

2025-08

# CEC TRO Sub-committee

## Meeting Transcript, Special Meeting

### 7th August '25

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#### Context

This transcript has been published for the purposes of democratic public scrutiny, and to facilitate greater access to the political conversation being had about cycling infrastructure in the East of Edinburgh that is relied on by many residents and visitors to safely travel by cycle through this side of the city.

You can watch the original webcast video [here](#).

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**Cllr Margaret Arma Graham** 00:00

(Video begins) ...meet on this semi beautiful afternoon in our city — I will hand over to... (gestures to Natalie Carter-Osbourne)

**Natalie Carter-Osbourne** 00:03

Thank you very much. Convener, this is the meeting being held in the dean of Guild courtroom in the city chambers High Street in Edinburgh, and remotely by Microsoft Teams. It will be filmed for live and subsequent broadcast via the Council's website. The council is a data controller under the General Data Protection Regulation and Data Protection Act 2018 we broadcast council meetings to fulfill our public task obligation to enable members of the public to observe the democratic process. Data collected during this webcast will be retained in accordance with the council's published policy.

**Natalie Carter-Osbourne** 00:40

Item one on the agenda is the order of business. The meeting papers were published on Tuesday the 29th of July, 2025; members are required to be present from the beginning of consideration of each application to be able to participate in the decision making. And members on teams should use the hands up function to indicate to the convener when they wish to speak.

**Natalie Carter-Osbourne** 01:05

Item 2.1, is the declarations of interest. The council's Code of Conduct requires members to publicly declare interest in the items being considered at today's meeting. These interests can be financial or non financial. Do members have any interest to declare? No interest.

**Natalie Carter-Osbourne** 01:28

That takes us to item 3.1 the minute of the traffic regulation order sub committee of the 12th of May 2025, and these have been submitted for approval as a correct record is the committee happy to approve? (Yes)

**Cllr Margaret Arma Graham** 01:44

Thank you. Okay, so we'll move straight into our one and only report. And Andrew, I believe you're going to... (looks across to officer Andrew Easson)

**Natalie Carter-Osbourne** 01:55

...Yes. This is 4.1 traveling safely East areas ETRO 2128/A, a report by the Interim Executive Director of place.

**Andrew Easson (Officer)** 01:55

Thanks, convener. Nothing to add to the report, but myself and my colleague Andres Lices are here to answer any questions. Thank you

**Cllr Margaret Arma Graham** 02:14

Anybody have any questions then? Councilor Lang —

**Cllr Kevin Lang** 02:27

Yep, thank you. I've got a few questions. So I want to pick up the threads of the conversation we had on the 12th of May, and in particular the objections which came in around the temporary infrastructure, and we had this outstanding question as to whether that infrastructure was going to be upgraded now that we are into August. Can you tell me how much it will cost to upgrade the temporary infrastructure for the areas covered by this ETRO.

**Andrew Easson (Officer)** 03:12

Thanks. Councilor Lang, no, I cannot tell you that, and the reason I cannot tell you that is because we do not yet have a decision on which of the schemes are to be retained permanently, or whether they're all to be retained permanently, we cannot really do much in the way of design work on schemes until we know whether they're actually going to be retained, because that work could turn out to be completely abortive if the committee's decision is not to retain certain schemes. And we also have an interaction in that we've got, city wide, five area ETROs, all containing schemes. And to a certain extent, we'll have to prioritize budgets at areas where we think there's the most need to make permanent infrastructure most rapidly. So there will be a bit of an iterative process where these committee reports will come forward, we'll get decisions on schemes. We will then look at the schemes that are going forward and prioritize where we think there is the most need to make infrastructure permanent. And it may be that it is not necessarily a case of revamping the entire infrastructure along the route, there may be certain bits where, for example, we know there have been trips, or where we think there's more risk of vehicle striking temporary infrastructure. We have records of where infrastructure has been damaged in the past. They will be the top priority areas that we'll look at, and we'll look to roll out those areas first and then follow on over a period of years, upgrading the infrastructure.

**Cllr Kevin Lang** 04:45

(When asked if he has a follow-up question) I do, okay, so

**Cllr Kevin Lang** 04:52

When the committee met last time, the report said that consideration would be given to upgrade the infrastructure, and then during the course of the meeting, it was explained to us that it would be upgraded. But it seems that we've gone back to the fact that only consideration would be given. So I'm just, I mean, where I'm trying to get to Andrew is, we have received objections on the basis of the temporary infrastructure — I'm trying to understand what certainty or clarity this committee has as to whether it can set aside those objections on the basis that the temporary infrastructure is going to change or not.

**Andrew Easson (Officer)** 05:36

I will try and address that as best I can within the constraints of what I have already said councilor. We took a report with a proposed new 10 year CMP Capital Investment Program (CIP) to TEC (Transport & Environment Committee) in May that contained an allowance for a five year program to make permanent traveling safety infrastructure across the program, there is a budget allowance of half a million pounds a year set aside for that purpose in the approved program budgeting. How that's split up between schemes, I cannot say at this stage - there is provision for that CIP to come back to TEC on an annual basis every autumn and be updated and reviewed. So there is provision that should we get to year three, for example? And we look at it and we say, well, actually, half a million pounds per year over five years is maybe not enough. There is the provision there to then go back and amend the Forward programme. But until we actually start looking at the detail of what we need to do at each scheme, it is very difficult at the moment to know exactly how much money will be needed, because, as I said, we do not know which schemes we are going to do, and we have not yet begun looking at each individual scheme. It may be that some, if we have an objection, say that people are saying the temporary infrastructure is likely to be struck or people are likely to trip over it. That could be a big concern if you foresee trips - in a high street environment, for example. On the other hand, if you have a stretch of road that has virtually no footfall and no frontages, and very few people cross the road, and it's a long, straight bit of road, it's probably not that likely it's going to get hit, and you've got generous lane widths, it's probably not that likely it's going to get hit by vehicles, and it's probably not that likely anyone's going to trip over it. So in some locations, we would look to go in and address that, because the risk is higher. But in other locations, it might be that we decide that's a very low priority to update that particular part of the scheme. It's difficult to give any more certainty than that, really,

**David Sinclair (Officer)** 07:54

One of the elements in the legislation makes reference to amenity, and I think that's probably the the clause or the remit that would encompass the types of objection or concerns that I think that residents would have. And I think, as Andrew has described, there is absolutely a commitment that the amenity will be considered. So if the, if the order is made permanent, then the, I suppose, the amenity and associated risk, etc. there'll be a risk assessment carried out to consider where the infrastructure does need to be replaced. And I think you know, as Andrew has described, we recognise that, you know, that there is a service life with the sort of, the types of materials that we have at the

moment, so there's an absolute commitment that they will be replaced, just just what with, and what priority the order will be in. I think that the view is that we'd like to understand the whole picture of the of the full programme and then prioritise. But I think there's absolutely a commitment, as Andrew described, there's a budget, you know, there's a half million pound budget that's been allocated at this point in time to facilitate renewals.

**Cllr Kevin Lang** 09:04

One more question others may want to come in. I suppose what I am trying to understand now is, what do we know today that we did not know in May, then?

**Andrew Easson (Officer)** 09:17

Well, I do not want to try and read the mind of the committee, but I understood in May, the uncertainty that made committee unwilling to take a decision at that point was one, the fact that it was not critical to make a decision at that point on the East ETRO, because we did still have a few months before the ETRO expired. But two, there was a report coming to TEC which had not yet been approved, that did recommend a program of making permanent, but because it was going to committee for consideration, there was always the chance that committee might have decided that they did not want to go ahead with that program. So that I understood to be the main concern at that point, but also. Obviously that is me trying to read minds a little bit.

**Andrew Easson (Officer)** 10:03

(After a pause to confer) Sorry. Dave makes a good point there. At the time of that discussion as well. There was no information on what that program would consist of in terms of timescale and budget. So the five year rolling program and the half a million pound budget commitment for per year was not discussed at the (TRO Sub-) committee in May either. But at that stage, obviously it was provisional at that stage because the report hadn't gone to TEC.

**Cllr Margaret Arma Graham** 10:48

Any other questions? Councilor Daggart —

**Cllr Phil Daggart** 10:52

Yeah, I have quite a few, but I'll pick up where Councillor Lang's left off, and forgive me as being the new boy coming fresh and maybe going back to things that have already been discussed. So in respect of the decision taken at TEC, the active travel improvements from Leith walk to Jock's Lodge did not score very highly, and the project was ranked 108th in the list of priorities, so that suggests that there are going to be lots of other things that are going to jump ahead of this in terms of the process you described in allocating the cash. So first of all, is that fair? That's my first question.

**Andrew Easson (Officer)** 11:48

Thank you, Councillor, I think that you're conflating two slightly different things there, within the named schemes, within that CMP CIP, prioritisation, were individual permanent schemes that were not Making Permanent Traveling Safely Schemes, whereas the Making Permanent Traveling Safely schemes was a rolling program which were treated separately from named schemes in that prioritisation exercise. So there absolutely is a commitment

for the rolling programmes. If there is a named scheme that was not prioritised for taking forward, and there were quite a few, because obviously, that is the nature of a prioritisation, it could have included all sorts of things that would not necessarily form part of a Making Permanent Traveling Safely scheme. So it could have included public realm improvements. And the making permanent is just basically upgrading the infrastructure of what's there, whereas a wider, active travel and public realm scheme could completely change layouts, widen foot ways, introduce public realm street trees, tree, street street trees, etc, etc. So it's not really the same thing.

**Cllr Phil Doggart** 13:04

Okay, I do have other questions then. So it does say in paragraph 7.9, in terms of the policies Council policies, that not agreeing to the objections would enhance citizens' opportunities for better employment and training. Could you tell me in what ways that would happen?

**Andrew Easson (Officer)** 13:40

Any facility that makes it easier to walk, but more particularly cycling, which is a valid method of transport for longer journeys than walking, opens up the opportunity for people who may be from an economically disadvantaged background, who cannot afford to own a car, or possibly even cannot afford to travel by bus, or sometimes we have got routes that do not follow bus routes. It is very difficult in a bus journey, because you have got to go into the city center and take another bus back out. It just makes it easier for people to access those opportunities by bike.

**Cllr Phil Doggart** 14:19

Interesting, well, I would have thought if people were getting employment, they'd be able to afford the bus fare. However, maybe that's just me. Also, in terms of the pollution, what measurements have taken place to show the impact of the ETRO will be made permanent in terms of differences in pollution. And if we do overturn the objections, we will then be within legal limits. But if we did not overturn the objections, would we still be within legal limits?

**Andres Lices** 15:01

Thanks, Councilor Doggart. So appendix one, which obviously is in the report that came to committee in May, covered that air quality is, there is there's an Air Quality Management Program in the council and it gets reported to TEC yearly. None of the corridors within this ETRO are under any concerning or out of any charts that wouldn't be normal. There was also no allowance for within the within the program to do any monitoring, specific monitoring on these schemes. And obviously, there were lots of other changes in the city network, such as Trams to Newhaven, the low emission zone, etc, that could have also and COVID trends, obviously, that could have also affected the air quality within those corridors. So obviously that even if we wanted to do any monitoring, it would have it would have been blurred or changed by those other projects happening at the same time.

**Andrew Easson (Officer)** 16:04

I think it's maybe worth adding that the general concern about changes to air quality tends to arise from changes in traffic flow, and what we have monitored in these corridors is

traffic levels and journey times, and the evidence is that there has not really been much in the way of changes. The traffic flow levels are generally still below what there was pre covid. And if traffic levels have not gone up, the chances are there has been no increase in pollution and no impact, no adverse impact on air quality. And there shouldn't really be much reason for traffic to divert onto other routes, because the traffic levels along the route have not gone up, and the journey times haven't greatly increased. So there's no great incentive for people to look for other routes and then potentially have an air quality knock on in those areas. And as Andres has said, all of the corridors in this, they are all below statutory levels, and they were anyway, that basically the schemes have made no difference in that respect.

**Cllr Margaret Arma Graham 17:14**

I'll let Councillor Griffiths come in, and then I'll come back to you. Councillor Griffiths —

**Cllr Joan Griffiths 17:20**

Thank you, convener. Please bear with me, because I'm also, like Councillor Doggart, new to this. My understanding was today was about the timescale and the cost, and that was what we would be making a decision on whether we accepted or not. But there's been quite a few other things have been brought into the discussion. And I'm kind of not quite sure are we meant to be looking at that in terms of the pollution, in terms of some of the other arguments have been made. So I would like a wee bit clarity on actually, what are we meant to be deciding this afternoon.

**David Sinclair (Officer) 18:12**

Thank you. I think this is a test of my traffic regulation, order knowledge and training. So as I understand it, the legislation that we operate under, which is the Road Traffic Regulation Act, has certain criteria where we consider the merits of orders, and I do not, I cannot recall all of them, but essentially, they start with safety, and they range right through to amenity. There are elements in there, and I was actually undertaking training this morning, so I should probably remember, but there's elements in there that relate to how the network operates, the impacts of the measures that we're discussing, how we mitigate those, and our absolute obligation to consider all of the objections, I think it does make reference to the financial implications of those measures on the authority. And I think, as Andrew has described, yes to continue with this and potentially further orders, there is a financial implication, but we have planned for that. What exactly that looks like is unknown at this stage, but I think there is a, you know, there is a financial provision being, you know, set aside for the improvements and/or renewals of infrastructure to, you know, to facilitate the order.

**Cllr Margaret Arma Graham 19:44**

Does that answer your question? Councillor Griffith?

**Cllr Joan Griffiths 19:46**

I think a bit - but I'm still, I have to say I am still struggling with - what was mentioned was that air pollution stuff was like was agreed and passed at the last committee. So if that's already happened, why has it been raised today? So that was where I was wanting my clarity from - things have already been agreed at the last committee, and we were just



coming here today to look at the cost, then I get that, but if there's other things, then to have clarity on that'd be really helpful.

**Cllr Margaret Arma Graham** 20:38

Okay, thank you. My understanding was that it was more cost-orientated than anything, but Councillor Staniforth has got his hand up now as well, so I'll let him come in.

**Cllr Alex Staniforth** 20:51

Yeah, so I'm afraid mine is another newbie question, because I am also new to this committee. My understanding is that the status quo is not an option here, that if we did not pass the permanent TRO, then the temporary structures would have to be removed. And if we pass the permanent TRO, then those temporary structures will gradually be transformed into permanent structures so that there is no 'leave things as they are', we have to make one decision or another. Can you just make sure I am correct on that, that that is the situation?

**Andrew Easson (Officer)** 21:41

Yes. Councillor, that is correct. On the previous issue about what was approved at the last committee. Just for clarity, we took two different ETROs to committee, last time round. A decision was taken to approve and make permanent one of those ETROs (City Centre), but the decision on the second one was deferred. Now, issues like air quality, cost safety are common to both Etos, but because the second ETRO the decision was deferred, I think those issues can be revisited this time round. I hope that maybe helps.

**Cllr Margaret Arma Graham** 22:24

Councilor Lang —

**Cllr Kevin Lang** 22:25

Thank you. Frankly, though, this is where I am really struggling with this, because I feel like that answer, convener is different to the answer I got to my question because what Councillor Staniforth said, and please, Councillor Staniforth correct me if I got this wrong. Councillor Staniforth asked the question. He said, the status quo is not an option. If we don't approve this, the infrastructure has to come out. And he said, if we do approve this, the infrastructure will be changed. Is that correct? And the answer back to that was yes, but that is different to the answer I got when I asked the question, will it be upgraded? And it was a well, it might, and we'll give consideration to it. I am still not clear on what certainty I have as a member of this committee as to whether this temporary infrastructure will be changed or not.

**Andrew Easson (Officer)** 23:42

Okay, I shall try and clarify, as best I can. We have budgeted two and a half million pounds over five years to do upgrades. The intention is to spend that money. We will upgrade infrastructure. But what I am saying is that we have to prioritize how we do that and there are a number of circumstances that we will regard as high priority. Those things will be upgraded. Through that consideration, there may be some areas of some schemes that we decide either don't need to be upgraded or are very low priority for upgrading, and they would be further back in the programme.

**Cllr Kevin Lang** 24:28

Okay, you will appreciate our responsibility today is to look at this ETRO, and we have to look at this, this one, ETRO in isolation, on its own merits. Okay? I am conscious also, this is one of the first - we will have more of these to come down the track. Is it not possible that as and when the committee considers other ETROs, if you are having to consider, what areas are of most merit, based on your assessments, is it conceivable that none of the temporary infrastructure that this ETRO covers, is it possible that none of the infrastructure that this ETRO covers will be changed? Is that possible?

**Andrew Easson (Officer)** 25:28

I would say it's extremely unlikely. You would be... a situation where every project in this ETRO, nothing on it, was considered to be anything other than low priority for upgrading. I think the chances of that are very, very small.

**David Sinclair (Officer)** 25:47

I'm just going to offer my thoughts? Cos absolutely, it's a good question to try and understand, what does the future look like, you know, for the for the decision today. And I hope Andrew, I'm not misrepresenting you. So I think think think of a scenario of London Road, Jock's Lodge, the A1 corridor where it's residential areas, relative high footfall certainly London Road, high footfall as you go through, sort of the Willowbrae road. The A1 corridor, again, residential areas, high footfalls, I think, as Andrew describes, I think it would be extremely unlikely that we do not upgrade that infrastructure for the very reasons I'm describing. And as Andrew alluded to, and I can't actually think of any areas off the top of my head in this particular order where maybe things are so quiet, the example Andrew is using is, it's not in a residential area, but we've defined a segregated cycleway that could work fine in a quieter, suppose, potentially suburban or rural environment, potentially. So I think, and I suppose Andrew had asked me your questions, I think as Andrew said. I think it'd be extremely unlikely that we would not do that - for the reasons of amenity, and for the reasons of I suppose managing road safety as well. We recognize the infrastructure is there to protect cyclists in most circumstances. And I think for a reasonably cost efficient process, we could look at kerbs that go on to that without excavating - the kerbs that are adhered to the to the carriageway, as was undertaken on an example would be Holyrood Road, same scenario where kerbs have been stuck onto the carriageway, it's a relatively cheap scenario. The road is in that layout already, the road markings are almost in place, you know, the the waiting restrictions are all in place so that. So the self civil engineering costs are the purchase and installation of the sort of kerbings, I think. And Andrew, I don't know if you want to qualify that, I think. Or Deborah, you have any particular views on that, I think it's perfectly reasonable to... I suppose, I think what we're saying is we can't absolutely say, but I think it's absolutely reasonable that we would wish to and undertake to renew the infrastructure in the locations that I've described.

**Cllr Margaret Arma Graham** 28:13

What I'm going to do is going to Councillor Staniforth first got his hand up, so I'll take his question, and then I will ascertain as to whether we feel we have enough information in front of us to make a decision today. Okay?

**Cllr Alex Staniforth** 28:29



Thanks a lot. Convener, this does lead on from the questions Councillor Lang was asking, which is that, clearly, because you can't guarantee, absolutely, where will be improved and where we'll have to wait, maybe indefinitely, the prioritisation exercise has not been conducted yet. So my question is, will the complaints people have put forward with regard to the ETRO about the temporary infrastructure be considered in that prioritisation exercise.

**Andrew Easson (Officer)** 29:08

Thanks, Councillor. Well, they will be - but what we've tended to get with those type of complaints is it doesn't tend to necessarily be a complaint about the temporary infrastructure at one specific location. The majority of those type of complaints are just a blanket objection to the use of temporary infrastructure throughout the city, so it does not help you hugely in identifying and prioritizing at specific locations. One thing that it was remiss of me, that I did miss when I was answering Councilor Lang, is we have actually got a commitment within the earlier report on the London Road project, where there were concerns raised about the infrastructure at bus stops with cyclists having to maneuver out of the cycle lanes into the bus lane because of the bus borders there. And we have given a commitment in that report, that if the scheme was made permanent, we would redesign that area, obviously because it was an experimental trial scheme, we were not meant to make big changes to existing infrastructure. Hence why the bus borders were retained. But we would certainly, if that scheme was made permanent, we would certainly look at revising the designs in those areas. So that certainly is a commitment we've given that we would do some upgrading on the bus stop locations where they interact with the cycle lanes on London Road.

**Andres Lices** 30:35

Thanks, Convener. It's also worth reminding that we will be working with the roads renewals team and trying to identify synergies when they are doing a resurfacing scheme to obviously try to stretch as much as possible the budget allocated for these upgrades programme. And obviously, chances are there will be several corridors within this ETRO where we could use that money to upgrade these schemes if they were to be made permanent.

**Cllr Margaret Arma Graham** 31:05

Okay, committee, do we feel we can go forward and make a decision on this today with the information that you have been given? ... Councilor Lange —

**Cllr Kevin Lang** 31:19

So Convener, I feel the committee is being put in a really difficult position on this. I think particularly given the position that we took in in May, I feel that we were... what we're being asked is to set aside objections and make a permanent decision that will stand. We can't revisit this after today. If we make a decision, we can't come back to it and being open, I feel really disappointed that after almost three months, we've not been given information that I think is kind of what we alluded to in May, in terms of what we needed to make us comfortable with making a permanent decision. We're getting, 'well, it's it's possible we'll give it consideration', and we have not - there's not been work done on how much it would cost, we don't know where it would happen, and yet, we're being asked to

make a permanent decision today. I think that's incredibly difficult thing for us to set aside objections, which is what we're being asked to do, and put faith in something that may or may not happen, which we then cannot come back to at any point. And so I, I would have preferred, and I'm being open quite surprised, that in the time period that has elapsed since May, we've not got to a position now where we as a committee, have been provided with that clarity that says we now know this is what we're going to do, this is roughly how much it's going to cost, and this is where we're going to do it. And even if that wasn't all of it, we would at least know what we were voting for today. I don't think we know what we're voting for today in terms of the consequence of it, so I don't feel able to make a decision on it.

**Cllr Margaret Arma Graham** 33:09

Councillor Doggart —

**Cllr Phil Doggart** 33:10

Yeah - I'd back that up, because I think one of the other challenges is the fact that we have one ETRO covering a significant distance, and we've been told that different bits can be done at different times. Fine, that's practical, but the challenge around that is that we're still giving a blanket approval to the whole ETRO when it may well be that it could be years before anything is done. We know, we know the financial challenges we've got and how quickly priorities can change. So I'm really struggling to see that we do have full information, in terms of being able to make a decision today,

**Cllr Margaret Arma Graham** 33:56

Okay, I've got both Councillor Staniforth and Councillor Griffiths online, so Councillor Griffiths and then Councillor Staniforth, please.

**Cllr Joan Griffiths** 34:08

I mean, I've tried to listen quite carefully to everything that's been said, and I really, I'm struggling to feel that I've got sufficient information to make a decision today, at the beginning of discussion, I thought it was because I'm new to the committee, and I was trying to understand but I do think we've had sort of conflicting both an answer to Councilor Staniforth now an answer to Councillor Lang. So I'd be verging on the side of not agreeing it today.

**Cllr Margaret Arma Graham** 34:44

Councilor Staniforth —

**Cllr Alex Staniforth** 34:47

Well, I'm going to take the opposite view to those who have spoken so far. I think I do have enough information to know whether I want to just let the ETRO lapse or to make it permanent. I think the fact is, we can't prevaricate for much longer. This runs out in the middle of August. We are rapidly approaching the middle of August. I think we have to make a decision today. And while I understand we might prefer to have more information, the fact is, the timer has run out, as far as I can tell, so I think the decision pretty much must be made now. I don't think there's any more information we are likely to get within

the perhaps week, is it, that we have left? I think we must make a decision, for better or worse, that that's the situation we find ourselves in.

**Cllr Margaret Arma Graham** 35:52

Thank you, Councillor Staniforth. Councillor Osler —

**Cllr Hal Osler** 35:54

Thank you very much indeed. Yes, I've really thought long and hard about this. We had a long discussion about this previously. We agreed the previous ETRO, I am not comfortable about this situation. Following off what Councilor Staniforth has said, we are forced to be in a situation we either agree something today that we're not 100% comfortable with, just to save and prevent things being removed. We've had three years to get information on this. People have fed into a survey. There are still genuine concerns, and we've asked a number of questions - we've delayed this committee once already, we have not got any more assurity. And literally, almost metaphorically, having a gun to your head to be told we're either going to agree or it's all out, is a very unfortunate situation to be in. But you know, as one of the whatever seven, six individuals in front of us today having to make this decision, you know, I sit on a quasi-judicial position as a normal basis, and I am not comfortable. I do feel that enough chance has been given to gather the information, and I don't feel that we've actually sufficiently got it, so I unfortunately cannot support actually making this decision positively today.

**Cllr Margaret Arma Graham** 37:07

Thank you, Councillor Osler. My position is that I agree with the majority of us that we cannot make this decision today, as somebody who also has quite a background now in quasi-judicial decisions. One of the things that impacts on me, when I'm usually sitting over there and the Convener of the committee is saying, is always telling us about making sound decisions, and I mean the notes that I have from from the objections, especially from Newtown Broughton Community Council, do not seem to have been taken on board at all. So I would be of a view that we cannot make a decision about this today, either. And it is regrettable that work has gone down, but sometimes these kinds of things have to happen. So that is what I would be proposing. But I am not quite sure how I propose that.

**Natalie Carter-Osbourne** 38:07

Dave, could you please clarify when this does run out? Is this our last opportunity to make a decision on this item?

**David Sinclair (Officer)** 38:15

Councillor Doggart, then Councilor Osler —

**Cllr Phil Doggart** 38:15

I know I'm new, but I am really confused, because 20 minutes ago, there were no guarantees, and all of a sudden, we have guarantees on the hoof. Now that worries me that 20 minutes ago, the situation was completely different to what has just been said. So what are we being told? Are we being told there are guarantees, or are we being told there are no guarantees? Because my problem now is, which answer do I believe? I don't know which one I believe, because there are two different answers coming from officers. That is

quite worrying. If there were guarantees open to us, we should have had them 20 minutes ago.

**David Sinclair (Officer)** 38:15

Thank you. Yeah. I'll try and articulate this as clearly as I can so there are, I suppose I'll start. There are a number of different measures across the city, of which, some are segregated cycle lanes, which I think we probably the ones that you'd be aware of. London Road, the A1 corridor, etc. There are a number of others that are on, I think it's Duddingston Road, adjacent to the primary school, King's Place is a closure for a pedestrianised area on the Promenade. And there's another one, I think it's Hope Terrace, I think, next to the golf course at Portobello, which is again a road closure for public amenity and the route to school, etc. So I think certainly... I appreciate members. I'm assuming they're potentially making reference... I think their concerns, I think are, I'm assuming, maybe mainly focused around the amenity, and the infrastructure that we have on places like London Road and sort of through the Jock's Lodge corridor and up through Willowbrae and up over that area, and maybe come to Andrew in a moment to see we can make an absolute commitment that we move to replace this infrastructure as part of this decision, as I understand that the ETRO expires in October. The ETRO is, in some cases, is to close roads to for pedestrian facilities, routes to school, etc, and the ones we're describing on the corridors are for the waiting restrictions, so we don't need ETROs to put the segregation units down - that's covered under the Roads Scotland Act - it's to restrict and prohibit parking on those particular routes so that they don't have an issue. So I suppose, if the decision is deferred, there is a process of roughly about two months, I'm assuming that, from a decision to make an order permanent. So I think you will appreciate that that puts us into a situation where, potentially we could have waiting restrictions and markings on the carriageway that no longer have orders, that we can take a view on that as to whether we run with those to provide further information, or we are forced into removing all of the waiting restrictions, potentially move the segregation units and reinstate the carriageway, which is possibly the worst case scenario, I suppose. So that, I think there'll be no surprise to you, suppose, if it's a final appeal to consider, there are a balance of measures here, and they're not just, I think maybe the ones that are particularly being focused on, in terms of the objections for amenity as I understand, are, you know, sort of centered around maybe some of the busy residential areas and the just in the outskirts of the New Town, the sort of 'Third New Town' there, I don't know if Andrew, are we in a position to make an absolute commitment that we will, particularly for the routes that I'm thinking of is like London Road, Willowrae Road, where we have got segregation units and we have high footfall and residential areas that strays into Duddingston road West and Duddingston Road adjacent to the primary schools, that these will, we can make a commitment that we will look at and replace the infrastructure - will be exactly the same layout to a certain degree, the restrictions are there that the infrastructure, we can guarantee that infrastructure will be renewed. Does that give the committee confidence that we can? No? Okay.

**Andrew Easson (Officer)** 42:54

Councillor Osler —

**Cllr Hal Osler** 42:54

Sorry - just to add to that, obviously each ETRO is looked at in its own individuality. My concern about this is, we've been told very clearly by Mr. Easson, there's a certain sort of money, there's a priority stake and so on. My concern then would be, then, what about the impact for the other ETROs, what about the prioritisation? I am very concerned that to try to progress and push things forward, understandably, guarantees would ask be asked for. But I'm extremely uncomfortable because we're moving out of quasi-judicial position in that case, and those provisions should be which should have been provided up front when asked by questions by Councillor Lang.

**Cllr Kevin Lang** 43:37

I think it's now impossible for us to make any decision today. Okay, I hear what officers are saying about the time which you would need. I think maybe I'm being optimistic, but I'm an optimistic guy that we probably just have about enough time to try and get this right. I am conscious that we have another TRO sub-committee in the diary on Thursday 4th of September, and I, my suggestion convener, is that we defer this until that meeting, which is already in the diary. That may screw up some other ETROs which are coming, but this is a big and important one, and I think it's important we get this right. And I, from my perspective, hope I'm making it clear around the certainty and clarity which I feel I need as a member of this committee if I am being asked to set aside objections around that temporary infrastructure, I felt that was made clear in May, I appreciate maybe we were not as explicit as we could have been, but I think hopefully officers will understand the kind of information that will need to be, not verbally provided, but written down in a report if I am going to be asked to set aside those objections.

**David Sinclair (Officer)** 45:08

Actually, I acknowledge my position quite confused matters, in terms of trying to reach a position with colleagues. So absolutely, I think it is unfortunate but I think absolutely, I recognize the situation that members are facing. I think it's for us - I think we just need to, if we can progress on those terms, I think it's the best we can do.

**Andrew Easson (Officer)** 45:53

The judgment we made when the decision was deferred in May, was that by arranging a special committee in August that would guarantee that we would have enough time if a decision was made to make permanent at this meeting, that we could implement it before the ETRO expired. If a decision is deferred to September, there is a possibility we might be able to get it made permanent, if that's the decision of committee, but there is also a risk that we will time out because it's so close to the wire. The other concern I have is now that maybe I should have asked more questions about what exact information you were looking for last time round, Councillor, I did not take it from that that you were asking us to assess each scheme and come up with the costs for each scheme within the ETRO to make permanent - to do that, in the timescale available for — half a dozen schemes? — is going to be extremely challenging, given that draft reports for September committee were due last week. So I mean, we can certainly pull out the stops to try and come up with additional information to present in September, but the quality of that information... it's going to have to be pulled together very quickly.

**Cllr Kevin Lang** 47:02

So I mean, ultimately, then, Andrew, if given what you have heard, about the concern which exists that we do not have that certainty on the temporary infrastructure being changed, what is your advice that we do then?

**Andrew Easson (Officer)** 47:31

Well, I think what we can offer is, given that we know we have budgeted two and a half million pounds is we can guarantee that probably everything that is, I know I have just said, 'probably' after 'guarantee', which is not great, but everything that is considered to be a high priority, there is enough money to deal with that. What we cannot say is there is enough money to change everything, whether there is a pressing need to change it or not.

**Cllr Margaret Arma Graham** 48:06

Councillor Staniforth —

**Cllr Alex Staniforth** 48:10

Yes, I have a question. I've been looking through the papers, I can't find it - when in October, does the ETRO run out? Because, to my mind, if it runs out early October, given there's probably a two-month-ish time period, the 4th of September is too late, whereas, if it's late in October, the 4th of September gives us almost two months.

**Andrew Easson (Officer)** 48:40

It's the 20th of October, the ETRO will run out.

**Cllr Alex Staniforth** 48:48

Could I have a follow up, then Convener?

**Cllr Alex Staniforth** 48:52

In your view, is it possible if we agreed this on the 4th of September to make the ETRO permanent by the 20th of October? Is that enough time if you pull out all the stops?

**David Sinclair (Officer)** 49:12

Thank you, Councillor, I think it's possible. There's risk. And I think if we could furnish committee with enough information in September to make a decision, and that decision was to retain, in whole, or in part, the orders that we're describing. If there was a short gap, obviously, a couple of weeks, we have provision. It's not ideal, but we have provision to raise emergency orders to make sure that the sites are safe, and we can still continue to enforce them. So we probably have, it's probably not ideal, but there is, I think, a mechanism to do that.

**Cllr Margaret Arma Graham** 50:01

Councillor Osler —

**Cllr Hal Osler** 50:02

I just wanted to seek clarity, because in 3.14 on the ETRO, yeah, it says "Therefore, unless made permanent under TROs, the measures implemented by ETRO, the 21 128, will cease on the 28th of October, 2025 just want to check that is correct, because I think Andrew, you mentioned a different date.

**Cllr Margaret Arma Graham** 50:38



Yeah, that's correct. Okay, I think, I think we've batted this around as much as we can. I don't think we can go any further. I don't think there's any more questions that Andrew or the rest of the team can answer now today. So I will leave open that my position then is that we defer the decision. Do not make the TRO today, we defer the decision to the committee on 4th September and ask that officers furnish us with more information, as per our discussions today.

**Cllr Margaret Arma Graham** 51:25

Do I have a seconder?

**Cllr Joan Griffiths** 51:25

Sorry, Converner, I'll second that.

**Cllr Margaret Arma Graham** 51:27

Thank you. Councilor Griffiths, is there a counter proposal?

**Cllr Margaret Arma Graham** 51:33

I'm looking around - Nope, okay, there is not. That's it. Then thank you. Thank you very much all of you for your time this afternoon and a robust debate,

**Natalie Carter-Osbourne** 51:44

Yes, thank you that has been continued to the next meeting of the TRO sub-committee.