to be some significant impacts on queuing/journey times in other locations, there are alternative routes available for those affected.
- It is predicted that there would be a reduction in air pollution, particularly as a result of the reduction in lanes for westbound traffic on the A8.
- Detailed consideration has been given to alternative routes and connections, and the council considers that the preferred route has been robustly justified.
- The council has undertaken a road safety audit on the final preliminary designs and made changes to take account of its conclusions. Further audits would also be undertaken.
- Where the number of loading bays has been reduced, the council has sought to mitigate the impact of this, for example by increasing the hours of operation of retained loading bays.
- Parking surveys demonstrate that the proposed parking provision should be sufficient. In Roseburn, where there is a clear demand for short-stay parking, the short-stay parking provision is substantially increased.
- While the council acknowledges that the changes to loading provision on Roseburn Terrace would make access to some premises there more difficult for disabled people with mobility issues, cycling can also be an important [mobility aid](#) for disabled people. The council has worked with charities who work to promote cycling as an important mobility aid for many disabled people. The proposed changes to the taxi rank at Haymarket Station would benefit the mobility-impaired.
- Research suggests that improved cycling infrastructure can bring economic benefits to an area.
- The design of CCWEL has been undertaken in accordance with [Cycling by Design \(2011\)](#) and the [Edinburgh Design Guidance \(2017\)](#).

CHAPTER 2. PROCEDURAL MATTERS

2.1 The [Order](#) is promoted by the City of Edinburgh Council, as local roads authority, under sections 1(1) and 152(2) of the Roads (Scotland) Act 1984. Section 1(1) says “... a local roads authority shall manage and maintain all such roads in their area as are for the time being entered in a list ... prepared and kept by them under this section; and for the purposes of such management and maintenance (and without prejudice to this subsection’s generality) they shall, subject to the provisions of this Act, have power to ... determine the means by which the public right of passage over it, or over any part of it, may be exercised.” Section 152(2) says “The power conferred on a roads authority by section 1(1) ... of this Act to determine the means of exercise of a public right of passage includes the power to redetermine by order under this subsection such means of exercise.”

2.2 The Order relates to public rights of passage on a stretch of the A8 road extending for about 1.3 km (0.8 mile) between Roseburn and Haymarket and on short stretches of nearby roads. It seeks to redetermine how those rights are exercised, by changing parcels of land from

- footway to cycle track (for pedal cycle and foot only) (as itemised in schedule 1 to the Order),
- carriageway to cycle track (for pedal cycle and foot only) (schedule 2),
- carriageway to footway (foot only) (schedule 3),
- footway to carriageway (all classes of traffic) (schedule 4), and
- verge to carriageway (all classes of traffic) (schedule 5).

2.3 The Order is accompanied by plans (see [Appendix 3](#) to the report to the council’s Transport and Environment Committee, 20 June 2018) indicating the parcels of land to be redetermined. The associated [TRO](#) was promoted at the same time. Although this report is not directly concerned with it, the TRO and its accompanying plans (see [Appendix 1](#) to the report to the council’s Transport and Environment Committee, 20 June 2018) are available to provide greater understanding of some of the matters that I do deal with.

2.4 The procedure for making redetermination orders is contained in regulations made under the 1984 Act. These are [The Stopping Up of Roads and Private Accesses and the Redetermination of Public Rights of Passage \(Procedure\) \(Scotland\) Regulations 1986](#). They provide for the publication of newspaper notices of the proposal to make an order, for objections to that proposal to be made and, where objections are made and not subsequently withdrawn, for the matter to be remitted by the local roads authority to Scottish Ministers for their decision.

2.5 In accordance with regulation 7 of the 1986 Regulations, the council [advertised](#) the Order and accompanying plan on 20 April 2018, seeking objections by 18 May. The council has confirmed by [email](#) that regulation 8 (requiring the order-making authority to serve various documents on various parties not later than the date of the first publication of the newspaper notice) and regulation 9 (requiring a public notice to be displayed prominently on relevant roads at the same time) have been complied with. In addition to these particular

statutory requirements, the council confirmed at the hearing I held that all of the statutory procedures related to the Order had been complied with.

2.6 The formal steps referred to in paragraph 2.5 above were associated, in connection with both the Redetermination Order and the TRO, with the delivery of just under 4,500 letters to businesses and residents along the CCWEL route and surrounding streets. Public drop-in sessions, attended by over 190 people, were held at two local venues on 17 and 19 April 2018.

2.7 Objections were made, and these were [considered](#) by the council's Transport and Environment Committee on 20 June 2018. In line with its [decision](#) at that meeting, given the existence of unwithdrawn objections, and as required by the 1986 Regulations, the council remitted the matter to Transport Scotland by [letter](#) on 3 August 2018. That letter also referred to the associated TRO.

2.8 The council subsequently appointed me to hold a public hearing into some of the objections to the TRO, and I am reporting separately to the council on that.

2.9 The June 2018 committee report referred to 43 representations made during the advertisement period being supportive of the proposals in one or other or both of the orders. In addition, 12 of the representations which objected to some aspect(s) of the project, highlighted support for other aspects. The issues raised as positive included:

- the introduction of a segregated cycle track along a main road into the city centre;
- additional pedestrian crossings over the A8 at various locations;
- the prohibited exit from Roseburn Gardens;
- cycle and pedestrian priority at side road crossings;
- the public realm improvements associated with rejuvenating Roseburn;
- the potential for the proposals to reduce congestion on Roseburn Terrace; and
- the relocation of the bus stop on the north side of Roseburn Terrace.

2.10 The council's letter of 3 August 2018 to Transport Scotland refers to 36 objections having been received to the Redetermination Order. Although the statutory advertisement period started on 20 April 2018, two of the 36 objections, from Mr Easton and Mrs Ingham, are dated 19 April. Regulation 11 of the 1986 Regulations requires that "*Any objection to a proposed order shall be made ... within the period ... specified in the appropriate notice ...*". The steps in the regulations that follow relate to such objections. The council's view (paragraph 11 of an [email](#) on 8 May 2019) is that, although these two objections were submitted prior to the start of the formal objection period, they should be treated in the same way as other objections submitted during the formal period. I deal with those objections in that way too, as I believe no prejudice to any party would arise from doing so.

2.11 In March 2019 I prepared a [composite document](#) containing all the objection letters to both the Redetermination Order and the TRO. My preparation of that document arose from the council's simultaneous promotion of the Redetermination Order and the TRO, for

the same roads, with synchronised advertisements. The two orders represent the two strands, required by different legislative provisions, of a single scheme. The distinction between those two strands is not always clear to those with concerns about the scheme, and it follows that a single representation could, and did, contain (a) objections to the Redetermination Order that were within my remit as covered in this report, (b) objections to the TRO within the remit of my separate appointment by the council, (c) objections that combined elements (a) and (b), and (d) other submissions including submissions objecting to elements of the TRO other than those in (b) or (c), and not before me in any capacity. The composite document contained the 36 letters from the 36 objectors referred to above plus one further letter which was regarded by the council as an objection to the TRO, ie a total of 37.

2.12 Given the points referred to in paragraph 2.11 above, I considered it important that all parties were as clear as possible at the outset which submissions, and which parts of those submissions, fell within my Redetermination Order remit. The composite document referred to above therefore contained my preliminary allocation of the 37 submissions to distinguish their content into the four categories (a) to (d). It was sent to the council and all 37 objectors on 15 March 2019 for comment on my preliminary allocation. My allocation reflected my view that 36 of the 37 submissions contained substantive objections to the Redetermination Order. The objectors are listed in Appendix 1 below. In making my preliminary allocation, I was aware that in some instances my preliminary allocation differed in detail from objectors' own allocations of their objections to one or other of the orders, and that it differed in some cases from the council's allocation as implied or indicated in [Appendices 8 and 9](#) of its June 2018 committee report.

2.13 In the light of comments received, I amended my preliminary allocation and produced a revised allocation in a [second composite document](#) which was sent the council and each objector on 30 April 2019 for information⁴. That revised allocation did not affect the number of objectors to the Redetermination Order, which remained at 36. The intention was that my revised allocation would provide a clear guide for later stages of the process. However, it was not to be treated as sacrosanct. It is important to note that if an objection about a pedestrian crossing, for instance, to be provided under the TRO (but not the Redetermination Order) could only be resolved by the Redetermination Order being modified I could recommend a modification of the Redetermination Order if the evidence justifies it, even if that meant that the TRO could not be implemented. Any reference in my assessments of objections below to specific points in objections being within or beyond my remit supersedes any previous allocation to the contrary.

2.14 I then reached a view as to which Redetermination Order objections were suitable for consideration at hearing sessions and which were suitable for consideration by further written submissions only. This view was communicated to the council and each objector in a [third composite document](#) on 13 May 2019 for information. That identified parts, at least, of 28 objection letters as being suitable for consideration at hearing sessions. Although not the subject of this report, TRO objections were also covered in that document.

2.15 At my request, on 19 June 2019, the council [wrote](#) to all objectors asking if they wished to participate in a hearing session or sessions for those objections I had identified in my third composite document as appropriate for such process. That request was made by

⁴ Only one comment was received affecting my preliminary allocation of objections to the Redetermination Order. This related to the submission by Mr Dawson for which the council suggested that some text unallocated in my preliminary allocation should be allocated to the Redetermination Order. My revised allocation was in line with that suggestion.

the council in order to meet a requirement in [The Local Authorities Traffic Orders \(Procedures\) \(Scotland\) Regulations 1999](#) regarding TRO objections, on which I need say nothing further here. At my request, the council sent a further [letter](#) to objectors on 26 June giving further clarification.

2.16 Hearing participants were determined on the basis of responses to the letters referred to in paragraph 2.15 above. Only three of the 28 objectors with Redetermination Order objections that I considered suitable for consideration at a hearing session wished to participate in that way: Mr Gregson, Ms Housley and Murrayfield Community Council. The others became “non-hearing objections”.

2.17 I issued a [guidance note](#) on the preparation of hearing statements and copies to hearing participants (the council and the three objectors concerned) on 23 July 2019. That note identified four issues that had been specifically raised in participants' earlier submissions which I wished to have discussed at hearing sessions, and specified the ways in which I wished to see those issues extended in further discussion. Statements were received from all four hearing participants: [the city council](#), [Mr Gregson](#), [Ms Housley](#) and [Murrayfield Community Council](#).

2.18 I took the view that further written submissions should be invited from objectors who did not wish to participate in hearing sessions and from those whose objections I considered did not necessitate hearing sessions. I therefore issued a [guidance note](#) on further written submissions on such non-hearing objections to the council and relevant objectors on 24 July 2019. In response, one of objectors, Dr Wight, emailed DPEA saying he did not wish to receive any more information about the project. I regard that as a [withdrawal](#) of his objection, and I take no account of it. That reduced the number of objectors to 35. Further submissions were received from [Mr Allingham](#), [Mr McKenzie](#) and [Mr Weatherston](#). The council's submissions were included in its [hearing statement](#). The appendix to my guidance note incorrectly omitted the objection from one objector as one for which further written submissions were invited. That omission was rectified by a [communication](#) to her on 21 August 2019: a further written submission was invited, but none was received.

2.19 I reminded objectors in both of the guidance notes mentioned in paragraphs 2.17 and 2.18 above that if a modification of the Order was sought – by deleting a specified area or areas of road (so that it or they would continue to be used as at present), or by specifying a use for the road different from that proposed by the Order – it was important for the objector to make his or her position clear in submissions at that stage by indicating the precise area or areas of road to which that view relates (preferably on a plan). That request was seldom met. In my guidance note I also asked the council to respond to a number of general and specific questions. The council did that, with the exception of not providing an adequate explanation of its forecasts of the extent of an increase in cycling trips that its proposals would foster. That explanation came later in written submissions following discussion at the hearing (see paragraph 3.36 below).

2.20 The council and objectors were then given an opportunity to comment on the others' statements. Such comments were received from [the council](#), [Mr T Glasby](#), [Mr Gregson](#), [Ms Housley](#) and [Murrayfield Community Council](#).

2.21 My [agendas](#) for the hearing sessions included TRO matters as the sessions were to include such matters in relation to my separate report to the council (see paragraph 2.8

above). DPEA [sent](#) these to the council and participating objectors on 4 October 2019. On 10 October the council sent the hearing agendas formally to all objectors: because the hearing was to include TRO matters, this notification was made by the council to comply with the regulations relating to hearings on traffic regulation orders. On 11 October, the council published a [newspaper notice](#) of the hearing: this was again done to comply with the regulations relating to hearings on traffic regulation orders, but the notice included reference to the hearing also covering the Redetermination Order.

2.22 The hearing sessions were held at the City Chambers, Edinburgh on 4 and 5 November 2019.

2.23 I carried out unaccompanied site inspections on 21 February 2019, 26 September 2019, 31 October 2019, 14 January 2020 and 30 January 2020.

CHAPTER 3. THE OBJECTIONS, THE COUNCIL'S RESPONSES, AND MY ASSESSMENTS

Introduction

3.1 My task is to examine the Order in the light of the objections and to assess whether confirmation of the Order is expedient in the circumstances. Taking account of environmental, social and economic factors as necessary, I assess whether the public benefits of the Order as put forward by the council outweigh the public or private disbenefits alleged in the objections.

3.2 Some objections go to the heart of the Order. They take the view variously that the scheme that would be promoted through the Order is without justification or that, if a cycle route is to be promoted between Roseburn and Haymarket, it should not be the one promoted through this Order. The general thrust of these views has been maintained over several years, and when they appeared as formal objections to the Order the council has responded fully. Although the most I could do in response to these objections would be to recommend that the Order is not confirmed, I therefore examine them to the same extent as I examine those objections that take exception to specific details of the Order.

3.3 My examination of the objections is on a topic basis, with the following topics:

- present and future use levels by cyclists and the economic justification for the council's proposals;
- part of NCR1 as an alternative to the council's proposals;
- Roseburn Place as a cycle route rather than the council's proposals for Roseburn Gardens and Roseburn Terrace;
- inadequate access for disabled people at Roseburn Terrace;
- impacts on traffic congestion and delays;
- air pollution;
- user safety;
- proposals for Magdala Crescent and other nearby streets;
- proposal for additional footway at the western end of Roseburn Place;
- proposal for additional footway on the west side of Roseburn Street;
- proposals for bus stops at west Roseburn;
- proposals at and near the southern end of Murrayfield Avenue;
- conservation impact;
- potholes;

- incorrect to regard the proposals as improvements; and
- the council's failure to deal with earlier criticisms of its proposals.

3.4 Most topics have three sections: a summary of points made by objectors; the council's response; and my assessment.

3.5 Objectors' cases are derived mainly from their formal objections as compiled in my [second composite document](#) (see paragraph 2.13 above), from the hearing statements and further written submissions from [Mr Allingham](#), [Mr Gregson](#), [Ms Housley](#), [Mr McKenzie](#), [Murrayfield Community Council](#) and [Mr Weatherston](#), from comments on the council's further written submissions from [Mr T Glasby](#), [Mr Gregson](#), [Ms Housley](#) and [Murrayfield Community Council](#), from discussions in hearing sessions, and from post-hearing documentation (see paragraphs 3.9-49 below). I also draw on relevant points made during the consultation period before the Order was published.

3.6 The council's case is derived mainly from its June 2018 committee [report](#), its [hearing statement and further written submissions](#), its [response](#) to objectors' submissions, from discussions in hearing sessions, and from post-hearing documentation (see paragraphs 3.9-49 below).

3.7 The council has indicated that it wishes me to recommend one modification to the Order, and I deal with this at paragraphs 3.147(a), 3.156(a) and 3.158 below.

Present and future use levels by cyclists and the economic justification for the council's proposals

Introduction

3.8 I took one of the issues, from the objections, for discussion at a hearing session to be this (as expressed in my guidance note): "*(a) The extent of cycle use along this route corridor now.*" I also wrote in my guidance note: "*I wish to see issue (a) extended in the hearing discussion to explore the likely extent of any increase in cycling trips as a result of the implementation of the Order (I have already asked the council to explain its estimate of a potential 88% increase in one-way commuter cycle trips). That would be in line with some non-hearing objections.*"

Summary of points made by objectors

3.9 Objectors criticise the absence of any council survey of cyclists' present use of the A8 as a cycle route, and they themselves provide various indications of the extent of cycling there at the present time. One objector says that, even at peak times, no more than 12 cyclists per hour have been seen going along the A8. Another presents the following figures, obtained from observation on a single weekday, for traffic in both directions along West Coates just east of the A8-Balbirnie Place junction: cycles 13, cars 436 and buses 33 between 1400 and 1500 hours; and cycles 40, cars 400 and buses 32 between 1700 and 1800 hours. He extrapolates from that a figure of 277 cycles per day. He also concludes that in each peak hour nearly 2,000 other travellers are to be seriously inconvenienced for the sake of a handful of cyclists. It is asserted that most cyclists prefer to use the existing NCR1.

3.10 I agreed at the hearing that more extensive observations could prove useful. As a result of that, Murrayfield Community Council subsequently presented [information](#) from its own cycle counts. This included the figures in Table 1 at the end of this report.

3.11 As to the prospect of non-cyclists changing mode to use CCWEL, there is no guarantee that the proposed cycle track would lead to any substantial increase in cycle use. It should not go ahead without clear evidence that such an increase would happen. New inexperienced cyclists would not be encouraged to use it because of the density of traffic on the A8. The greatest flaw in the CCWEL scheme is that the level of demand has not been researched. Edinburgh has experienced increased cycling activity in recent years without protected cycle tracks on arterial roads, so the need for such provision now is questioned. Recent commentary suggests that no great use is being made of the new Birmingham cycleway (which sounds not dissimilar to the one proposed here) and that the existence of that cycleway is causing "traffic chaos". A study of the effects of the Birmingham cycleway would be appropriate before a decision is taken on this project in Edinburgh.

3.12 The council's zone-to zone analysis presented after the hearing (see paragraph 3.39 below) is [criticised](#) on the basis that cyclists would not go out of their way to use CCWEL in order to take up travelling to work by cycling. Mr Gregson's alternative zone-by-zone analysis reduces the council's mode-change estimate to 534 new cyclists⁵. But those 534 represent an "ideal world" number that would switch to two wheels. Only a fraction of this number – optimistically one third, say 180 – would change behaviour because of CCWEL.

3.13 The council's estimate of future use of CCWEL once its proposals are implemented is a "dreamland calculation" which is no substitute for asking people about the probability of changing their behaviour. The council's claim that 74-75% are in favour of its proposed cycle track ignores the fact that 1,762 (80%) of its 2,247 respondents did not live near or to the west of the track (so would be unlikely to use it). It is unreasonable to include in the findings those who live more remotely who are unlikely to use the cycle track. An alternative survey in autumn 2016 by the Roseburn Vision Group, a local action group, asked for replies only from those who lived near, worked on or travelled along the route. Out of 1,001 respondents to that survey, only 69 people said they would take to their cycles as a result of CCWEL. It was indicated at the hearing that these respondents were self-selected, not a random sample.

3.14 Given the additional congestion and pollution that implementation of the CCWEL proposals would cause, this small, but realistic, number of only 69 additional cyclists that can be expected reduces the economic case for the proposals. In addition, the economic impact of loss of custom to traders is ignored.

The council's response

3.15 The number of cyclists currently using the roads included in the Order is not the correct baseline for forecasting, as it is anticipated that current cyclists would divert from other existing routes to use CCWEL because of the substantial improvements in facilities.

3.16 Nevertheless, the council presents data on cyclist volumes from counts on weekdays shortly before and shortly after the hearing, and I summarise these in Table 2 below. The

⁵ That is a reduction from the council's estimate of 759 in its November 2019 reassignment, not from its earlier estimate of 750 (see paragraph 3.27 below).

council contends that Murrayfield Community Council's counts support its position in relation to the number of cyclists.

3.17 The fact that there is little or no difference in the council's November counts between the eastern and western count locations suggests that, at present, most cyclists on the Roseburn Path (the former railway that crosses Roseburn Terrace/West Coates on a bridge and forming part of NCR1) currently continue towards the city centre on the quieter NCR1, rather than entering the unsegregated and heavily trafficked environment on West Coates and then Haymarket Terrace.

3.18 As indicated in paragraph 1.23 above, the council estimates that 1,675 existing one-way commuting trips by cycle in the CCWEL route corridor would travel on the CCWEL route itself once it is operational. That would involve no change of transport mode. The council relied on that figure very much in its submissions, almost in isolation, up to the hearing I held. This "base number" is an aggregation of 2011 Census data and formed an input to the cycle demand model referred to in paragraph 1.23 above. It is not the number of cyclists now using the roads which are the subject of the Order. It is the number of cyclists travelling east-west or west-east across the city in 2011 along various routes, including the A8 and NCR1, who could have been expected to have used CCWEL had it existed then.

3.19 531 of those 1,675 trips are 2011 cycle journeys to work that might have been expected to use **the western part** of CCWEL between Roseburn and Charlotte Square. This is a stretch of about 2.8 km (1.75 miles) that includes the 1.3 km (0.8 mile) of the A8 covered by the Order. The zone-to-zone flows of those 531 are shown in Table 1 of the council's [supplementary paper](#) which also contains a map of the zones⁶. More detailed zone-to-zone flows of those 531 trips are given in Annex 2 of a [document](#) produced by the council in answer to questions that I raised⁷. Most of those 531 trips are between a small number of zones: zones 10, 11 and 12 to the west and zones 5, 6, 7 and 14 to the east. Like the 1,675 trips of which they formed a part, the 531 trips were input to the cycle demand model.

3.20 As indicated in paragraph 1.23 above, the output of the model is a forecast of an 88% increase in one-way commuter trips (ie an increase of 1,467 trips) on the route of CCWEL. These are non-cyclist commuters who would become cyclist commuters. The council accepts that this 88% figure may appear high on the face of it, but the model used has been developed by academics based on "large and complementary datasets" (see the [research paper](#) by Wardman, Tight and Page for a detailed description of the development of the cycle demand model) and is commonly used in forecasting the increase in cycling arising from projects.

3.21 The council notes the second paragraph of the abstract in the research paper. This says: *"The model was used to forecast trends in urban commuting shares over time and to predict the impacts of different measures to encourage cycling. Of the en-route cycle facilities, a completely segregated cycleway was forecast to have the greatest impact, but*

⁶ The council explains as follows. The model produced trip forecasts at ward level (with 58 wards). But these forecasts were based on an assignment that was made at zone level (with 15 zones). This was in order to make the modelling process reasonably manageable and economical. The grouping of wards into zones was done to balance accuracy of forecasts against making the modelling process reasonably manageable and economical. Use of the 15 model zones meant that 225 (ie 15 x 15) assignment decisions needed to be made. If the full set of census wards had been used for the assignment, 3,364 (ie 58 x 58) assignment decisions would have had to be made. An alternative assignment carried out in November 2019 factoring the percentage of journeys between some zone pairs produced overall forecasts of the use of the CCWEL very similar to the "all or nothing" assignment originally carried out.

⁷As an example, the 56 trips shown in the zone-5-to-zone-10 cell is the sum total of 2011 cycle journey to work trips irrespective of the route taken, and it is assumed that all would have used the western part of CCWEL had it existed then.

even the unfeasible scenario of universal provision of such facilities would only result in a 55% increase in cycling and a slight reduction in car commuting.” The council accepts that the 88% forecast increase for Edinburgh looks surprising in the light of this. But Edinburgh has a significantly high proportion of journeys to work that are short, and CCWEL would bring significant benefits to cyclists on an important desire line.

3.22 The council also notes the observation in paragraph 2.3.9 of the [Department for Transport advice](#) on the use of the cycle demand model. This says: *“Analysts should note that this model only applies to those who could make use of any change to facilities on short **commuting** journeys. The impact of a variety of different changes can be calculated but these results should be regarded as very approximate in general application.”* (my emphasis). There was no separate model output for non-commuters, and the 88% output for commuters was assumed to be correct for non-commuters also.

3.23 750 of the 1,467 change-of-mode cyclists would use **the western part** of CCWEL between Roseburn and Charlotte Square. The zone-to zone flows of those 750 are shown in Table 3 and Table A1.3 of the council’s [supplementary paper](#). Most of the 750 trips are between a small number of zones.

3.24 The model output indicates that the western part of the CCWEL would experience a higher proportionate increase in cycle use than the route as a whole, with around 50% of the total forecast increase in trips (750 out of 1,467) using this section. Though the proportionate increase is large, it is considered reasonable given that the new segregated cycle infrastructure would connect a very large catchment in west and north-west Edinburgh to and through the city centre, with connections into existing off-road paths. The largest increases in cycling flows are forecast between zones 10, 11 and 12 in the west and zones 5, 6, 7 and 14 in the east (as with the 2011 no-change-of-mode assignment). For all the zone pairs involved, CCWEL would provide very significant enhancement to the degree of protection from motorised traffic. For example, people making trips between zones 10, 11 and 12 and zone 14 (231 of the 750 trips) would have segregated cycle infrastructure available over much if not all of their journeys. A [map](#) is submitted showing the areas from which the bulk of the modelled use of the western part of CCWEL is expected to originate.

3.25 Estimates of future cycling mode shares between zone pairs are not unrealistic given existing shares. In 2011 there were already pairs of zones in the city where the cycling mode share exceeded 10% of total trips, especially trips from zones 4 and 12. Some of these pairs represented significant absolute numbers, with 643 of the 5,634 trips from zone 4 to 5 being by cycle. 74% of the forecast growth in cycling numbers is accounted for by zone pairs where the forecast cycling mode share is under 10%. The western part of CCWEL would have the largest impact on zone 12, where the cycle mode share increases by 55% (ie from a share of 5.0% to a share of 7.8%), and zone 14, where it increases by 37% (ie from 3.4% to 4.7%.)

3.26 It could be argued that new cycle trips between zones 3 and 14 (57 trips in 2011) and new cycle trips between zones 10, 11 and 12 and zone 5 (234 trips in 2011) have been over-estimated, but no trips are assigned between zones 6 and 10, between 7 and 1, 3 and 11, and 13 to or from any other zone. So the overall numbers predicted by the model are considered to be reasonable.

3.27 Nevertheless, taking account of the sorts of factors in paragraph 3.26 above, it was considered prudent to re-run the model in November 2019. This reduced or added in, as

input, proportions of existing cyclists between particular zone pairs. In the output of this re-run, the 531 2011 trips above become 520, and the 750 new trips become 759. The overall effect is very marginal.

3.28 Mr Gregson's own zone-to-zone analysis in response to this (see paragraph 3.12 above) should be treated with [caution](#) for various reasons. His assertions about route choice appear to rely on using a single point somewhere in a zone to represent all journeys to and from it. He uses this point to discuss then whether or not cycle trips are likely to include CCWEL. This is a simplistic approach which has the potential to overlook particular local circumstances. Mr Gregson also appears to be making the kind of value judgement that may be made by an existing cyclist, who might take the quickest route, regardless of how busy the roads are. However, one of the key points of CCWEL is to encourage people who do not currently cycle to consider doing so by providing safe, high-quality infrastructure. For some trips this may involve a longer journey. In addition, a longer route is not necessarily more time-consuming. Furthermore, Mr Gregson's arbitrary reduction of his forecast by two-thirds has no proper basis.

3.29 The equation in the cycle demand model predicting changes is not a simple linear relationship. However, simply put, the longer the time that a given trip spends on the improved route, the greater the forecast proportionate increase. The overall number of trips does not directly impact on forecast cycle use. No new cycle use is forecast by the model for a particular origin-destination pair if there were no cycle trips between the pair in 2011. This applies regardless of the overall number of trips by non-cycling modes.

3.30 The increase in cycling that is forecast to result from CCWEL is not inconsistent with increases in other cities that have resulted from the sort of step-change in provision now proposed. A network of 120 kilometres of bike lanes, separated from traffic, in [Seville](#) resulted in a more than five-fold increase in cycle use between 2006 and 2011 (13,000 daily trips to 72,000). There have been high-quality cycle works in [Bristol](#), and 10% of Bristolians now cycle to work, with cycling in Bristol having doubled since 2008. Several cycle routes in [Nottingham](#) have received upgrades in recent years, and cycle use in the city increased year-on-year for seven years in a row, and was 45% higher in 2018 than in 2010. Segregated cycleways are being introduced on various main routes in [London](#), with cyclist numbers up 33-42% on various routes. [Continental cities](#) with climatic conditions similar to Edinburgh's have considerably higher levels of cycle use than Edinburgh, indicating the potential for increases.

3.31 During the same recent years when there have been significant increases in the amount of cycling in Edinburgh (see paragraph 1.10 above) there have been significant improvements in the cycling network. For example, improvements to NCR1 to Queensferry via the A90 resulted in a 52% increase in cycle use between 2011 and 2014. The CCWEL project represents a step-change in the quality of infrastructure proposed compared with what the council has delivered in the past. It is therefore expected to result in an even greater impact on trip numbers.

3.32 The council stands by its assessment of the economic case for its proposals as summarised in paragraphs 1.24-25 above. Any claims about the economic cost of additional congestion and pollution and loss of trade are not accepted. Claims of loss of trade at Roseburn because of the council's proposals to reduce loading provision there (which appear in the TRO) are rejected, particularly in the light of the council's [loading survey](#) which illustrates the relatively limited demand for loading provision.

My assessment

3.33 I deal first with the differing assessments of how many cyclists use the A8 road at present. In doing that, I accept fully that this is not the correct baseline for forecasting given the significant change in the cycling environment that the CCWEL proposals include. It provides a limited context only.

3.34 I discount the references to only 12 or 40 cyclists (paragraph 3.9 above) on the A8 in the peak hour, as those figures are seriously less than in what appear to be the more thorough counts over several days by the city council and Murrayfield Community Council. The city council's view that Murrayfield Community Council's counts support its own position is correct insofar as the matter can be judged from counts at the same times and locations. I have no doubt that the fall in figures between October and November (where a proper comparison can be made) is substantially accounted for by the difference in conditions as a result of the change from British Summer Time to Greenwich Mean Time in late October. By my calculation an average round figure for the number of cyclists using the A8 here in both directions in each peak hour in November would be 120.

3.35 I consider the council to be broadly correct, too, when it contends, from its counts, that most users of the Roseburn Path currently continue towards the city centre on the quieter NCR1 rather than diverting to the A8. Leakage to and from the Roseburn Path appears to me to be about 25% of the number of cyclists using the A8⁸.

3.36 I turn now to the council's use of the cycle demand model. I sought further explanation of how the modelling results for the CCWEL project are what they are over a period of some 6 months before the hearing. But it was not until the hearing was in session that the council agreed to produce that explanation. It was readily forthcoming after that.

3.37 First, I examine the council's estimate of 1,675 existing commuter cyclists who would now be using CCWEL if the proposals had been implemented, or more particularly the 531 of them who, the council says, would now be using the western part of CCWEL if the proposals had been implemented. The council has provided information about those 531 journeys on a zone-to-zone basis. The assignment of these journeys to pairs of zones is a matter of professional judgement that forms an input to the model. No objector challenges this assignment, although the challenges to the model output of forecasted mode changers might be regarded as implying criticism of the input assignments. I deal with the challenges to the model output of forecasted mode-changers at paragraphs 3.39-40 below.

3.38 I regard the input assignment, as shown by Annex 2 of the council's [document](#) that gives its answers to my questions, as basically sound, sensible and even cautious. I suspect the assignment to the western part of CCWEL of 23 journeys from zone 10 to zone 14 and 13 journeys from zone 14 to zone 10 might be unrealistic. However, there are other zone-pairs for which no journeys on the western part of CCWEL are "claimed" when in reality some such journeys seem likely. This would apply to journeys between the northern part of zone 3 and parts of zones 7, 8 and 13, and to journeys between parts of zones 7 and 11, between parts of zones 8 and 12, and between parts of zones 12 and 13.

⁸ Access points to NCR1 (the Roseburn Path here) are described at paragraph 3.60 below.

3.39 The output from the model – of those changing mode to cycling on the western part of CCWEL – is directly challenged by Mr Gregson. However, the council submits a strong rebuttal of this (see paragraph 3.28 above). It is a detailed challenge but the council is right to question the basis on which it is made. This is so particularly with regard to Mr Gregson's choice of a single arbitrary point to represent each zone, his emphasis on choosing the shortest route with little regard to conditions encountered on it, and his arbitrary two-thirds reduction in mode-changers at the end of his detailed analysis. To my mind the zone-to-zone pattern of mode-changers that the cycle demand model produces appears sound, and I apply my comments in paragraph 3.38 above to it. The re-running of the model in November 2019 with different input assignments (see paragraph 3.27 above) provides comfort in that respect.

3.40 That still leaves the question, irrespective of the zone-to-zone pattern, of the correctness of the overall total of mode-changers forecast by the model. The basic data is that 750 mode-changers would be added to 531 diversions of existing cyclists. That is an increase of 141%. The equivalent increase for the whole length of CCWEL is 88%, as stated several times above. That, of course, means that the proportionate increase for the eastern part of CCWEL (beyond the coverage of the Order) would be considerably less than 88%. The council's answer to doubts about the reasonableness of the 88% and 141% forecasts lies in its comments I report at paragraph 3.24 above. These comments are well made, and relate to the particularly convenient location of the western part of CCWEL between existing off-road paths and the city centre. There is still the important point made by the researchers whose work led to the development of the cycle demand model (see paragraph 3.21 above) that “... *even the unfeasible scenario of universal provision of such facilities would only result in a 55% increase in cycling ...*”. But I accept the council's claim (paragraph 3.25 above) that estimates of future mode shares are not unrealistic given existing mode shares between some zone pairs.

3.41 This suggests that Edinburgh may, to some extent, be a special case so far as commuting journeys are concerned. The council's proposals fit into that scenario and deserve support in that respect.

3.42 There remains one further point to consider arising from the council's use of the cycle demand model. This concerns its application of the 88% increase in cycle journeys to work (the model output for the whole length of CCWEL) to non-commuting journeys. An 88% increase in non-commuting journeys by cycle is not a model output: instead, it is an assumption. As indicated in paragraph 3.22 above, Department for Transport advice is that the cycle demand model is to be used only for commuting journeys. That is indeed how the council uses the model. But its basis for assuming that the model's output of an 88% increase in cycle commuting journeys would be replicated for cycle non-commuting journeys is not clear. It could be argued, on the contrary, that the relative advantage of a segregated cycle track at weekday peak hours when roads are busy with motor vehicles may be reduced at less busy times on weekdays or much of the time at weekends when there is likely to be less motor traffic. It could consequently be argued that, if reliance has to be placed on an assumption, an assumed increase lower than 88% would be appropriate for non-commuting journeys by cycle.

3.43 This takes me to the council's economic justification for its overall CCWEL proposals, as summarised in paragraphs 1.24-25 above. Its forecast benefit is over £20 millions, 3.3 times the forecast cost of £6.3 millions. About a quarter of the overall benefit is made up of health benefits enjoyed by non-commuting cyclists. Taking an extreme position, it follows

that if there were to be no health benefits at all for non-commuting cyclists (on the basis of there being no additional non-commuting cyclists) the total forecast benefit would be reduced to over £15 millions, or 2.4 times the forecast cost. But the fact that CCWEL would provide some undoubted advantages to some non-commuting cyclists indicates to me that the true benefit is likely to lie between 2.4 and 3.3 times the forecast cost. The council's failure to explain the justification for applying the model output of an 88% increase in commuting cycle journeys to other types of cycle journeys is therefore not crucial to its overall case.

3.44 I note that some objectors claim that the council's economic analysis is deficient because it ignores what they regard as the economic impact of the loss of custom to traders at Roseburn. They develop this argument further in objecting to the TRO as they consider that the loss of custom would result from the reduced loading provision included in the council's proposals. Accordingly I deal with that argument fully in my separate report to the council on the TRO. Suffice it to say here that the council's [loading survey](#) indicates (subject to the survey covering one day only) the limited demand for loading provision and does not support objectors' fears.

3.45 Some objectors also refer to additional congestion and pollution as contributing to economic costs, therefore further justifying not proceeding with the council's proposals. I deal with those aspects at paragraphs 3.90-119 and 3.120-131 below, but I point out here that I do not consider those concerns to be well founded.

3.46 For the reasons given above I am drawn to the conclusion that the council's economic case for its proposals is, in general, well made. This is in the reasonable expectation of a substantial increase in the number of cyclists who would use the A8 once the council's proposed significant improvements in the cycling environment there are in place. Although the details of its forecasts have been provided only well towards the end of my investigations, the claim made in objections that the level of demand has not been researched is belied by the facts.

3.47 I do not accept the claim in the objections that the council's estimate of future use of the CCWEL route once its proposals are implemented is a "dreamland calculation". The objectors' process of asking people about the probability of changing their behaviour (eg switching from car to cycle) can have its place, but people's forecasts of their own behaviour in future circumstances are not always reliable and there are risks in relying on respondents who are self-selected. I therefore do not accept the Roseburn Vision Group assessment that only 69 people would take to their cycles as a result of the CCWEL.

3.48 I note the references by both the council and objectors to schemes in other cities. On balance these suggest to me that the council's proposals are worthy of support in terms of anticipated use, but local context must always be a very important factor.

3.49 If I had been satisfied that the economic justification for the council's proposals is insufficient, I would have had to recommend that the Order is not confirmed. But that is not so, and I go on to consider other objections below.

Part of NCR1 as an alternative to the council's proposals

Summary of points made by objectors

3.50 Objections are raised that the proposed cycle track should not follow the A8 but that use of part of NCR1 should be promoted instead. NCR1 is an existing long-distance cycle route. Its location in the area of concern here is shown on a plan on page 19 of Mr Gregson's [hearing statement](#): in the west of that area it crosses the A8 road by means of a former railway bridge (near the point marked "To Granton and Craigleith" on the plan), and then, going towards Haymarket, proceeds south-eastwards to Balbirnie, then east and north-east to reach the A8 road just west of Haymarket Station⁹.

3.51 This alternative proposal, as adopted by Mr Gregson, had been put forward in 2016 by the Roseburn Vision Group (see Appendix D to Mr Gregson's hearing statement). The cycle route that would be followed would go from Roseburn Place in the west via Russell Road, and then join NCR1 near Balbirnie. Associated with that proposal would be a west-bound, non-segregated cycle lane on the south side of the A8 and an east-bound, non-segregated cycle lane on the north side of the A8, together with the removal of a good deal of on-street parking provision. These proposals for the A8 are included in recognition of some cyclists' need to reduce journey times (compared with the more circuitous NCR1). However, Mr Gregson indicated at the hearing that he sees these proposals for the A8 as a supplement to greater use of NCR1. They also include a cycle link from the A8 road due south along Devon Place and then on a ramp to reach NCR1.

3.52 The concerns of other objectors tend to be expressed as generalised support for NCR1. Whether they support the full details of the Roseburn Vision Group proposals is not clear.

3.53 The view is put that the Roseburn Vision Group proposals, which received substantial support demonstrated by a petition containing over 6,000 signatures from Edinburgh residents, have been too readily dismissed by the council. The advantages seen for the Roseburn Vision Group proposals (and by other objectors for, at least, something along those lines) are these:

- there would be complete separation from heavy traffic, providing greater safety for cyclists;
- cyclists would be less subject to pollution from motor vehicles;
- NCR1 is a quieter route more in keeping with the council's QuietRoutes approach;
- there would be less impact on parking provision;
- variously, NCR1 is no more hilly than the council's favoured route at Roseburn Gardens or, if more hilly, cycles have gears to overcome inclines;
- although NCR1 is a longer route than along the A8, the time difference for a cyclist is only about one minute;

⁹ My own description of the route followed by NCR1 in this area appears at paragraph 3.60 below.

- NCR1 is substantially used by cyclists already;
- ease and lower cost of implementation, with narrow pinch points being improved, if necessary, by property purchase and/or demolition; and
- less congestion would be produced.

The council's response

3.54 The council's aspiration is to make cycling a more attractive travel choice and significantly increase the share of journeys in the city made by cycle. This is part of its wider approach of encouraging active and sustainable travel in support of a growing city. The principal reason for bringing forward its current proposals is that they are considered to be a very significant improvement on the existing NCR1 and its connections onwards into the city centre. So they would be far more effective in achieving the council's aims than the current NCR1, which is not seen as a satisfactory option for a major cycle route. The council's intention would be that the route now followed by NCR1 would remain on the ground as now, but it would cease to be designated as NCR1 (see paragraph 3.58 below). The council has not assessed the objectors' alternative NCR1 proposal through modelling (in the same way as the Roseburn Gardens / Roseburn Place alternatives – see paragraph 3.71 below – were modelled).

3.55 In summary, the council (see its [route comparison](#)) takes this stance on its proposals, when compared with the current NCR1, as:

- significantly shorter;
- much more obvious;
- significantly less hilly;
- avoiding the objectors' particularly steep and narrow proposed connection from Devon Place to NCR1;
- avoiding the need to use relatively narrow, shared pedestrian/cycle paths;
- having a much higher proportion of its length totally separated from general traffic; and
- minimising security concerns.

3.56 Even without the cycle track now proposed, [counts](#) on the same October weekday showed cyclists' use of NCR1 during peak hours (as evidenced at Haymarket Yards) at about a third less than their use of the A8 road east of Wester Coates Road.

3.57 The council's proposals are seen as falling fully within the scope of the QuietRoutes network.

3.58 Sustrans considers that the council's proposals would provide a transformative enhancement. If the CCWEL project is implemented, Sustrans would re-designate the current signed NCR1 from Roseburn to Haymarket to follow the A8. The newly designated

NCR1 in those circumstances would represent a significant improvement. This is important as, although no formal commitment exists at present, Sustrans is expected to provide about 50% of the funding required for the CCWEL project (the other 50% coming from internal council funds), and Sustrans will only provide funding for works that it agrees with. The council indicated at the hearing that essentially no other funding sources are available. It also indicated then that the bulk of Sustrans' funding is derived from the Scottish Government.

3.59 Non-confirmation of the Order arising from support for NCR1 as opposed to the council's proposals would mean delay to the implementation of the CCWEL project (see paragraph 1.26 above).

My assessment

3.60 I walked all of that part of NCR1 from north of the Roseburn railway bridge (over the A8) to Haymarket during one of my site inspections, and walked on sections of it during other inspections. Its route is as follows:

- Near Roseburn (ie near the former railway bridge that NCR1 follows), NCR1 (the Roseburn Path here) may be accessed by cycle (or on foot) from Wester Coates Terrace near its junction with Wester Coates Avenue, from the southern end of Wester Coates Terrace near its junction with the A8 (a steep access), or from the northern end of Balbirnie Place.
- Travelling south-eastwards from the bridge towards Haymarket, it follows the line of the level former railway track for about 300 metres. At that point it turns sharply down to reach Balbirnie Place.
- For cyclists and walkers not following NCR1 there is an alternative link at that point down to Russell Road.
- NCR1 then goes eastwards along the carriageway (without any road markings) to the eastern end of Balbirnie Place, a distance of nearly 150 metres.
- For the next 150 metres or so, first north and then east, it goes along the access road through a residential parking area.
- It then follows a stretch of rather more than 100 metres of segregated path for cyclists and pedestrians (between buildings to the north and tram tracks to the south), clearly designed with separation between cyclists and pedestrians in mind.
- NCR1 then joins the carriageway of Haymarket Yards and goes along it for around 150 metres without any road markings.
- A marked (but unsegregated) cycle lane then goes across the carriageway of Haymarket Yards (with its tram tracks) at a bend in the road, and that marked lane on the eastern side of the carriageway continues for 80 metres or so to Haymarket Terrace. I saw that cycling would not be possible on the cycle lane here with a westbound tram passing.
- NCR1 then goes along Haymarket Terrace without markings for about 70 metres

from its junction with Haymarket Yards, and then turns north up Coates Gardens.

3.61 The promotion of NCR1 in opposition to the council's proposals has a number of defects. The council's point that its scheme would avoid NCR1's relatively narrow shared pedestrian/cycle paths is well made. These come down to 1.6 metres in width, less than the 2.0 metres minimum width of the council's proposed cycle track. The interactions between cyclists and pedestrians on NCR1 occur over much lengthier stretches of the route than is the case with the council's segregated route. I note objectors' view that such narrow pinch points can be improved. But there is no detail before me on the extent of where such improvements should or would be carried out, the range of property owners that would be involved and the costs that might need to be incurred. In contrast, the council's cycle track proposals take land already within the road, and so there are no costs or difficulties of land purchase or securing wayleaves.

3.62 That last point is particularly applicable to the objectors' proposal for a link between the southern end of Devon Place and NCR1. Although there appears to be space to provide a link near the car park ramp there, between buildings, the realistic prospects of doing this over private land are entirely unclear. The steep ramp, the use of which appears to be part of the objectors' proposals, is a feature which some cyclists would undoubtedly find difficult, and that would limit their use of it.

3.63 The lack of clarity about the prospects of overcoming admitted difficulties leads me to doubt objectors' claims about the cheapness of their alternative compared with the council's proposals. Objectors' proposals for non-segregated cycle lanes on the A8 road would clearly be cheaper than the council's segregated cycle track, but the lack of clarity about other elements must be an important factor detracting from the objectors' alternative.

3.64 Notwithstanding claims to the contrary I accept that the council's proposed cycle track would have lower maximum gradients than NCR1, and it is clearly shorter than NCR1. Its directness is particularly suitable for a route to be used for journeys to and from work. Objectors point out that NCR1 is substantially used by cyclists already, but the evidence is that they use the A8 more. Their greater use of the A8 now, without the protection of a segregated cycle track and bearing in mind the extent to which the road is a significant artery for motor vehicles, is an important indicator of cyclists' preferences in practice.

3.65 I note objectors' stance that their proposals would have less impact on parking provision. The balance of the argument also favours the objectors when they contend that cyclists on NCR1 are less subject to pollution from motor vehicles than when they use the A8. That can be readily concluded from the number of motor vehicles using the A8 road. I also agree with objectors when they say that NCR1 is a quieter route. But I also understand the council's affirmation at the hearing that its proposals are seen as falling fully within the scope of the QuietRoutes network. This description, from paragraph 20 of the [Active Travel Action Plan](#), is relevant: *"While much of the QuietRoutes network will be off-road or on quiet roads, to genuinely 'join up' and to afford reasonable directness, the QuietRoutes network needs to negotiate some busy streets and junctions. At these points, the aim will be to retain a high standard of safety and convenience. This will generally mean using protected separate cycle tracks, or potentially wide/mandatory cycle lanes complemented by parking and loading restrictions."* On that basis, the council's affirmation is justified. But NCR1 remains a quieter, and less polluted, route which would continue to attract some cyclists. That very quietness, however, presents some security concern, as mentioned by the council, particularly for cyclists travelling when it is dark.

3.66 Nevertheless, the objectors' route is longer, less direct, and has locations where potentially expensive solutions may be unavoidable. Its mixture of users can create safety problems. Above all, I see the council's proposals as a step-change in provision for cyclists along this route corridor of a sort that the objectors' proposals simply would not be. Supporting the objectors' alternative would produce a requirement for detailed design work, followed in all probability by the preparation of new orders, the likelihood of objections and the possibility of consideration by Scottish Ministers. The cost of delay could be substantial. If I were satisfied that the objectors' proposals justify further investigation as an alternative to the council's proposals, the proper course of action would be for me to recommend that confirmation of the order should be refused. I am far from satisfied with the objectors' proposals to that extent, and so confirmation of the order should not be refused in the light of these objections. My view is also that no modification should be made to the order in the light of these objections.

Roseburn Place as a cycle route rather than the council's proposals for Roseburn Gardens and Roseburn Terrace

Summary of points made by objectors

3.67 Mr Gregson objects to the cycle track in the council's proposals running along Roseburn Terrace, when cyclists (himself included) prefer to travel along Roseburn Place. He proposes enhanced use of Roseburn Place instead, although there would be no major changes to the Roseburn Place carriageway, apart from making it one-way for motor vehicles and creating non-segregated cycle lanes in each direction. Enhanced use of Roseburn Place is supported variously by other objectors as a safer and more pleasant experience, and the claim is made that most residents support it. Some objectors refer to this alternative as a suitable link between Roseburn Park and Russell Road. Others see it as an alternative leading to the A8 via Roseburn Street (instead of the council's proposal for enhanced use by cyclists of Roseburn Gardens). In Murrayfield Community Council's eyes, enhanced cycle use of Roseburn Place would offer a sensible transition between the A8 and the QuietRoute through Roseburn Park. As well as cycle lanes on each side of Roseburn Place, Mr Gregson's proposal would include cycle lanes on both sides of Roseburn Street, including across the mouth of Roseburn Street's junction with Russell Road.

3.68 Mr Gregson says that Roseburn Place has always been the preferred means of cycling from Roseburn Park to the Russell Road - Roseburn Street - Roseburn Terrace junctions, and that *"no sane cyclist chooses to cycle up the steep hill that is Roseburn Gardens in order just to get to Roseburn Terrace."* He suggests a re-orientation of the confusing Russell Road - Roseburn Street - Roseburn Terrace junctions to aid smoother traffic flows. Murrayfield Community Council recognises that this junction presents challenges. Mr Gregson believes that that the council rejected the Roseburn Place alternative simply because Sustrans said it would not fund it.

3.69 A path going between Roseburn Terrace and Russell Road is also put forward as a possible cycle route variant (see [photographs](#)).

3.70 The council's proposals for a segregated cycle track on Roseburn Terrace are seen by objectors as the reason for the council's proposal to reduce loading provision there. The consequence of that reduction would be a devastating effect on the businesses there, which

support the local community, and an increase in air pollution problems. A list of businesses there appears as part of appendix C to Mr Gregson's [hearing statement](#). Mr Rendall's [photographs](#) indicate how much parking and loading take place at present on Roseburn Terrace. This line of argument is pursued more fully in the form of objections to the TRO.

The council's response

3.71 Options that included enhanced cycle use of Roseburn Place were considered by the council well before the Order was published. Essentially it considered three options for this part of the route, as described in its [VISSIM modelling report](#). These were:

- Option A – a cycle connection to Roseburn Terrace via Roseburn Gardens.
- Option B1 – a cycle connection to Roseburn Terrace via Roseburn Place and the eastern side of Roseburn Street.
- Option B2 – a cycle connection to Roseburn Terrace via Roseburn Place and the western side of Roseburn Street.

3.72 All three options would deliver a workable cycle route and improved conditions for pedestrians in Roseburn. Although the three options differ very little in the distance they cover, option A delivers a more direct and convenient cycle route as it avoids the complicated Russell Road - Roseburn Street - Roseburn Terrace junctions, and that would be likely to be more effective in encouraging cycling. Option A also offers the greatest improvement to amenity for Roseburn Terrace, with the cycle track providing a buffer for the benefit of pedestrians on the northern side of the road. On the basis of [experience](#) elsewhere, benefits to local traders would be likely from increased potential for more trade from cyclists and pedestrians. Option A would also be more straightforward to extend at a later date into the residential area to the north-west, [towards Ravelston Dykes](#).

3.73 The council acknowledges that the Roseburn Place options (B1 and B2) were preferred by local businesses as they avoid Roseburn Terrace and would retain loading capacity similar to that which exists there now, thus maintaining car-based access to local businesses, which option A would not do.

3.74 However, the council took the view, as the basis for the Order, that option A was to be preferred. This decision took account of its active travel and public transport commitments and option A's offer of the most direct route between Roseburn Park and Haymarket. Also crucial to this decision was Sustrans' indication, as a prospective major funder of the council's proposals, that it would be difficult for it to justify funding options B1 or B2.

My assessment

3.75 The council's strongest argument for option A, an enhanced cycle route via Roseburn Gardens and Roseburn Terrace rather than along Roseburn Place and Roseburn Street, lies in its avoidance of the difficult Russell Road - Roseburn Street - Roseburn Terrace junctions. The required movements are clearly more simple via option A. I appreciate that Roseburn Place is well used by cyclists at present but, in the absence of evidence to the contrary, that may well be primarily as part of journeys along routes including both Roseburn Park and Russell Road. The existence of a segregated cycle track

on the A8, as proposed by the council, might well change the desire line for such cyclists and an approach to that track via Roseburn Gardens would then probably be more logical.

3.76 I note the reference to Roseburn Gardens being a “steep hill”, but the total difference in level between the junction of Roseburn Gardens and Roseburn Place at the south-western corner of what is effectively a rectangle and the junction of Roseburn Terrace and Roseburn Street at the north-eastern corner is inevitably the same however one travels between the two points. The objectors' route may spread the ascent (going eastwards) slightly more evenly, but the difference in that respect is not great. The council's route fits best into the pattern of a segregated cycle track which then proceeds along the A8 east of its junction with Roseburn Street.

3.77 I agree too with the council that option A has some advantage in terms of an easier extension at a later date into the residential area to the north-west.

3.78 The council is on somewhat weaker ground when it claims the greatest improvement to amenity for Roseburn Terrace for option A. The proposed cycle track on the north side of Roseburn Terrace would indeed provide a buffer for shoppers and other pedestrians on the footway on that side of the road. But other significant amenity benefits, notably the improvement in pedestrian crossing facilities now proposed at Roseburn and the proposed closure of Roseburn Gardens to “rat-running” northbound vehicular traffic, could in principle be carried out without the council's cycle track proposal going ahead.

3.79 I saw on my site inspections that Roseburn Terrace has a wide range of businesses. During my site inspections I saw – within a total frontage of not much more than 200 metres split between the two sides of the road – a supermarket, a grocery shop, a pet supplies shop, electronic repairs and computer shops, estate agents, hairdressers, beauty shops and a make-up lounge, a sugar craft school, a key cutting and shoe repair business, a dental care establishment, a pharmacy, an optometrist, an art gallery, public houses, a fish and chip shop and other takeaways, a delicatessen, and a parliamentary constituency office. The council's claim that they would benefit from its cycle track proposal is hotly contested by objectors. Its claim that experience in other cities of increased trade from pedestrians and cyclists would be likely to be replicated here may be right, but it is not a foregone conclusion. However, as explained in paragraph 3.44 above, I do not support objectors' arguments about the effect of the council's proposed loading provision changes on trading viability. A case against option A is not demonstrated on that basis. I deal with that matter fully in my separate report on the TRO in the light of objections to the TRO.

3.80 As to impact on congestion and journey times for motor traffic, the council's [VISSIM modelling report](#) shows no consistent balance of advantage or disadvantage for any of the three options.

3.81 I deal with the air pollution implications of the Council's proposals at paragraphs 3.127-131 below.

3.82 Overall, and on balance, I am persuaded that option A, and therefore in this respect the Order as advertised, deserves support. The argument that I find most telling is the one in paragraph 3.75 above. Option A fits best into the pattern of the segregated cycle track proceeding along the A8 road east of its junction with Roseburn Street, and I have already found (paragraphs 3.60-66 above) that that pattern should be supported. Also, given its funding role, Sustrans' support for option A must realistically be regarded as very important.

3.83 The objectors' proposals are not without merit, but no precise modification to the Order before me is put forward in support of them. Certainly so far as Roseburn Place is concerned, their proposals pose two difficulties. One is that the current significant use of Roseburn Place for on-street parking clearly limits carriageway space for a combination which provides for both moving vehicles and for the designation of non-segregated cycle lanes. Such designation could be contentious in that respect. Secondly, it appears that the objectors' proposals there would need to be promoted through a traffic regulation order, and not through the Order that is the subject of this report.

3.84 My view therefore is that no modification should be made to the Order in the light of these objections.

Inadequate access for disabled people at Roseburn Terrace

Summary of points made by objectors

3.85 The objectors say that disabled access to the businesses on Roseburn Terrace is at present possible at off-peak times, but that under the council's proposals those with disability would find that considerably more difficult. This includes access to healthcare and personal service businesses like the dentist, optician and hairdresser. Sacrificing the needs of those with disability so that able-bodied and fit cyclists can move more easily demonstrates wrong priorities. There needs to be wholesale rethinking of the necessity to have a cycle track in Roseburn Terrace. In fact, Roseburn Terrace should be left as it is now, with the two traffic lanes in each direction and *“the loading areas right along Roseburn Terrace”*. This would allow the disabled, vulnerable and elderly to continue to access the essential services that the local businesses in Roseburn Terrace currently provide. Extending the hours of parking is fairly meaningless, and additional parking within 50 metres is too far for a disabled person. The council's view that cycling can also be an important mobility aid demonstrates its ignorance of the real impact that its proposals would have.

The council's response

3.86 It is acknowledged that the changes to loading on Roseburn Terrace would make access to some premises on Roseburn Terrace more difficult for disabled people with mobility problems. The maximum distance from a parking or loading space available to a disabled person on Roseburn Terrace after implementation of the project would be about 50 metres. The new crossing facilities which would be installed at Roseburn would provide a significant benefit for people with mobility impairments accessing the facilities on Roseburn Terrace.

3.87 Cycling can also be an important mobility aid for disabled people and the council has liaised with the charity Wheels for Wellbeing (who work to promote cycling as an important mobility aid for many disabled people) in finalising the designs.

My assessment

3.88 I examine elsewhere in this report the fundamental case for the proposed cycle track, based strongly on national, regional and local policy, and the case for it following the route proposed by the council. I also examine elsewhere the case for the route to be along

Roseburn Terrace rather than along Roseburn Place. As the council points out, cycling can benefit some disabled people, and for some disabled people 50 metres may not be an excessively remote distance for parking. It is also true that the much improved pedestrian crossing facilities at both ends of Roseburn Terrace would help some disabled people as well as the able-bodied. I also accept that for other disabled people none, or only some, of these advantages would exist. However, on balance, I support the council's position on these objections. In doing that, I take account of the specific attention that the council is paying to the needs of vulnerable groups as I report at paragraph 1.28 above.

3.89 My view, therefore, is that no modification should be made to the Order in the light of these objections.

Impacts on traffic congestion and delays

Summary of points made by objectors

3.90 I exclude from this heading those objections concerned with traffic congestion and delays which it is said would arise from the council's proposals at and near the southern end of Murrayfield Avenue. That is because some objections to those particular proposals focus on implications other than congestion. I deal with those Murrayfield Avenue objections together at paragraphs 3.178-184 below.

3.91 It is considered that taking carriageway space to install a segregated cycle track would cause additional congestion. The road is too narrow for such a track. Some objectors regard additional congestion as inevitable. The addition of a cycle track would not reduce the number of motorists: instead, it would just add to congestion. Tailbacks at peak periods would be enormous. There would be massive inconvenience for the occupants of all the vehicles, including airport traffic, travelling along the A8 every day. It is doubted whether the traffic generated by new housing and other developments in the vicinity of the A8 has been taken into account. Recent temporary roadworks have demonstrated how much congestion can be caused when a vehicle lane is taken out of use. Emergency vehicles would have great difficulty. The suggestion that traffic would be slowed by only one minute is ridiculous. Caution is advised until the reported adverse effects of a new cycleway at Birmingham have been studied. The council's reliance on their computer model is misplaced.

3.92 Some objections of this sort are focused on particular locations – Roseburn and West Coates – or particular elements of the proposals – changes to the bus stop arrangements at the junction of Haymarket Terrace and Magdala Crescent, and problems at a pinch point where traffic turns right from Roseburn Terrace into Roseburn Street. There is particular concern about additional traffic delays at west Roseburn as a result of proposed changes to the pedestrian crossing there.

3.93 The main road between Roseburn and Haymarket carries over 500 buses a day each way. There would be an adverse impact on the flow of buses. Bus journey times would be lengthened by the removal of the bus lane. Buses have to stop – there are three stops for west-bound buses between Haymarket and Roseburn - to allow passengers on and off, and that would inevitably delay following traffic.

3.94 The lack of any simulation or temporary trial of the proposals on the ground to test whether they would work is deplored. Particular proposals could be easily tested on a temporary basis.

The council's response

3.95 The impact of the various physical changes proposed by the council, including the reductions in carriageway width to accommodate the cycle track, the closure of Roseburn Gardens to northbound motor vehicles, and a new all-green pedestrian stage on each arm of the Roseburn Street junction with Roseburn Terrace, has been extensively assessed for peak hours (0800-0900 and 1700-1800 hours) with the aid of VISSIM modelling software¹⁰. VISSIM is a microsimulation model with a fixed trip matrix. It is best suited to forecasting the impacts of road layout and junction changes on known amounts of traffic.

3.96 VISSIM is likely to generate worst case scenarios for two reasons. First, it does not take account of the expected reduction of vehicular traffic resulting from the CCWEL project attracting more people to cycle and, to a certain extent, walk. Secondly, it does not allow for re-routing of vehicular traffic in response to proposed changes, whereas in reality some re-routing can be expected, and that would reduce delays and queuing to levels less than those forecast by the model.

3.97 The council's [VISSIM modelling report](#) summarises forecast journey times for the various options tested. The impact of the scheme proposed in the Order (including option A in paragraph 3.71 above) on A8 morning peak journey times is regarded as minimal. Average journey times for motor vehicles excluding buses and motor cycles during the morning peak eastbound along the A8 between Balgreen Road (well to the west of the stretch of A8 road affected by the Order) and Magdala Crescent (towards the eastern end of the stretch of A8 road affected by the Order) would increase from 3.3 minutes now to a model forecast of 5.5 minutes, and from 3.7 minutes now to a model forecast of 5.9 minutes in the opposite direction.

3.98 Average journey times for motor vehicles excluding buses and motor cycles during the evening peak eastbound along the A8 between Balgreen Road and Magdala Crescent would increase from 3.4 minutes now to a model forecast of 4.1 minutes, and would double from 3.6 to 7.2 minutes in the opposite direction. The introduction of the all-green pedestrian signal phase on each arm of the Roseburn Street junction with Roseburn Terrace would be a significant cause of these changes. These increases in journey times along the A8 road are regarded as modest.

3.99 These forecasts need to be seen in the light of the remarks at paragraph 3.96 above. When the forecast figures are qualified in that way, as a worst case scenario, there is no evidence to support the concern that the council's proposals would significantly worsen congestion on the A8.

3.100 As for buses along the A8 road, eastbound services should be largely insulated from any increased journey times by the bus priority retained on West Coates. Average journey times during the morning peak eastbound along the A8 between Balgreen Road and Magdala Crescent would decrease from 6.1 minutes now to a model forecast of 5.7 minutes. During the evening peak eastbound there would be an increase from 5.1 minutes

¹⁰ This modelling is not to be confused with the cycle demand model, which was different and separate.

now to a model forecast of 5.3 minutes. These changes are likely to result from changes in signal timings. The model forecasts a westbound increase from 5.8 to 7.1 minutes for buses in the morning peak and from 5.7 to 6.7 minutes in the evening peak.

3.101 Therefore public transport would only be marginally affected by the proposals. Lothian Buses has been consulted on the proposed changes to bus lanes and bus stops, and is satisfied with the proposals. Along West Coates, the proposed scheme has been refined with local narrowing of the proposed cycle track. Sufficient width is retained beyond the 130 metres long bus lane to allow cars and light goods vehicles to pass stationary buses, largely minimising further increases in journey times.

3.102 Two lanes of general traffic would be maintained at Haymarket Terrace in order to minimise delay and congestion. Generally, it is anticipated that forecast morning peak delays can be mitigated around Haymarket during the detailed design process, in consultation with tram and bus operators and local stakeholders. As to suggested difficulties arising from changes to the bus stop near the Haymarket Terrace – Magdala Crescent junction, this is a bus stop primarily used by passengers getting off, rather than getting on, the bus, and stopping times for that tend to be short. The VISSIM modelling does not predict any significant impacts on congestion from the proposed changes here, but if detailed work suggests that delays are likely, it should be possible to reduce or eliminate them by amending the bus stop details during the detailed design stage.

3.103 The main adverse traffic impact in the Roseburn area that the model forecasts is on the Roseburn Street and Russell Road approaches to the junction with Roseburn Terrace. The forecasts are that morning peak journey times from Roseburn Street to Balgreen Road would change from 2.5 minutes (base) to 16.8 minutes, and in the opposite direction from 2.9 minutes to 5.4 minutes. Morning peak journey times from Russell Road to Balgreen Road would change from 3.2 minutes (base) to 19.2 minutes, and in the opposite direction from 2.9 minutes to 5.5 minutes. The forecasts are that evening peak journey times from Roseburn Street to Balgreen Road would change from 2.4 minutes (base) to 18.2 minutes, and in the opposite direction from 3.5 minutes to 3.8 minutes. Evening peak journey times from Russell Road to Balgreen Road would change from 2.9 minutes (base) to 22.2 minutes, and in the opposite direction from 3.6 minutes to 3.9 minutes.

3.104 However, these forecasts need to be seen again in the light of the characteristics of the VISSIM model as described in paragraph 3.96 above. In reality there would be a combination of traffic taking alternative routes and a smaller increase in delays. Evidence from recent long periods of closure of Russell Road suggests that a high proportion of traffic is able to divert to alternative routes (such as Balgreen Road) in this way.

3.105 The main reason for these forecast delays is the proposed northbound closure of Roseburn Gardens: this would prevent a significant rat-run, with over 200 vehicles currently turning from Roseburn Place into Roseburn Gardens and then on the A8 westbound in both the morning and evening peaks. Without this closure the level of traffic on Roseburn Gardens would be incompatible with the standard of provision for cyclists being sought as part of the wider project. The second reason for the delays is the proposed all-green pedestrian signal stage on each arm of the Roseburn Street junction with Roseburn Terrace. It is acknowledged that these proposals would reduce capacity for motor vehicles. However, the interventions referred to here, and any reduction in traffic at Roseburn that they bring about, should provide significant benefits to pedestrians, cyclists, local residents

and children accessing Roseburn Primary School (about 350 metres along Roseburn Street south-west of the A8).

3.106 The council understands that some of the coverage associated with the Birmingham project might not have provided the full story.

3.107 Recent temporary roadworks (in connection with gas infrastructure) did not simulate the effects of CCWEL. The traffic management associated with such works is very restrictive, and in this case it did not include the various mitigation measures that are included as part of CCWEL, such as the increased short-stay parking and increased hours of operation of loading bays. Therefore delays resulting from such road works cannot be taken as a reliable guide to the impact of the council's proposals.

3.108 The conclusion is that a QuietRoutes-compatible cycle route can be created here with only minor impacts on buses and general traffic. The council has developed alternatives, tested them and used relevant models. Mode prioritisation has followed the relevant policies. No emergency service and no bus operator has objected to the Order. Delays resulting from temporary road works cannot be taken as a reliable guide to the impact of the council's proposals.

3.109 It is not possible to replicate the proposed layout on the ground without making significant physical changes, for example to traffic signals and crossing/junction layouts. The main reasons why trialling of traffic light sequencing cannot be carried out are these:

- The current traffic signalling infrastructure at the relevant junctions and crossings is not connected and the timings of the signals cannot be aligned in the way that they would be aligned on completion of CCWEL.
- There would be additional crossings provided on completion of CCWEL that are not in place currently.
- The pedestrian crossing at the junction of Roseburn Terrace and Roseburn Gardens is currently a two-stage crossing with a central island; this central island would be removed upon completion of the works.

My assessment

3.110 I deal first with the calls for a simulation or temporary trial of the proposals on the ground before implementation proper. The works that the Order and the associated TRO provide for are a series of inter-connected interventions in the way the roads affected are used. If those interventions are made, there would be inter-connected responses from users. A simulation of any single component of the proposals is unlikely to provide a reliable guide to how people would react to the overall scheme. The council explains why simulating linked proposals is not practicable (see paragraph 3.109 above). The only proper way to proceed is the way the council have proceeded – by simulating the overall proposals in a suitable computer model using inputs that are as accurate as possible to reflect the reality of what is proposed.

3.111 I note the view that the council's reliance on their computer model is misplaced. But there is no technical evidence before me that the council has used an inappropriate model for forecasting journey times or that the inputs to it have been inaccurate. Like the council, I

do not take references to congestion caused by recent roadworks, with minimal traffic management, as a proper substitute for an overall assessment of the effects of proposals on journey times that appropriate use of a computer model can provide.

3.112 I turn now to what the model output shows. It shows that journey times for vehicular traffic would clearly increase if the scheme proceeds. From paragraph 3.97 above, vehicles would take on average about 2 minutes longer to traverse this stretch of the A8 road in either direction in the morning peak. I regard that as a modest increase rather than the council's characterisation as minimal. From paragraph 3.98 above, average eastbound journeys in the evening peak would take less than a minute longer but westbound journey times would increase by about 3½ minutes. That last increase rather stretches the meaning of the council's characterisation as modest.

3.113 A significant cause of many motor vehicle journeys along the A8 taking more time just as much as, if not more than, the installation of a segregated cycle track occupying part of what is now the carriageway would be the introduction of improved pedestrian crossing facilities at Roseburn. This needs to be seen in the context of support for pedestrians and for walking as an important component of active travel in national, regional and local policy (see chapter 1 above). It also needs to be seen in the context of the particular difficulties, that I have seen for myself on my site inspections, that pedestrians have in crossing the busy roads at Roseburn. To the extent that the installation of the cycle track would result in longer journey times for motorists, that too has to be seen in the context of strong policy support for active travel. In these circumstances the forecast increased journey times for motorists along the A8 road should be regarded as acceptable. In addition, the council's point that the model output represents a worst case scenario is very relevant here.

3.114 Although bus journeys along the A8 road would take longer, and that must be counted as a disadvantage of the proposals, the extent of the increases would be limited. It should not be regarded as a major detractor from the council's proposals overall. It is not without significance that no bus operator has objected to the proposals.

3.115 The particular points made by objectors about congestion and delays on West Coates and on Haymarket Terrace next to the junction with Magdala Crescent – both parts of the A8 road – have to be seen in the context of my remarks above about the generality of limited additions to journey times on the A8 road. There is no suggestion that the details of the council's proposals for West Coates and Haymarket Terrace have not been properly input to the model. It may be that some delays would occur at those points, but they are included in the council's delay estimates and so they fall within the framework of my own remarks at paragraph 3.112 above.

3.116 The model forecasts for the Roseburn Street and Russell Road approaches to the junction with Roseburn Terrace (paragraph 3.103 above) are much more consistent with objectors' claims of inevitable congestion, enormous tailbacks, massive inconvenience and emergency vehicles in difficulty. The causes of the forecast delays here are the council's proposals at Roseburn for improvements in residential amenity (from reduced rat-running) and the pedestrian experience (particularly from improved crossing facilities). It is questionable whether those particular proposals, very beneficial though they undoubtedly are, are sufficient to justify the extensive forecast delays for motorists – if those delays were to occur in reality. However, the reality is, as the council points out, that motorists would seek alternative routes to avoid the delays on the roads concerned. That process is a common everyday experience for regular commuters. There is no evidence before me, for

instance about congestion on alternative diversionary routes, to indicate that this would not happen in this case. I therefore accept the council's stance on how it regards this part of the model output.

3.117 The pinch point where traffic turns right from Roseburn Terrace into Roseburn Street, as referred to in the objections, is part of the movements that I refer to in paragraph 3.116 above. My remarks about the prospect of diversionary routing apply very much to those right-turn movements.

3.118 The effects of recent temporary road works cannot properly be compared with the likely effects of a carefully considered scheme such as the one I am considering.

3.119 My view is that no modification should be made to the Order in the light of these objections.

Air pollution

Summary of points made by objectors

3.120 There are generalised concerns that additional congestion is likely to add to air pollution from exhaust fumes. Some objectors focus this concern on particular locations, ie on Roseburn Terrace and near the junction of Magdala Crescent and Haymarket Terrace, or in the particular circumstances of cars having to wait behind buses. Some objectors seek independent surveys or investigations. I exclude from this heading those objections concerned with air pollution in relation to the council's proposals at the southern end of Murrayfield Avenue. That is because some objections to those particular proposals focus on implications other than air pollution. I deal with those Murrayfield Avenue objections together at paragraphs 3.178-184 below.

3.121 Particular fears are raised about the prospect of increased air pollution at Roseburn Terrace. The point is made that nitrogen dioxide pollution is worse on the [south side](#) of the street than on the north side – above the legal limit and almost as bad as Scotland's most polluted street. At present, parked vehicles mean that traffic is pushed to the lanes in the middle of the street, allowing nitrogen dioxide to dilute before it reaches the footways and building facades. The problem is that the reduction in loading provision would move traffic (22,000 vehicles daily) closer to the south side footway, increasing pollution there. Parking/loading (which moving traffic has to avoid) would be reduced on both the north and south sides of the street. Parking/loading outside 13 to 41 Roseburn Terrace on the south side would disappear, bringing traffic closer to homes above the business premises and raising nitrogen dioxide to dangerous levels. Petitions have been submitted to the council calling for an independent study on the likely impact of CCWEL on air pollution to be undertaken before the scheme is progressed further.

The council's response

3.122 The council draws attention to its traffic management report on Roseburn Terrace which focuses on [air quality](#) and its [Air Quality Modelling Report \(2019\)](#) for Roseburn Terrace.

3.123 The roads affected by the Order are within the Edinburgh Central Air Quality Management Area. The council recognises that congestion has the potential to impact on

air quality, and that air quality has been a key concern for many within the local communities along the route. This applies especially along the two shopping streets of Roseburn Terrace and Haymarket Terrace which are both narrow, tenemented streets, posing a greater risk in relation to local air quality.

3.124 The council has considered the potential air quality impacts carefully, using appropriate modelling techniques, and taking full account of a wide range of weather conditions. It is accepted that, to a degree, the air pollution predictions depend on a process of feeding the results of one model into another. But it is also the case that average emissions per vehicle can be expected to continue to reduce as they have been doing for some time past.

3.125 Peak periods would see an overall reduction in vehicles per hour and a consequential overall reduction in emissions then. The proposals for Roseburn Terrace provide for two eastbound traffic lanes and one westbound lane. The length of the existing loading bay on the north side of the street would be reduced to make it easier for eastbound traffic to move past southbound traffic at the junction with Roseburn Street. The north side of the street would benefit through the installation of the cycle track there. Free-flowing westbound traffic would be closer to the footway and building facades on the south side of the eastern end of Roseburn Terrace, but the number of westbound vehicles, and the extent of westbound queuing, would be reduced as traffic would be held back on Russell Road (and to a lesser extent West Coates) by new crossings, and the westbound queue would be managed at the revised crossing at the western end of Roseburn Terrace. This would mean that queuing traffic would not extend beyond the buffer provided by the proposed all-day loading bay on the south side of the street. Therefore a reduction in emissions on Roseburn Terrace is predicted mainly because of reduced westbound traffic capacity at peak times.

3.126 Changes in air quality levels would be closely monitored following implementation of the scheme. Adjustments to signal phasings could be considered to offset unexpected adverse results.

My assessment

3.127 If the council's proposals were to be implemented, I anticipate that there could be limited circumstances and/or limited locations where reduced air quality, compared with the present situation, would be experienced. However, I am satisfied (see paragraphs 3.40-41 above) that the proposed cycle track, if implemented, would lead to some modal shift from car travel. That would mean fewer vehicles on the roads than would otherwise be the case and that, combined with reducing emissions per vehicle, would lead to a general reduction in air pollution from traffic.

3.128 I turn to the particular circumstances at Roseburn Terrace. The most fundamental proposal of the Order here is the installation of the cycle track on the north side of the road. That would form a physical barrier to moving or queuing vehicular traffic at all hours of the day and night. It would take that traffic further from the footway and building facades on the north side of the street. The proposed loading bay within the carriageway would add to that effect to the extent that the bay would be occupied (outside peak hours). The objectors do not acknowledge this, but it is important to the overall assessment of the air quality impact of the council's proposals on Roseburn Terrace.

3.129 The objectors are right when they say that vehicular traffic would be pushed by the council's proposals towards the south side of Roseburn Terrace. The position on the south side as I see it is this. If the eastern end of the proposed loading bay on the south side were to be occupied, moving westbound vehicles would move towards the middle of the road as they pass numbers 27 to 33. There would be an adverse air quality effect – compared with the circumstances now of a longer loading bay extending further east – on the footway and building facades from number 13 eastwards. As to the impact of westbound queuing vehicles, the council's point that queuing traffic would not extend beyond the buffer provided by the proposed all-day loading bay on the south side of the street is very important. I do not accept that more extensive queuing would never happen. But I see no reason to doubt the council's evidence on this point as an indicator of the general pattern that would occur, and it is clearly an element that can be managed by appropriate signal phasings. This is a point that objectors fail to acknowledge. A further point that objectors seemingly do not take into account is the fact that the existing loading bay on the south side of Roseburn Terrace is for off-peak loading only. It cannot be legitimately used for loading (or parking) at peak hours, so it cannot be legitimately be regarded as providing an air pollution buffer at peak hours. The (admittedly shorter) loading bay proposed by the council would be available at both peak and off-peak hours, and so would provide extra air pollution buffer protection in that respect.

3.130 I have no doubt that the council has approached this matter in a proper professional manner. Its reports and conclusions have been open to scrutiny. I see no need for any further independent assessment.

3.131 In order to understand the objections in relation to air pollution, and the council's response, I have had to consider a number of elements of the TRO as well the Order I am considering in this report. But my function here is to reach a conclusion on whether the Redetermination Order should proceed in relation to the objections I deal with here. My view is that no modification should be made to the Redetermination Order in the light of these objections.

User safety

Summary of points made by objectors

3.132 About half the objectors have concerns which fall under this heading. Some objections are made in general terms; others are concerned with specific locations.

3.133 Some objectors express fears about pedestrian safety in very general terms indeed. One objector wonders whether the council has a threshold for deaths it believes justifies the cycle lane on the main road. Reference is made to the need for emergency vehicles to have safe passage.

3.134 There are various safety concerns about the proposed cycle track itself.

- The proposed track – down to 2.0 metres width in places – is not adequate for two cyclists travelling towards each other at speed. There would probably be an increase in the number of accidents involving cyclists for that reason. The track's fundamental design, with east- and west-bound cycle lanes adjacent to the east-bound carriageway, is not safe for cyclists.

- There would be insufficient footway space next to the cycle track to ensure pedestrians are protected from cycles. This means that pedestrians would be forced on to the cycle track, increasing the risk of injuries. Reference is made to a need for a physical barrier preventing cyclists from cycling on the footway. These problems are common in Edinburgh because of lack of enforcement, with reference being made to cyclists' *"reckless use of pathways and their regular riding down pavements"*.
- The use of the footway space for advertising boards, café tables etc would need to be managed in the light of the cycle track's existence nearby.
- The likely increasing use of electrically-powered cycles, capable of impressive speeds and perhaps with trailers, heightens the concerns.
- It is not clear why the proposed cycle track, regarded as very dangerous, would be on the north side of the A8 and not the south side. The north side has many more and far busier access roads to the A8, and the density of traffic coming from the north side will increase significantly when the Donaldson's Hospital site development is completed.
- A far better solution would be like the one in Glasgow, where there are dedicated lanes on each side of the road, each one following the direction of travel of motor vehicles on its side.

3.135 There is also concern about pedestrian safety at floating bus stops (where the bus stop is on an island with the cycle track between the island and the footway). It is pointed out that many people rely on buses. There are worries about the danger faced by pedestrians having to cross the cycle track to get to the floating bus stops. It is known from experience that cyclists do not give way to pedestrians. There are also fears for those, particularly elderly people and children, getting off the bus, probably walking without thinking directly into the path of a bicycle travelling at speed. Children are taught to keep off the road, and would not expect cyclists to be travelling at speed between them and the pavement. There is one suggestion that a strict 3 mph speed limit should be imposed on cyclists passing the bus stops, with speed bumps to encourage compliance.

3.136 There is concern about safety at pedestrian crossings, resulting from the proposed loss of islands in the middle of the road. At present, most crossings use islands as safe havens for elderly people, most noticeably at the 9.5 metres wide crossing at the western end of Roseburn Terrace. All the crossings would lose their islands. So crossing the A8 road on foot would become more dangerous, particularly for children and elderly people.

3.137 I summarise objections concerned with safety at specific locations going from west to east.

(a) There is concern that the exit from Roseburn Gardens and the approach to the Roseburn Terrace crossing is an unmanaged space with multiple simultaneous users (pedestrians of all ages including school children and the elderly, as well as cyclists and motor vehicles), with the cycle track far bigger than necessary. This would be difficult and dangerous for pedestrians, in particular, to negotiate. It is suggested that what seems an incongruously over-engineered design should be simplified.

(b) There is reference to the *“irresponsible and dangerous”* narrowing at Roseburn to squeeze in motor vehicles including buses, and cyclists and pedestrians.

(c) At a number of junctions on the north side of the A8 road (Wester Coates Road, Magdala Crescent and Coates Gardens are cited), there is only a very limited space to stop at the edge of the cycle track. Long vehicles, stopped by cyclists, would project into the main road. For vehicles leaving the side streets, the gap between the cycle track and the main road is so short (and does not appear to exist at all on Coates Gardens) that, when waiting to join the main road, many vehicles would block the cycle track causing confusion when cycles then try to weave their way through queuing traffic further up the side road. There would be danger for cyclists and drivers trying to exit some of these side streets whilst having to negotiate two lanes of cycles and two lanes of vehicular traffic. This seems a recipe for serious accidents, especially with a dance school operating nearby and with high levels of parking. Vehicles travelling south on Magdala Crescent, on reaching the junction with Haymarket Terrace, would have to contend with, first, a pedestrian crossing, then the two-way cycle track, then enter or cross an east-bound traffic lane or cross to a west-bound traffic lane, and then possibly have to stop dramatically whilst a vehicle waits to move over to turn right into the Donaldson's Hospital site.

(d) There are objections to the proposed reconfiguration of the junction of West Coates and Stanhope Street. It is argued that most local residents hereabouts are older people who are alarmed at the prospect of the footway at the north-western corner of Stanhope Street being a shared area for pedestrians and cyclists. This would be potentially dangerous and certainly unsettling for them. A further major concern is the proposed tightening of the turn into Stanhope Street on the north-eastern corner, which would mean that large vehicles coming in from the east would either cut the corner or be forced to stray into the western lane. These problems arise solely because of dedicated cycle lanes just a few metres long being introduced at the junction. As Stanhope Street does not lead anywhere else, these cycle lanes appear to be for the benefit of a few local cyclists only. There is no proper basis for this particular element of the proposals, and dropping it would have no wider consequences. The current arrangement, where the junction is devoted to road users (including cyclists) and pedestrians, each with their own exclusive areas, should be retained. One objector doubts the necessity of making Stanhope Street narrower next to its junction with the main road: she refers to this area as *“predominantly a car area feeding the commercial area at the end of Devon Place and priority therefore should be for car access.”*

(e) Several concerns are raised about locations near the Donaldson's Hospital site. One states that continuing to allow parking outside the site on the bus lane is bound to cause accidents, with car passengers opening their doors in the path of cyclists on the cycle track. Another is that allowing parking would mean that any vehicle break-down would reduce the lanes available to traffic to one. The other concern is that no allowance is made for the large number of vehicles leaving the Donaldson's Hospital development site. Traffic generation will greatly exceed the developer's estimate. With the additional flow of bikes in both directions, driving out of the site would become a dangerous and inevitably fractious event. The only solution is to provide a traffic light (perhaps operational only on demand and at rush hour).

(f) Fears are expressed about the proposed removal of the bus lay-by on Haymarket Terrace just east of its junction with Magdala Crescent. It is said that danger would

arise from re-positioning the bus stop within the sightline of traffic emerging from the junction. Another objector says that the removal of the bus bay would make the junction very dangerous because of the loss of sightlines for drivers. There would also be a serious danger here of conflict between bus-users (many laden with heavy luggage) and cyclists.

(g) There is concern about the proposed narrowing of footways on Haymarket Terrace where footfall is high because of the offices and hotels in the area. It is considered that accidents would arise from high-speed cycling next to narrow footways.

The council's response

3.138 I summarise the council's response in the same sequence as I have summarised the objectors' cases above.

3.139 Part of the council's response is in general terms. It refers to its [Stage 1 Road Safety Audit](#) carried out in October 2017, and points out that each of the matters arising from that has been considered and appropriate design changes have been made. None of those changes needed modifications to the Order. An intermediate Stage 1-2 Audit was being carried out at the time of the hearing I held. The council will undertake a Stage 2 Audit on completion of the detailed design, a Stage 3 Audit on completion of construction and a Stage 4 Audit 12 months after opening.

3.140 The council has worked closely with the community to ensure that the proposals provide a safe and comfortable experience for pedestrians and cyclists. Community input has assisted the designs for the proposed crossings at Roseburn Gardens and Stanhope Street.

3.141 The project would make significant improvements to the pedestrian environment throughout the corridor. It would introduce additional crossing points, improve existing crossings, provide wider footways and a higher quality public realm with a focus on key areas in Roseburn and Haymarket.

3.142 As to safety concerns about the proposed cycle track itself, the safety of cyclists using it is a paramount consideration. Both Spokes (the "Lothian Cycle Campaign") and Sustrans have been closely involved in the development of the designs, and both have stated their support for the project. The cycle track would vary from 2.5 to 3.0 metres in width, except for a stretch of only 70 metres where it would be 2.0 metres wide; that complies with national guidance. It would be physically separated from the A8 carriageway with a separation strip at least 50 centimetres wide, meaning that when passing parked vehicles cyclists would not be at significant risk of "dooring". The width of that separation strip conforms to the requirement in the [Edinburgh Design Guidance](#) for segregated cycle routes (500 millimetres minimum width for a two-way cycleway adjacent to a road used by buses and heavy goods vehicles). The separation strip is not designed as a waiting area for people crossing the road.

3.143 The cycle track would be separated from the footway by a kerb, and would be at a different height from the footway along most of its length. All side road junctions are designed to give clear priority to pedestrians and cyclists. Cyclists would share space with pedestrians at some crossing points, but this is a common arrangement throughout the city, and the designs have been developed to encourage all users to be considerate.

3.144 Floating bus stops would be provided at the two locations where the proposed segregated cycle track would pass behind a bus stop. They are not inherently unsafe, and are consistent with [Cycling by Design](#) and the Edinburgh Design Guidance. Their use is common in countries with extensive cycling infrastructure. The council has already introduced a similar arrangement on Leith Walk and is monitoring the impact of its operation. It would introduce an education / information programme on implementation of the scheme here.

3.145 As to safety at pedestrian crossings, there would be significant improvements in the ability to cross main roads. This would result from additional uncontrolled and traffic-light controlled crossings, as shown on the council's [map](#), and by making all of the traffic-light controlled crossings single stage, meaning that pedestrians would be able to cross the road in one easier movement than now. The removal of islands would be accompanied by reductions in carriageway width. The proposed crossing at west Roseburn would be less wide than the existing crossing over Haymarket Terrace.

3.146 Overall the project would provide a safe and direct route for people cycling between Roseburn and the city centre, and represents a dramatic improvement in safety for all users compared with now.

3.147 On the specific locational points in paragraph 3.137 above, the council responds as follows.

(a) On the exit at the northern end of Roseburn Gardens, the council now puts forward a design slightly altered from that in the advertised Order. This would reduce the length of the cycle-gate and one-way plug on Roseburn Gardens to enhance the area available for parking. The changes affect parcels A4, B4, D4 and E4, and the alterations to the Order are [shown](#) in text form with accompanying plans. The changes include inserting a reference to parcel B4 in the relevant schedule; that had been inadvertently omitted at the advertisement stage. The council seeks modification of the Order in accordance with that.

(b) Congestion at Roseburn is expected to reduce with the proposals in place.

(c) With regard to the junctions on the north side of the A8 road, the design of the crossings here is in line with the Edinburgh Design Guidance and Cycling by Design. The design is consistent with similar cycleways built in other parts of the country, and indeed in Edinburgh. There are also other places in Edinburgh where vehicles may have to give way immediately after turning into a road.

(d) In relation to the reconfiguration of the West Coates – Stanhope Street junction, the proposed toucan crossing over West Coates just west of the junction would provide easy access to the segregated cycle track from the surrounding residential streets. This is particularly important for people who may be less confident cyclists, including older and younger users. The council resists the suggestion that the Order should be modified here, as the children and the elderly living in the residential area south of the Donaldson's Hospital site are precisely the households who stand to benefit most from cycling infrastructure which is protected from traffic.

(e) As mentioned in paragraph 3.142 above, the minimum 50 centimetres wide separation strip means that when passing parked vehicles cyclists would not be at significant risk of “dooring”. In terms of traffic flows, the additional impact of the Donaldson’s Hospital site development falls within the worst case character of the model output.

(f) On the potential for conflict between bus users and cyclists near the bus stop on Haymarket Terrace just east of its junction with Magdala Crescent, it is accepted that in order to reach or leave the bus stop, pedestrians would need to cross the cycle track. But marked zebra-type crossings on each side of the bus shelter are proposed to provide a convenient crossing of the cycle track for pedestrians. The crossings would be raised to clearly identify them and encourage cyclists to slow down.

(g) It is accepted that the footway on the north side of Haymarket Terrace would be slightly narrowed. This street is an important transport interchange between rail, tram, bus and taxi, as well as for cyclists and pedestrians. The number of buses going through here is very high, some of them extremely long and requiring significant manoeuvring space. The need to reduce the width of the footway slightly arises from a requirement for three carriageway lanes at least 3.25 metres wide to allow for this manoeuvring and for the segregated cycle track. But there would be an additional 2.5 metres wide buffer between pedestrians and moving vehicles, and de-cluttering the footway of redundant signage would provide additional effective width for pedestrians.

3.148 No objection is made in relation to the recent Court of Session [decision](#) involving cyclists Ms Elizabeth Fairley and Mr Iain Lowdean. That decision was specific to the particular incidents involving the two individuals, and the proposals forming part of the Order do not involve any changes to the interaction between cycling infrastructure and tram infrastructure (which was the point in that court decision). The decision is not therefore relevant to this Order.

My assessment

3.149 My assessment follows the same sequence in which I have summarised the objectors' and the council's cases above.

3.150 I make three very general points by way of introduction.

- The roads affected by the Order are partly within a major city centre; the others form approaches to the centre. Space is at a premium, and that includes road space. There is intense competition for that space. It requires careful management. Some solutions to problems may well be sub-optimal for any particular type of user looked at in isolation.
- All road users need to be considerate towards one another. Different kinds of road users cannot be segregated from one another in all locations. Conflict between road users may occur, and that may result from lack of consideration rather than inherently poor road design.
- The fact that the council has carried out a Stage 1 Road Safety Audit and made consequential design changes is important. Such an audit is a formal, independent safety performance examination which reports on potential safety problems and

identifies opportunities for improvements in safety for all road users. No objector has criticised any specifics of the Stage 1 Audit or the council's reaction to it, and that is also of some significance.

3.151 In that context, the cycle track proposed is of adequate width, even with cyclists approaching each other at some speed, even for electrically-powered cycles and cycles with trailers. I see nothing inherently dangerous in what is proposed in that respect. The cycle track's separation from the A8 carriageway by a strip at least 50 centimetres wide provides a substantial measure of safety for cyclists, even for west-bound cyclists relatively close to east-bound motor vehicles. I regard that as far safer for cyclists than the use of carriageway cycle lanes, separated from motor vehicles by no more than a line of paint on the carriageway surface. I agree with the council that its proposals do not put cyclists at significant risk of "dooring" when passing parked vehicles.

3.152 The kerb separating the cycle track from the footway, and the different height of the footway for most of the length of the adjacent cycle track, are important for the safety of both cyclists and pedestrians. Those features would be constant reminders – for cyclists of the potential presence of pedestrians nearby, and for pedestrians of the potential presence of cyclists nearby. Pedestrians being forced on to the cycle track should be very much the exception rather than the rule. Pedestrians would need to take proper care if they need to be on the cycle track, but that is not different in principle from the proper care they need to exercise when they need to be on the carriageway. Crossing points would mean that space has to be shared but, as the council points out, this is a common arrangement, and good detailed design can and should encourage users to be considerate. It is not clear what kind of physical barrier proposed within the objections is envisaged, but it is an unnecessary design step. I agree that the use of the footway for structures such as advertising boards needs to be managed, but that is not a matter for the Order.

3.153 It is true that there are a number of access roads on the north side of the A8 road here, but there are busy access points on the south side too. I would envisage design difficulties with a segregated cycle track on the south side of the A8 at Roseburn. I see no basis for a modification to the Order in relation to the objection that supports a cycle track on the south side of the A8.

3.154 No substantive evidence has been put to me that the proposed floating bus stops would be inherently dangerous, provided that the different uses of the road where these are located are very evident to all road users there. That is a detailed design matter. I do not accept the general propositions put forward in objections that cyclists are in the habit of not giving way to pedestrians and that conflicts are probable. A speed limit on cyclists might be necessary at these locations, but that is not a matter for the Order. I welcome the council's proposal for an education / information programme in due course, but again that is not a matter for the Order.

3.155 I understand objectors' view that islands in the middle of the road crossings are regarded as safe havens for some pedestrians. But I do not accept that the loss of such islands would make crossing the A8 road on foot more dangerous. The fundamental detailed design point would be to allow pedestrians sufficient time to make the complete, longer crossing and for adequate warning to be given to them that the pedestrian crossing phase is coming to an end. No modification to the Order can affect that. Crossings are not shown on the Order before me, and no objector indicates any precise change to the Order before me in the light of the concerns about crossings. The additional crossings to be

provided by the council's scheme must be regarded as a benefit in the light of the need to give priority to active travel. I regard the council's crossing proposals at Roseburn (at both the western and eastern ends of Roseburn Terrace) as significant improvements to the pedestrian environment there.

3.156 I assess the specific locational concerns (see paragraphs 3.137 and 3.147 above) as follows.

(a) I note objectors' concerns about what they regard as an unmanaged space in the Order proposals at the exit from Roseburn Gardens and the approach to the Roseburn Terrace crossing. I note too the slightly altered design put forward subsequently by the council. I regard that as a satisfactory response. No objection was expressed at the hearing about the alteration proposed by the council. On that basis the alteration ought to proceed by way of a modification to the Order.

(b) I note also the reference in objections to the narrowing at Roseburn to squeeze in motor vehicles, cyclists and pedestrians. In fact, the road is not being narrowed: the proposal is to redetermine the uses of different parts of it. The reference to the proposals here being "*irresponsible and dangerous*" is too generalised to justify any modification of the Order that provides for that redetermination.

(c) I do not doubt that there would be occasions when a vehicle, perhaps a long vehicle, would be stationary at one of the road junctions on the north side of the A8 road. That is what happens, on occasion, at road junctions now. But I see no reason to believe that it would be a common occurrence at the junctions in question. There is no evidence as to the number of such vehicles that would be likely to make these manoeuvres. Given the residential character of the areas leading off those junctions, the number seems unlikely to be large. With regard to traffic turning into the main road from these streets, the circumstances would be no different in principle from the myriad of circumstances in urban areas where road users need to take considerable care. The basic design of the crossings here is a matter for the TRO rather than the Order before me, and there is no challenge to the council's assessment that that design is in line with the Edinburgh Design Guidance and Cycling by Design. Further steps to improve clarity on the ground can no doubt be taken with the detailed design process, and with appropriate signage. I see no basis for any modification to the Order arising from this.

(d) In considering the objections relating to the West Coates – Stanhope Street junction, the cycle track proposed for parcel L3 on page 6 of the Order [plans](#) appears odd when looking at those plans in isolation. However, the track would lead directly to the proposed toucan crossing referred to by the council and included in the associated TRO. Parcel L3 and the toucan crossing – together – would provide safe access for cyclists, including elderly cyclists, to the proposed cycle track on the north side of West Coates. There is no evidential support for objectors' view that the cycle track at the northern end of Stanhope Street would serve few cyclists. Stanhope Street is not a cul-de-sac: it leads into a substantial residential area which no doubt includes cyclists' homes. I see no reason why the toucan crossing proposed for the main road should not provide safe crossing facilities for elderly pedestrians living in the area south of the A8 road here. If the cycle track proposal at this junction is acceptable (as I consider it to be), and given the need for a safe base for pedestrians waiting to cross Stanhope Street from west to east (which requires parcel M3 to become footway), I accept that a change on the other side of Stanhope Street is needed (parcels I3 and J3 in the

council's proposals) to retain adequate carriageway width for turning vehicles. Overall, the connection between the Redetermination Order's proposals at this junction and the TRO's crossing proposals nearby lend support to the council's case, and I see no basis for a modification to the Order before me as a consequence.

(e) The alleged prospect of accidents as car passengers open car doors into the path of oncoming cyclists next to the Donaldson's Hospital site falls within the ambit of my general remarks at paragraph 3.151 above. In any case, car drivers and passengers have a duty of proper care when opening car doors, and the objector's concern on this cannot reasonably be a basis for rejecting the cycle track proposal here. As to the impact of vehicle breakdowns, it is not often that special allowance can be made for this where competition for road space is so intense. The suggestion that a traffic light is needed to cope with traffic generation from the Donaldson's Hospital site is simply one that I cannot apply to the Order before me.

(f) Any loss of visibility for a following driver caused by a bus or buses stopped at the revised bus stop on Haymarket Terrace east of its junction with Magdala Crescent would be a matter for that driver to assess. Whether an overtaking manoeuvre then follows is a matter for the driver's judgement. Driving involves a myriad of such judgements. This does not mean that the layout proposed here is inherently unsafe, and there is no evidence that it is inherently unsafe. My remarks at paragraph 3.154 above about the safety of pedestrians at floating bus stops generally can be applied to the particular proposed bus stop here, even in relation to bus passengers with heavy luggage.

(g) I appreciate the concern about the proposed footway narrowing on Haymarket Terrace. But the extent of this would be very limited, and the council gives a persuasive explanation of why it is necessary. No modification of the Order before me is justified in that regard.

3.157 It was I, not any objector, who asked if there were any implications for the Order before me of the judgement in the recent Court of Session case involving cyclists Ms Elizabeth Fairley and Mr Iain Lowdean. I am satisfied that there is no such implication for the reasons stated by the council.

3.158 My concluding view on my assessment of user safety is that one modification – in line with the relevant part of [document CEC052](#) – should be made to the Order.

Proposals for Magdala Crescent and other nearby streets

Summary of points made by objector

3.159 The objector says that Magdala Crescent, Eglinton Crescent, Glencairn Crescent and Coates Gardens are not suitable for the use proposed for them in the Order. He seeks a well-lit zebra crossing at the Haymarket Terrace – Magdala Crescent junction.

The council's response

3.160 Although routing the cycle track along Magdala Crescent instead of Haymarket Terrace was initially considered, this was ruled out as too steep, too indirect and failing to provide access to Haymarket Station. The only change to traffic flows under the CCWEL

proposals here would be the closure (northbound) of both Coates Gardens and Rosebery Crescent. That may have some impact on the amount of traffic on Magdala Crescent. Although that impact is not expected to be significant, the council is open to investigating future traffic management arrangements on Magdala Crescent to mitigate it, and this may involve making a further traffic regulation order.

3.161 The council is proposing to make a design change to introduce a parallel crossing over Magdala Crescent at its junction with Haymarket Terrace. This would effectively be a zebra crossing immediately adjacent to a cycle priority crossing.

My assessment

3.162 The Order's proposals for Magdala Crescent and Coates Gardens are for only short sections near their junctions with Haymarket Terrace. It has no proposals for Eglinton Crescent or Glencairn Crescent: they are beyond the area covered by the Order. If the council should wish to redetermine the means of exercise of the public right of passage along those roads it would need to promote an order covering those roads. I note the comments about the crossing at the southern end of Magdala Crescent, but that does not require a modification to the Order I am considering in this report.

3.163 My view is that no modification should be made to the Order in the light of this objection.

Proposal for additional footway at the western end of Roseburn Place

Summary of points made by objectors

3.164 These objections concern the proposed redetermination of two areas of existing carriageway as footway (parcels H4 and J4 on map 2 of the Order [plans](#)). The objectors argue that this proposal, intended to provide a dedicated entrance for cyclists to Roseburn Park, is ugly and unnecessary. They believe that the existing white line and “keep clear” notice are adequate for the many cyclists who enter and leave the park here. The additional footway is not necessary for cycling safety, as car travel here is minimal and slow because of speed humps. Users of the park are not impeded by badly parked vehicles. The proposal here would make cycling in and out of the park messier and slower for cyclists, who would be more than likely to take a short cut across the footway. Furthermore, the proposal would remove parking which is needed now, and that need would be even more if the council's other proposals for Roseburn are implemented.

The council's response

3.165 The council remains of the view that this proposal is necessary to protect the entrance to Roseburn Park. It would improve visibility between cyclists and pedestrians emerging from the park and vehicle drivers on Roseburn Place. It would also physically prevent the repetition of past incidents when the park ranger has been unable to access the park because of the way vehicles have been parked on Roseburn Place.

My assessment

3.166 The present road layout does not discourage speeding by cyclists as they enter and leave Roseburn Park. I saw for myself that cyclists often pass this point, entering or leaving

the park, at some speed. The council's proposal, if implemented, would require a less streamlined turn by cyclists. I agree with the council that visibility between cyclists, pedestrians and vehicle drivers would be improved. I also saw for myself, in line with objectors' remarks, that vehicular traffic volumes are low and that road parking space hereabouts is well used. But the limited loss of parking space that would be required would be a price worth paying for the gain in safety. The outer edge of the proposed footway would generally match the alignment of the footway on the opposite side of the road, so there would be no ugliness in that respect. An appropriate detailed design would remove the risk of any other kind of ugliness.

3.167 My view, therefore, is that no modification should be made to the Order in the light of these objections.

Proposal for additional footway on the west side of Roseburn Street

Summary of points made by objectors

3.168 These objections concern the proposed redetermination of an area of existing carriageway as footway (parcel Q3 on map 3 of the Order [plans](#)). The objectors contend that this would involve a reduction in parking that the area can ill afford to lose.

The council's response

3.169 The wider context of this particular proposal is the current problem caused by the impact of through traffic from Russell Road avoiding the difficult right turn to Roseburn Street and travelling instead along Roseburn Place and Roseburn Gardens. One of the scheme's ways of removing this impact is to reverse the priority for the Russell Road - Roseburn Street junction. The build-out of the footway at Roseburn Street is associated with that reversal. It would not result in a loss of parking space. Nor is there any proposed change to the number of loading bays on Roseburn Street, and the two bays on the west side adjacent to the Roseburn Bar (currently only available off-peak) would be available all day.

My assessment

3.170 I saw that the area proposed to be redetermined here is now partly a no-parking area of carriageway (at the northern end) and partly a loading bay. There would still be two parking spaces and two loading spaces on the west side of Roseburn Street here. The build-out of the footway is a sensible part of the council's wider proposal to reverse the junction priority, ie to provide an appropriate angle between the Russell Road and Roseburn Street carriageways, without the adverse consequences that the objectors fear.

3.171 My view, therefore, is that no modification should be made to the Order in the light of these objections.

Proposals for bus stops at west Roseburn

Summary of points made by objectors

3.172 There is currently a bus stop on each side of the A8 road at west Roseburn, each used by several services. One of the objections says that the council's proposal to move

the bus shelter on the northern side from its present convenient and relatively sheltered location to a more exposed position further west in the middle of the bridge is not acceptable. The other objection refers to the new position of the two stops being opposite each other, and questions the wisdom of creating the possibility of two buses stopping opposite two other buses.

The council's response

3.173 On the first objection, the current location of the bus shelter is at a pinch point, on a busy pavement, which impacts on the pedestrian experience. It also causes a significant visibility issue for drivers leaving Roseburn Cliff as it blocks their view of eastbound traffic until just before they join the A8. Furthermore, it is just downstream of an important pedestrian crossing, which means that queuing buses regularly block the crossing, and that impedes pedestrians crossing the road. In contrast to this, the new location is on a much quieter section of footway which would be widened to accommodate the shelter. It would not cause visibility issues for any other road users. It would have significantly greater upstream stacking length before impacting on any other users.

3.174 A bus shelter would be installed at the proposed bus stop location on the northern side of the road, and bus services are very regular at this stop, so waiting times are unlikely to be long. The concerns about limited shelter from the elements there would therefore be mitigated in those ways.

3.175 On the second objection, there are two lanes at this location operating in each direction. Reference is made to the outcomes of the VISSIM modelling on journey times (see paragraph 3.100 above).

My assessment

3.176 The positions of bus stops are not shown on the Order before me: they are matters for the TRO. Changing the positions of the bus stops here from where they are proposed would not necessarily have any implication for the Order before me. Although the proposal to shift the bus stop on the northern side of the road here may arise from the cycle track proposals in the vicinity, thus creating a link with the Order before me, any increase in exposure to the weather would be insufficient to warrant a modification. I fully accept the council's response on these objections.

3.177 My view, therefore, is that no modification should be made to the Order in the light of these objections.

Proposals at and near the southern end of Murrayfield Avenue

Summary of points made by objectors

3.178 The objectors make a wide range of points, as follows.

- (a) There is already congestion at peak times around here, stretching past Henderland Road. There are concerns about additional congestion and pollution if the council's proposals are implemented.

(b) The revised junction between Murrayfield Avenue and Corstorphine Road would increase the amount of queuing traffic waiting to access Corstorphine Road. It is busiest when children are coming and going to and from school, and it is proven that idling traffic produces more harmful emissions.

(c) The revised junction here would mean that vehicles feeding left off Corstorphine Road to Murrayfield Avenue would have to tail back at the yellow box markings. At present, they can come off the main road without holding up other traffic. Justification for the proposed changes is not clear. All traffic would be delayed.

(d) The loss of carriageway here would narrow the mouth of Murrayfield Avenue and reduce the size of the central island for pedestrians, an important oasis for those crossing the Avenue at this point.

(e) The associated removal of parking here is unnecessary, and residents need these spaces.

(f) The proposed closure of the slip road (I take this to mean parcel K on map 1 of the Order [plans](#)) to motor traffic would lead to increased congestion in Murrayfield Avenue, because the ability to make a left turn into Corstorphine Road would disappear. This would impact on Henderland Road (always very busy at school start/end times), and cars would be delayed on Murrayfield Place trying to enter or exit Murrayfield Avenue. Most of the traffic coming through Murrayfield Place from Coltbridge Terrace feeds left on to the main road via the slip road, very often without having to stop, and that could not happen under the council's proposals. The proposals here should be tested on a temporary basis.

(g) It is questioned whether the "old pedestrian bridge" (I take this to mean parcel O on map 1 of the Order [plans](#)) is properly now regarded as carriageway. There is concern about an apparent intention to discourage the use of the bridge by pedestrians, as it is now used regularly by people (many of them elderly) going to and from the shops and other nearby facilities. It is also a place where many walkers now take the opportunity to stop and admire the views. Keeping the old pedestrian bridge for pedestrian use only might partially counter the perception that the entire scheme favours cyclists at the expense of the rest of the community. It is also questioned whether parcel V on map 1, shown as "existing carriageway redetermined as footway", is really regarded as carriageway at present.

The council's response

3.179 The council responds as follows.

(a) to (d) and (f). The council's proposals provide for significant improvements to pedestrian crossing facilities across Murrayfield Avenue at its junction with Corstorphine Road. Building out the footway on the west side of the junction would be a critical improvement for pedestrians (by improving pedestrian-driver inter-visibility). When crossing the southern end of Murrayfield Avenue now, pedestrians must negotiate three distinct sections of carriageway, one of which has a central refuge, but under the council's proposals this would be reduced to one section of carriageway, with a large central refuge. In addition the council has received many reports of motorists turning right from Corstorphine Road to Murrayfield Avenue on the wrong side of the road,

before turning into Murrayfield Place. The alignment proposed as part of this project would make it much clearer how the junction should be negotiated, with a more standard configuration involving tighter junction geometry. An additional benefit would be reduced traffic speeds. Finally, by removing the two cut-throughs on either side of this junction, the amount of space available for pedestrian activity would be dramatically increased.

(e) It is proposed to remove unrestricted parking at the southern end of Murrayfield Avenue for 12 vehicles and install short stay public parking there (two hours maximum) with space for 16 vehicles. The large number of resident priority parking bays on the remainder of this street would be unaffected. Parking spaces on Murrayfield Place would be reduced from 13 to eight, along with a significant increase in space for people on foot. A new two-vehicle loading bay would be introduced on the north side of Murrayfield Place.

(g) The current formal designation of the “old pedestrian bridge” as carriageway is confirmed. However, it is already closed to motor vehicles, so both pedestrians and cyclists are free to use it. The council's proposal here is to formalise the current arrangement through the Order by redetermining the bridge as cycle track, which is a standard determination for shared use spaces. So the practical arrangements on the bridge would not change as a result of the Order.

My assessment

3.180 The council's response to the concerns about potential increases in congestion on Murrayfield Avenue is framed very much in terms of its proposals for making the Corstorphine Road – Murrayfield Avenue junction safer for pedestrians. That objective cannot be other than commendable. The proposals in the Order for this junction are quite extensive, but they would produce a more standard junction which would be much easier to comprehend than at present. Pedestrians would have much more space and (for those starting from parcels C and E on map 1) better visibility; negotiation of the junction for vehicles turning right from Corstorphine Road to Murrayfield Avenue would be clearer; and I anticipate that speeds of vehicles turning left from Corstorphine Road to Murrayfield Avenue would be reduced. Crossing the southern end of Murrayfield Avenue would become a far easier experience generally for pedestrians.

3.181 Given the council's objective of increased safety for pedestrians, and the likelihood of that objective being achieved by its proposals for this junction, I see no case for abandoning the Order proposals here in their entirety. Nor is there any comprehensive attempt by objectors to formulate an alternative scheme that would both support the council's objective and provide the basis for a modification to the Order. I see no reason to expect delays to traffic turning left or right into Murrayfield Avenue from Corstorphine Road as a result of the council's proposals here. Any local spikes in car traffic generation at, for instance, the start or end of a school day may indeed have some impact on local congestion on Murrayfield Avenue and other local roads as that traffic approaches Corstorphine Road. But whether that would be increased from present congestion levels, given the absence of data on the extent of the use of the slip road (parcel K on map 1, which would be closed to motor vehicles), is somewhat conjectural.

3.182 My doubts about whether the council's proposals would lead to extra congestion lead me also to the view that objectors' concerns about additional pollution are not necessarily

well-founded. Nor do objectors' concerns about changes to parking lead me towards recommending any modification to the Order before me: numerical provision of parking spaces here would barely change from the present position under the council's proposals, and limitations on length of stay seem a proper response to increasing pressures for such spaces. I note the point in objections about testing proposals on a temporary basis, but on that I adopt the general stance I take at paragraph 3.110 above.

3.183 As to the old pedestrian bridge, I saw that this is not effectively carriageway now: there is no dropped kerb to Roseburn Terrace and during part of 2019 three large planters were preventing it being used by cars or anything larger, although the planters were later removed. The objector who favours pedestrian use of the bridge should draw comfort from the fact that pedestrians are allowed on cycle tracks, and confirmation of the Order would mean that motor vehicles would not have a right of passage over the bridge. I do not see pedestrian use of the bridge being discouraged by the Order. Given the other benefits to pedestrians that the Order provides, perhaps especially in the Roseburn area, there is no special further case in favour of pedestrians here.

3.184 My view, therefore, is that no modification should be made to the Order in the light of these objections.

Conservation impact

Summary of points made by the objector

3.185 The council has an obligation to maintain the character and fabric of the West End Conservation Area. Its current scheme would adversely affect a significant part of this area and should be abandoned.

My assessment

3.186 The facts are that most of the roads affected by the Order before me are within or adjoin conservation areas – the Coltbridge and Wester Coates Conservation Area in the west and the New Town Conservation Area and the West End Conservation Area in the east. In addition, the north side of Haymarket Terrace is within The Old and New Towns of Edinburgh World Heritage Site.

3.187 However, no explanation is given in support of this objection as to how implementation of the proposals would not conserve the character and appearance of these conservation areas. For myself, I foresee the preservation, at least, of that character and appearance if the proposals are implemented.

3.188 My view is that the rejection of the Order is not justified as a result, nor is any modification.

Potholes

Summary of points made by objector

3.189 The objector says that, as a cyclist, she finds the roads perfectly adequate as they are now, apart from potholes.

My assessment

3.190 The Order has no bearing on the presence or absence of potholes, and no modification should be made to the Order in the light of this objection.

Incorrect to regard the proposals as improvements

Summary of points made by objectors

3.191 The use of the word “improvements” prejudices the “consultation process”. The scheme should be regarded as one for alterations rather than improvements.

My assessment

3.192 Whether the scheme constitutes “improvements” or not is a matter for my assessment and conclusions leading to my recommendation, and then a matter for Scottish Ministers' decision on the Order. The use of the word “improvements” does not prejudice that outcome, and no modification should be made to the Order in the light of these objections.

The council's failure to deal with earlier criticisms of its proposals

Summary of points made by objectors

3.193 Objections made to the scheme before the Order was advertised have been ignored. The council's approach has been very undemocratic.

The council's response

3.194 Any suggestion that the council has ignored previous comments is strongly refuted. The fact that no change may have been made in response to a particular comment does not mean that that comment has been ignored: it may simply be that the council has reached a different conclusion. Changes were in fact made in response to public comments before the Order was advertised, and attention is drawn to the council's committee report of [October 2015](#), its consultation report of [July 2016](#), and its committee report of [August 2016](#).

My assessment

3.195 These are objections that, on their own, do not call for any particular modification to the Order before me. The processes that preceded the advertisement of the Order were for the council to determine, and it is clear that a substantial amount of non-statutory consultation took place. Any required statutory process which has not been carried out or which has been carried out improperly could be the subject of a legal challenge. However, I refer to paragraph 2.5 above about the council's assessment of its compliance with the statutory formalities. I add here that I am not aware of any non-compliance.

3.196 My view is that no modification should be made to the Order in the light of these objections.

CHAPTER 4. OVERALL CONCLUSIONS AND RECOMMENDATION

4.1 It is crucial background to this case that transport policy at national, regional and local level encourages sustainable and active travel, including the improvement of cycling facilities. Active travel is seen to have a wide range of benefits.

4.2 For the most part, and in the face of objections, the council's use of a cycle demand model and its conclusions from that use appear sound. The increase in commuter cycling forecast by the model for the proposed cycle track appears high, but not unrealistic given existing travel patterns in Edinburgh. The council's assumption that non-commuting cycling would increase to the same extent seems more questionable, and that may well reduce the economic benefit of the council's scheme. But that is not sufficient for me to give support to objectors who reject the principle of the scheme on that basis.

4.3 Notwithstanding objections on the point, I consider that the route chosen by the council for the proposed cycle track along the A8 is worthy of support. Although NCR1 is a less polluted route for cyclists than the A8, I consider that the bulk of the argument on the basic route choice lies with the council. I agree also with the council that its route along Roseburn Terrace has the advantages of being more direct and convenient than objectors' variant along Roseburn Place, by avoiding the complicated Russell Road - Roseburn Street - Roseburn Terrace junctions. I am not swayed from that view by the objections that focus on alleged difficulties in accessing the Roseburn Terrace businesses.

4.4 As to congestion, the only serious adverse consequences of the council's proposals appear to lie in the serious delays forecast by the council's modelling for the Roseburn Street and Russell Road approaches to the junction with Roseburn Terrace. However, in reality there would be a combination of traffic taking alternative routes and a smaller increase in delays. It is also important to remember that such delays as would occur have to be seen in the context of the improvements in the pedestrian experience and the amenity benefits that result from the specific proposals generating the delays. Nor am I persuaded by some objectors' concerns about increased pollution.

4.5 I have noted that user safety depends on user actions as well as inherent design. I am satisfied with that inherent design in relation to the wide range of safety concerns raised by objectors. I accept the council's slightly altered design for the exit at the northern end of Roseburn Gardens which it wishes to see processed as a modification to the Order.

4.6 If I had accepted the thrust of objectors' arguments in relation to the matters I summarise in paragraphs 4.2-5 above, it is likely that I would have recommended that confirmation of the Order should be refused. But as explained in detail in chapter 3 above, my assessments do not point in that direction.

4.7 I have assessed other objections relating to the use proposed for Magdala Crescent and other nearby streets, to the additional footway areas at the western end of Roseburn Place and on the west side of Roseburn Street, the proposals for the two bus stops at west Roseburn, the proposals at and near the southern end of Murrayfield Avenue, an objection on conservation area grounds, and other objections. My view is that none of these justify any modification to the Order.

4.8 The only modification that I consider justified is the one put forward by the council, as reported at paragraphs 3.147(a), 3.156(a) and 3.158 above. If Ministers proceed as in my

recommendation, I am reasonably satisfied that the scale of the change involved in this modification is sufficiently small to obviate the risk of prejudice to any third party. My recommendation below reflects these points.

4.9 I recommend that

(a) THE CITY OF EDINBURGH COUNCIL (ROSEBURN TO HAYMARKET AREA EDINBURGH) (REDETERMINATION OF MEANS OF EXERCISE OF PUBLIC RIGHT OF PASSAGE) ORDER 201_ RSO/18/05 be modified as follows:

In Schedule 2, under the headings "Roseburn Gardens" and "East Side", the text "E4" shall be deleted and substituted with "B4".

In Schedule 4, under the headings "Roseburn Gardens" and "West Side", the text in paragraph 1 shall be deleted and substituted with the following wording:

"All that part of the footway on the west side of Roseburn Gardens from a point 2 metres or thereby south of the intersection of the west kerbline of Roseburn Gardens and the south kerbline of Corstorphine Road southwards, for a distance of

a) 4.5 metres or thereby and which has a width that varies from 0 metres or thereby to 1 metre or thereby and then

b) 4 metres or thereby and which has a width that varies from 1 metre or thereby to 2 metres or thereby and then to 0 metres or thereby.

(marked D4 on the attached plan)"

In Schedule 4, under the headings "Roseburn Gardens" and "East Side", insert a new paragraph 2 as follows:

"All that part of the footway on the east side of Roseburn Gardens from a point 7 metres or thereby south of the intersection of the east kerbline of Roseburn Gardens and the south kerbline of Corstorphine Road southwards, for a distance of 1.5 metres or thereby and which has a width that varies from 1 metre or thereby to 0 metres or thereby.

(marked E4 on the attached plan)"

(b) the Order's accompanying plans be amended in accordance with recommendation (a) above; and

(c) the Order so modified be confirmed.

Mike Croft
Reporter

Table 1. Extracts from Murrayfield Community Council's [counts](#) of cyclists.

	A8 east of Wester Coates Road			A8 west of Roseburn Path ¹¹		
	East bound	West bound	Total	East bound	West bound	Total
Tues 12 Nov 2019, 0800-0900	120	31	151			
Mon 18 Nov, 0800- 0900				69	24	93
Tues 12 Nov, 1700- 1800	22	90	112			
Mon 18 Nov, 1700- 1800				28	55	83

¹¹ A cycle path following the former railway that crosses Roseburn Terrace/West Coates on a bridge, and forming part of NCR1.

Table 2. City council's counts of cyclists extracted from its [document CEC071](#) and its [document CEC 080](#)

	A8 east of Wester Coates Road			A8 west of Roseburn Path		
	East bound	West bound	Total	East bound	West bound	Total
Thurs 24 Oct 2019, 0800-0900	136	36	172			
Fri 8 Nov 2019, 0800-0900	100	26	126	64	34	98
Mon 11 Nov 2019, 0800-0900	114	32	146	69	51	120
Tues 12 Nov 2019, 0800-0900	120	33	153	84	54	138
Wed 13 Nov 2019, 0800-0900	88	37	125	76	55	131
Thurs 24 Oct 2019, 1700-1800	43	127	170			
Fri 8 Nov 2019, 1700-1800	21	81	102	20	63	83
Mon 11 Nov 2019, 1700-1800	28	107	135	48	86	134
Tues 12 Nov 2019, 1700-1800	22	97	119	34	81	115
Wed 13 Nov 2019, 1700-1800	27	76	103	47	76	123

Appendix 1. List of objectors

Name	Statutory (S) or non-statutory (NS)	Substantive objection to Redetermination Order ¹²
Mr B D Allingham	NS	Yes
Ms A Anderson	NS	Yes
Ms H Barbour	NS	Yes
Mr J D Berry	NS	No
Mr M Dawson	NS	Yes
Donaldson Area Amenity Association	NS	Yes
Ms E East	NS	Yes
Mr A Easton	NS	Yes
Mr M Findlay	NS	Yes
Mr H D Frew	NS	Yes
Ms T Le Giang	NS	Yes
Mr D and Ms J Glasby	NS	Yes
Mr T Glasby	NS	Yes
Mr P Gregson	NS	Yes
Ms J and Mr C Hardie	NS	Yes
Mr E Housley	NS	Yes
Ms P Housley	NS	Yes
Ms S Ingham	NS	Yes
Mr B Johnston	NS	Yes
Ms S Johnston	NS	Yes
Ms S Kelman	NS	Yes
Mrs R Kennedy	NS	Yes
Mr J McBrinn	NS	Yes
Mr S McKenzie	NS	Yes
Ms A Milne	NS	Yes
Ms S Murray	NS	Yes
Murrayfield Community Council	NS	Yes
Ms L and Mr S Paterson	NS	Yes
Ms J Pickard	NS	Yes
Mr G Rendall	NS	Yes
Roseburn Traders	NS	Yes
Ms K Stephen	NS	Yes
Mr V Le Sueur	NS	Yes
Mr A Weatherston	NS	Yes
Mr J Welsh	NS	Yes
Dr J L G Wight	NS	Yes ¹³
Mr J Yellowleas	NS	Yes

¹² As indicated in my allocations of objections.

¹³ But objection withdrawn on 25 July 2019.

Appendix 2. List of Redetermination Order hearing sessions participants, 4-5 November 2019

City of Edinburgh Council

Mr M McMurray	Partner, CMS Cameron McKenna Nabarro Olswang LLP
Mr G Davidson	Technical Director, Jacobs
Mr E Kennedy	Transport Policy and Planning Manager, City of Edinburgh Council
Mr R McMeddes	Transport Officer, City of Edinburgh Council
Mr P Noble	Active Travel Team Leader, City of Edinburgh Council
Mr T Stenhouse	Technical Director, AECOM

Objectors

Ms H Barbour	Secretary, Murrayfield Community Council
Mr P Gregson	
Ms P Housley	
Mr J Lamb	supporting Mr Gregson
Mr G Rendall	
Mr J Yellowleas	Chair, Murrayfield Community Council

Others

Mr R Grant	Planning Group, Spokes
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Appendix 3. City council's list of documents¹⁴

CEC 1. The City of Edinburgh Council (Roseburn to Haymarket Area, Edinburgh) (Redetermination of Means of Exercise of Public Right of Passage) Order 201_ RSO/18/05 [<https://www.dpea.scotland.gov.uk/Document.aspx?id=564964>]

CEC 2. Statement of Reasons – RDO
[<https://www.dpea.scotland.gov.uk/Document.aspx?id=564965>]

CEC 3. RSO_18_05 Advert, The Scotsman, 20 April 2018

CEC 4. RSO_18_05 Advert, The Gazette, 20 April 2018

CEC 5. RSO-18-05 List of Consultees

CEC 6. The City of Edinburgh Council (Various Streets) (Prohibition of Waiting) and (Traffic Regulation: Restrictions on Waiting, Loading and Unloading, and Parking Places) and (Various Roads, Edinburgh) (Prohibition of Waiting at Junctions) and (Greenways) and (Edinburgh Tram) (Prohibition of Entry, Motor Vehicles and Turning, One-Way Roads, Bus/Tram Priority Lanes and Weight Limit) and (Edinburgh Tram) (Traffic Regulation; Restrictions on Waiting, Loading and Unloading, and Parking Places) (Variation No -) (Variation No -) Order 201- - TRO/17/91
[<https://www.dpea.scotland.gov.uk/Document.aspx?id=568699>]

CEC 7. Statement of Reasons - TRO
[<https://www.dpea.scotland.gov.uk/Document.aspx?id=568701>]

CEC 8. TRO-17-91 List of Consultees

CEC 9. TRO_17_91 Advert, The Scotsman, 20 April 2018

CEC 10. Report - Development of Major Cycling and Walking Projects – Implementation Plan, The City of Edinburgh Council Transport and Environment Committee, 3 June 2014

CEC 11. Minutes - The City of Edinburgh Council Transport and Environment Committee, 3 June 2014

CEC 12. Business Bulletin – The City of Edinburgh Council Finance and Resources Committee, 30 September 2014

CEC 13. Report - Roseburn to Leith Walk Cycle Route and Street Improvement Project – Public Consultation for the Preliminary Design, The City of Edinburgh Council Transport and Environment Committee, 27 October 2015

CEC 14. Minutes - The City of Edinburgh Council Transport and Environment Committee, 27 October 2015

¹⁴ This is a combined list for the Redetermination Order and the TRO.

CEC 15. Report - City Centre West to East Cycle Link and Street Improvements: Consultation Results and Potential Project Amendments, The City of Edinburgh Council Transport and Environment Committee, 30 August 2016
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601107\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601107)

CEC 16. Minutes - The City of Edinburgh Council Transport and Environment Committee, 30 August 2016
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601106\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601106)

CEC 17. Report - City Centre West to East Cycle Link and Street Improvements Project, Report to The City of Edinburgh Council Future Transport Working Group, 16 December 2016
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601101\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601101)

CEC 18. Decision - City Centre West to East Cycle Link and Street Improvements Project, The City of Edinburgh Council Future Transport Working Group, 16 December 2016
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601102\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601102)

CEC 19. Report - Melville Crescent Public Realm Project - Update, The City of Edinburgh Council Transport and Environment Committee 1 March 2018

CEC 20. Minutes - The City of Edinburgh Council Transport and Environment Committee 9 March 2018

CEC 21. Report - City Centre West to East Cycle Link and Street Improvements Project – Section 1 (Roseburn Place/Murrayfield Avenue to Rosebery Crescent/Morrison Street) – Representations to Traffic Regulation Order and Redetermination Order, The City of Edinburgh Council Transport and Environment Committee, 20 June 2018
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=564791\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=564791)
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=572869\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=572869)

CEC 22. Minutes - The City of Edinburgh Council Transport and Environment Committee, 20 June 2018
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601106\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601106)

CEC 23. Scotland's National Transport Strategy, December 2006

CEC 24. National Transport Strategy, January 2016

CEC 25. National Transport Strategy 2 (NTS2) - Draft Strategy for Consultation, July 2019

CEC 26. Cycling Action Plan for Scotland 2017-2020, Transport Scotland, January 2017

CEC 27. Regional Transport Strategy 2015 – 2025 Refresh, SEStran, July 2015

CEC 28. Local Transport Strategy 2014 – 2019, The City of Edinburgh Council
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601108\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601108)

CEC 29. Active Travel Action Plan, The City of Edinburgh Council, 2016 Refresh
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601096\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601096)

CEC 30. Edinburgh City Centre Transformation Proposed Strategy for consultation, The City of Edinburgh Council, May 2019

CEC 31. Edinburgh Design Guidance, The City of Edinburgh Council, October 2017 – (Chapter 4. Designing streets: Edinburgh Street Design Guidance)
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601100\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601100)

CEC 32. Roseburn Action Plan, Murrayfield Community Council, October 2014

CEC 33. CCWEL and Roseburn Action Plan

CEC 34. Rejuvenating Roseburn, Delivering the Roseburn Action Plan, Public Consultation Summary Report, June 2019

CEC 35. Bike Life Edinburgh – 2017 – Sustrans and The City of Edinburgh Council

CEC 36. Roseburn to Leith Walk Cycle Study Edinburgh, Route Options Feasibility Assessment & User Impact Appraisal, WSP for The City of Edinburgh Council, March 2014
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=592430\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=592430)

CEC 37. City Centre West to East Cycle and Street Improvement Scheme, VISSIM traffic modelling, Jacobs Report for The City of Edinburgh Council, 12 December 2016
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601099\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601099)

CEC 38. Stakeholder Group Registration Lists, Slides and Meeting Notes

[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601115\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601115)

[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601114\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601114)

[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601105\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601105)

[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601104\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601104)

[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601117\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601117)

[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601116\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601116)

[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601119\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601119)

[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601118\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601118)

[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601121\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601121)

[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601120\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601120)

[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601110\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601110)

[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601111\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601111)

[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601109\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601109)

CEC 39. Outer House Decision - Elizabeth Fairley against Edinburgh Trams Limited and The City of Edinburgh Council; and Iain Lowdean against Transport Initiatives Edinburgh Limited and The City of Edinburgh Council – 28 June 2019

CEC 40. Proposed Monitoring Plan - City Centre West to East Cycle Link and Street Improvements Project (CCWEL)

CEC 41. Report - Benefits of Investing in Cycling by Dr Rachel Aldred for British Cycling

- CEC 42. TfL Report - Walking & Cycling - The Economic Benefits
- CEC 43. New York City Department of Transport (2014) Study - Protected Bicycle Lanes in NYC
- CEC 44. Cycling by Design 2010 (Revision 1, June 2011), Transport Scotland
- CEC 45. Designing Streets, A Policy Statement for Scotland, 2010
[\[https://www.gov.scot/publications/designing-streets-policy-statement-scotland/\]](https://www.gov.scot/publications/designing-streets-policy-statement-scotland/)
- CEC 46. A rolling walking stick - why do so many disabled people cycle in Cambridge - The Guardian, 2 January 2018
- CEC 47. Roseburn to Leith Walk Cycle Route and Street Improvements Consultation Report, The City of Edinburgh Council, Revised July 2016
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=601097\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=601097)
- CEC 48. Planning Application Ref: 19/02623/FUL Haymarket Edinburgh - Proposed Transport Strategy, Sweco UK Limited, 19 March 2019
- CEC 49. Parking Survey
CCWEL Parking Survey Results (Table)
CCWEL Parking Survey Results (Roseburn Area Infographic)
- CEC 50. Consumer Behavior and Travel Choices: A Focus on Cyclists and Pedestrians
- CEC 51. Bicyclists as Consumers, Article in Transportation Research Record Journal of the Transportation Research Board · December 2014
- CEC 52. Modifications to Redetermination Order in Response to Representations
- CEC 53. CCWEL Integrated Impact Assessment
- CEC 54. AECOM LinSig Outputs
- CEC 55. EnViver and ADMS Air Quality Reports
- CEC 56. Road Safety Audit Stage 1 & Council Design Response
- CEC 57. Seville: How a small Spanish city became a cycling hub for all
- CEC 58. Bike Life, Bristol 2017, Sustrans
- CEC 59. Council update on £6m cycling scheme which will 'improve connectivity' around Boots site, Nottinghamshire Post, April 2018
- CEC 60. Segregated Cycling Infrastructure – Understanding cycling levels, traffic impacts and public and business attitudes. City Planning, Transport for London

CEC 61. Cycling in London at record levels, new figures reveal, Evening Standard, 3 July 2019

CEC 62. Factors influencing the propensity to cycle to work, Wardman, Tight and Page Institute for Transport Studies, University of Leeds
[\[https://www.dpea.scotland.gov.uk/Document.aspx?id=604146\]](https://www.dpea.scotland.gov.uk/Document.aspx?id=604146)

CEC 63. Transport and Environment Committee, Business Bulletin for Thursday 16 May 2019 Meeting

CEC 64. Department for Transport, Transport Analysis Guidance, TAG Unit A5.1, Active Mode Appraisal, May 2018

CEC 65. Mail and Telegraph suggest Birmingham cycle lane has somehow caused congestion despite zero change to motor vehicle capacity, published by Road.cc on 14 June 2019 [\[https://road.cc/content/news/262237-mail-and-telegraphsuggest-birmingham-cycle-lane-has-somehow-caused-congestion\]](https://road.cc/content/news/262237-mail-and-telegraphsuggest-birmingham-cycle-lane-has-somehow-caused-congestion) accessed on 9 September 2019]

CEC 66. CCWEL - Roseburn Terrace, Air Quality Modelling Report - Aecom

CEC 67. City Centre West-East Link and Connections

CEC 68. Map showing areas from which bulk of modelled use of CCWEL western section originated

CEC 69. Current Extent of Cycle Use

CEC 70. Extract from Transport for London Programmes and Investment Committee - 30 November 2016

CEC 71. Traffic Count 24 October 2019

CEC 72. Roseburn Vision Survey of Autumn 2016 – Cycle growth forecast

CEC 73. Cycle use and climate comparisons

CEC 74. CCWEL-NCN1 Route Comparison

CEC 75. Option A - Connection to North

CEC 76. Traffic and NO2 Map

CEC 77. Modelled Options

CEC 78. Crossings on the A8

CEC 79. CCWEL Cycle Use Forecasting – Trip matrices and supplementary commentary

CEC 80. Cycle counts 8 to 13 November 2019

CEC 81. Roseburn Terrace - Parking Survey Results - Loading