

Traffic Regulation Orders Sub-Committee

10.00am, Monday, 12 May 2025

TRO/23/19 Proposed amendments to parking restrictions within the Controlled Parking Zone and elsewhere

Executive/routine Wards

3 Drum Brae/Gyle, 5 Inverleith, 6 Corstorphine/Murrayfield, 7 Sighthill/Gorgie, 8 Colinton/Fairmilehead, 9 Fountainbridge/Craiglockhart, 10 Morningside, 11 City Centre, 12 Leith Walk, 15 Southside/Newington, 16 Liberton/Gilmerton.

1. Recommendations

- 1.1 It is recommended that the Traffic Orders Sub-Committee set aside the objections to the Traffic Regulation Order TRO/23/19 and approve the making of the Traffic Regulation Order, with the following change:
 - 1.1.1 The abandonment of proposals and advertised measures for Eildon Terrace, as set out in this report.

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Report

TRO/23/19 Proposed amendments to parking restrictions within the Controlled Parking Zone and elsewhere

2. Executive Summary

- 2.1 The draft Traffic Regulation Order (TRO/23/19) proposing amendments to the Controlled Parking Zone (CPZ) including amendments to restrictions out with the CPZ was advertised on 21 February 2025 at which point those interested in the proposals were invited to make their views known to the Council.
- 2.2 This report details the outcome of the advertisement of TRO/23/19 which proposed amendments to the existing TRO governing restrictions within the CPZ, including objections relating specifically to three locations, Eildon Terrace, West Annandale Street, and Dryden Terrace. This report also includes detail of a single objection to the Trafalgar Lane proposal which is not currently subject to a CPZ restrictions, however, has existing waiting restrictions in place throughout the street.
- 2.3 This report seeks the authority to make the TRO as advertised, with one exception as detailed in this report, namely the abandonment of the Eildon Terrace proposal shown in Appendix 1.

3. Background

- 3.1 The Council receives many requests related to restrictions on waiting, loading and unloading within the CPZ and out with. These can involve the following types of requests;
 - 3.1.1 New restrictions;
 - 3.1.2 Amendments to existing restrictions; and
 - 3.1.3 Removal of existing restrictions.
- 3.2 The Council also undertakes reviews to ensure existing parking restrictions both within and out with the CPZ are effective and appropriate, with such reviews also identifying locations where it is necessary to introduce, amend or remove restrictions on-street.

- 3.3 Traffic Regulation Order TRO/23/19 was initiated by the Council in response to various requests being received by Officers in the Parking Controls team to amend parking restrictions. Of the eighteen locations, ten objections were received in total across four locations in this report, and one of these objections has since been removed by a resident.
- 3.4 TRO/23/19 proposed amendments to existing parking restrictions at eighteen separate locations across the city, with sixteen of these locations situated within the CPZ and two out with the CPZ.
- 3.5 The TRO was made in terms of Section 1 of the Road Traffic Regulations Act 1984. The detailed process for making a TRO is set out in the Local Authorities Traffic Orders (Procedure) (Scotland) Regulations 1999 (the “1999 Regulations”). The 1999 Regulations provide that where objections to the proposed TRO measures are received, the roads authority must consider those objections before determining whether to make the order.
- 3.6 Paragraph 86 of Appendix 6 of the Council’s Scheme of Delegation to Officers delegates authority to the Executive Director of Place to make traffic orders where there have been no more than six objections received from the public and where there have been no statutory objections. In all other circumstances, objections are referred to the relevant Committee for a decision on how to proceed. This TRO has been referred to the Committee as more than six objections have been received from the public including elected members. No objections from statutory consultees were received.
- 3.7 In these circumstances, the Committee may either:
- 3.7.1 Approve the TRO as advertised;
 - 3.7.2 Approve the TRO with minor modifications. Provided such modifications would not extend the application of the order or increase the stringency of any prohibition or restriction contained in it (Regulation 10 of the 1999 Regulations);
 - 3.7.3 Direct that a public hearing is to be held on the proposed TRO, in terms of Regulation 8 of the 1999 Regulations, chaired by an Independent Person;
 - 3.7.4 Approve making the TRO in part; or
 - 3.7.5 Refuse the TRO.

4. Main Report

- 4.1 All proposals contained in TRO/23/19 were created in response to requests made to the Council to amend existing restrictions or add new restrictions. Proposals were created in response to requests from internal and external stakeholders with each location surveyed and assessed before proposals were created.

- 4.2 No objections or comments were received in relation to proposals at fourteen locations within this report, locations include:
- 4.2.1 Warriston Terrace, Warriston Crescent, Drummond Place, Dublin Street, Union Street, St Andrew Square, Belgrave Mews, Eglinton Crescent, Young Street, Grassmarket, Polwarth Gardens, Roseneath Street, Morningside Place, and Dolphin Avenue.
- 4.3 Of the eighteen locations, ten objections were received in total relating to four locations. Seven objections were received in relation to proposals at Eildon Terrace, one objection was received in relation to the Dryden Terrace proposal, one objection was received to the Trafalgar Lane proposal, and a further single objection was received related to the West Annandale Street proposal which was subsequently removed after further clarification of the proposal was provided to the resident, with all proposals shown in Appendix 1 of this report.

Eildon Terrace Proposal Objections

- 4.4 Eildon Terrace received seven objections to the proposed amendment within TRO/23/19. One objection was received via email from Councillor Mitchell, with the other six objections received from members of the public, four of which were residents of Eildon Terrace with the other two objections from visitors to Eildon Terrace who reside in other parts of the UK.
- 4.5 The proposal shown in Map 2 of Appendix 1 for Eildon Terrace was initiated in response to a resident request from the owner of 44 Eildon Terrace in 2022. The resident at the time provided evidence to suggest that disabled visitors were having access issues to their property due to parked vehicles in the Permit Holders Only (PHO) parking place directly outside their property. Upon inspection Officers determined that this was a reasonable request and initiated proposals to remove a section of PHO and replace this with a 24-Hour double yellow line waiting restriction.
- 4.6 It was determined that a double yellow line waiting restriction was required to prevent a vehicle parking directly in front of number 44, blocking access to and from the property given no footpath is in place directly outside. It was explained to the resident at the time that this change in restriction was not being progressed to enable vehicular access or parking on the property.
- 4.7 The proposal for Eildon Terrace was first requested in 2022 with the proposal subsequently added to a CPZ changes report. In between the proposal being created initially and the second stage statutory public consultation taking place there has been developments in relation to the ownership of 44 Eildon Terrace with the property changing ownership over this period.
- 4.8 During the recent advertising stage of the TRO consultation process and after enquiries were received by Officers from local residents it came to light that the resident who initiated the original proposal quickly implemented a dropped kerb driveway after initial conversations with Officers in 2022 without Council knowledge

or having the appropriate planning consent and the required dropped kerb permit application for the work to be undertaken in place.

- 4.9 Parking Control Officers initiated a further investigation with Council Roadworks Co-Ordination colleagues who advised whilst the work undertaken was of a decent standard, no formal process had been followed with no appropriate permit in place for the works. Concerns were raised by Officers of both departments that the driveway position could be potentially hazardous given the poor lines of sight for both the property owner and other road users including pedestrians when vehicles are entering or exiting the driveway due to the position of the boundary hedge.
- 4.10 Officers from the Council's Roadworks Co-Ordination team have advised that they will contact the resident who purchased the property and is parking on the property. The resident will be advised that at this time the dropped kerb driveway is not recognised as official and therefore there is no authority to cross the existing Permit Holders Only parking bay to park their vehicle on the property.
- 4.11 For the reasons listed above and considering the proposed 24-hour waiting restriction originally proposed is no longer a suitable restriction, even if in time the dropped kerb driveway is recognised as official in future. The proposed 24-hour double yellow line proposal is not fit for its original intended purpose, and it is recommended this location should be abandoned and removed from TRO/23/19. It is standard practice for the Council to maintain access to a dropped kerb driveway within a CPZ by adding a single yellow line waiting restriction and not a 24-hour double yellow line, which may be supplemented with a non-enforceable Access Protection Marking (APM).
- 4.12 If in future Council colleagues in both Planning and Roadworks Co-Ordination departments agree that permission is granted for the property owner of 44 Eildon Terrace to utilise a dropped kerb, at this time Parking Controls Officers would look to alter the existing TRO. The request would be for a single yellow line restriction however as this is normal procedure in such circumstances and this approach has been applied and agreed at other locations within this report and across the city.

West Annandale Street Proposal Objection

- 4.13 The proposal for West Annandale Street shown in Map 4 of Appendix 1 received one objection, which has been subsequently removed after clarification of the proposal was provided to the objector. The objection was received by a local resident who Officers had initiated the request for originally. The TRO seeks to retrospectively amend the TRO and solidify the existing on street arrangement which is not reflected in the existing TRO. The parking bay which was suspended on street and subsequently replaced with a single yellow line restriction to maintain access to 24 West Annandale Street is not being brought back, and therefore it is recommended this location is progressed.

Dryden Terrace Proposal Objection

- 4.14 The proposals for Dryden Terrace shown in Map 5a and 5b of Appendix 1 received a single objection from a local resident. The objection highlights concerns relating to a single lost resident space outside number 4 Dryden Terrace to accommodate access to a dropped kerb.
- 4.15 The resident of number 4 Dryden Terrace contacted Officers to enquire about having a section of parking bay removed from outside their property to maintain access to a dropped kerb outside their property.
- 4.16 After discussions with Roadworks Co-Ordination colleagues, it was determined that the dropped kerb had been in place for many years, and although not utilised before, the dropped kerb at this location was suitably created historically in accordance with legislative requirements at the time and remains built to the required standard. For this reason and as a dropped kerb can be utilised for a variety of reasons, not simply to allow vehicular access to a driveway, Officers were satisfied with this proposals suitability. Whilst the objection makes reference to the property owner of number 4 parking their vehicle over the single yellow line, it should be noted that any parking contravention noted by Parking Attendants during the hours of operation will lead to appropriate enforcement action being taken.
- 4.17 The objection questioned the Council's right to suspend the required section of Permit Holders Only parking bay and replace this restriction with a single yellow line in advance of the completed TRO process.
- 4.18 The existing Controlled Parking Zone Traffic Regulation Order which covers Dryden Terrace states that, even where the Order is amended retrospectively, a single yellow line is an enforceable restriction in the interim and is to be installed as the default restriction when any area of a Controlled Parking Zone is suspended. The following extract from the Order explains this:
- 4.18.1 "Any person suspending the use of a parking place or loading place or any part thereof in accordance with the provisions of paragraph (a) of this Article, shall place or cause to be placed, in or adjacent to that or any part of that parking place or loading place, which is suspended, a traffic sign or signs indicating that waiting by vehicles is prohibited."
- 4.19 A single yellow line is legally regarded as a traffic sign and the Controlled Parking Zone entry plates state the times that the restriction operates, and Officers are satisfied the objection should be set aside.

Trafalgar Lane Proposal Objection

- 4.20 The single objection to the Trafalgar Lane proposal shown in Map 17 of Appendix 1 was received from a resident of Trafalgar Lane and stated parking was already difficult enough and the proposal would make things more difficult. This proposal was created in response to a request from Harbour Homes where it was highlighted to officers that access to bin stores was being impeded by parked vehicles. Inspections verified this was the case and this proposal seeks the introduction of 24-hour waiting restrictions and prohibits the ability to park over the bin stores entrance, enabling the collection of waste by refuse collection vehicles and

therefore officers recommend this objection is set aside with the proposal progressed as planned.

5. Next Steps

- 5.1 The Council has complied with the legal requirements of the TRO process to date and Committee can therefore proceed to determine whether to make the TRO.
- 5.2 The objections have been considered and outlined above. Officers consider the range of inherent benefits associated with incorporating these changes outweigh the number of issues raised, as detailed in this report. The TRO proposed amendments at eighteen locations across the city with objections received regarding four locations, with it recommended to proceed with the proposals at all locations with the exception of Eildon Terrace.
- 5.3 The Council's other legal duties and other relevant determining issues are considered and discussed below in sections seven to nine of this report. The proposed TRO is considered to comply with the Council's legal duties. Officers consider the other determining issues to support the making of this TRO.
- 5.4 Having considered the objections received and all the other determining issues, it is recommended that Committee:
 - 5.4.1 Set aside the nine remaining representations; and
 - 5.4.2 Make TRO/23/19 as advertised with the removal of the Eildon Terrace proposal.

Implementation

- 5.5 If the report recommendations are approved, a permanent TRO will be made. Once the TRO has been made, then arrangements would be made to have the restrictions introduced or amended on-street, though not all TRO/23/19 proposals require on-street works. It is anticipated that the changes proposed by the Order will begin to be implemented as quickly as possible.

6. Financial Impacts

- 6.1 There will be costs involved in processing TRO/23/19 and introducing restrictions to the associated locations. These costs will be met through the existing Parking Operations budgets.

7. Equality and Poverty Impact

- 7.1 In addition to complying with its duties under the 1984 Act and 1999 Regulations, in determining the TRO and RSO, Committee must have due regard to the Council's public sector equality duty, in terms of section 149(1) of the Equality Act 2010, to the need to:

- 7.1.1 Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- 7.1.2 Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- 7.1.3 Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 7.2 The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation.
- 7.3 The [City Mobility Plan](#) (CMP) sets out Edinburgh's strategic framework for achieving sustainable and effective mobility across the city, with policy measure Movement 34 focused on parking controls: 'Extend the coverage and operational period of parking controls in the city to manage parking availability for the benefit of local residents and people with mobility difficulties'.
- 7.4 The 2019 CMP had an Integrated Impact Assessment (IIA) undertaken, and in December 2023 a 'Delivering Actions For Parking – Supporting Information: Controlled Parking Zones' IIA was finalised as part of the broader CMP Implementation Plan. The [CMP](#) and the [Controlled Parking Zones](#) IIAs are published and publicly available on the Council's website. The Controlled Parking Zones IIA assesses impacts on myriad service users associated with expanding Controlled Parking Zones. The Controlled Parking Zone IIA identifies the following positive impacts:
 - The ability to keep streets clear of hazardous parking enabling the safe flow of traffic.
 - Discouraging commuter parking allows local residents to park closer to their homes.
 - Improved air quality within Edinburgh makes the city a more pleasant place to work particularly for those working outdoors.
 - Waiting or loading restrictions can help discourage private car use while encouraging the use of public transport as well as walking, wheeling and cycling.
- 7.5 Negative impacts that the IIA noted included the introduction of Pay and Display and Permit Holder Only parking bays would incur cost to existing residents who wished to purchase a permit or park their vehicle in new CPZ bays. Costs would also be experienced by trades workers, carers, delivery vehicles and visitors.
- 7.6 Mitigation measures include:
 - 7.6.1 That low emission vehicle owners are entitled to a reduced permit price with more polluting vehicles paying more; and
 - 7.6.2 That Blue Badge holders can:
 - 7.6.2.1 Park free of charge in Pay and Display bays and Shared Use bays;
 - 7.6.2.2 Apply for a free resident's permit; and

7.6.2.3 Apply for double the amount of visitor parking permits usually allocated to other residents, at half the standard price.

7.7 A further [Waiting and Loading Restriction](#) IIA identified the following positive impacts, which are directly enabled through TRO/23/19:

- The ability to keep streets clear of hazardous parking always enabling the safe flow of traffic and access improvements.
- Waiting or loading restrictions can help discourage private car use while encouraging the use of public transport as well as walking, wheeling, and cycling. Improved air quality [resulting from parking restrictions/management] within Edinburgh makes the city a more pleasant place to work particularly for those working.
- Improved air quality also greatly helps children and young people, as poor air quality can damage lung development and can result in breathing conditions such as asthma.

7.8 Potential negative impacts to disabled people were identified in the waiting and loading restriction IIA associated with parking restrictions, however, these are offset by the Council enabling Blue Badge holders to park free of charge and without time limit on yellow lines as long as they are not causing an obstruction to vehicle flow at that location or parking where loading prohibitions are in place at specified times. The recommendations of this report are deemed to protect our most vulnerable road users.

8. Climate and Nature Emergency Implications

8.1 As a public body, the Council has statutory duties relating to climate emissions and biodiversity. The Council must comply with:

8.1.1 Section 44 of the Climate Change Act 2009 (as amended by the (Emissions Reductions Targets) (Scotland) Act 2019), by exercising its functions in a way: Best calculated to contribute to the delivery of emissions reduction targets; Best calculated to deliver adaption programmes made under that Act; and

8.1.1.1 That they consider most sustainable.

8.1.1.2 Section 1 of the Nature Conservation (Scotland) Act 2004, in exercising its functions, to further the conservation of biodiversity so far as it is consistent with the proper exercise of those functions”.

8.1.1.3 The City of Edinburgh Council declared a Climate Emergency in 2019 and committed to work towards a target of net zero emissions by 2030 for both city and corporate emissions and embedded this as a core priority of the Council Business Plan 2023-27. The Council also declared a Nature Emergency in 2023.

- 8.2 As part of the City Mobility Plan a [Strategic Environmental Assessment](#) was carried out, which concluded that the cumulative impacts of managing private car use and reducing commuting by private car travel, as enacted through parking controls proposed in this report, would have a positive impact on reducing environmental impact and responding to climate change.
- 8.3 The outcome of this TRO will allow proposals to progress and continue to be implemented which in turn is intended to positively support environmental and climate change requirements.

9. Risk, policy, compliance, governance and community impact

- 9.1 The amendments promoted by TRO/23/19 are aligned to and strengthen the recent parking policy whilst also helping support the Council's [City Mobility Plan](#) policy Movement 34 focused on parking controls.
- 9.2 TROs are required to enable enforcement of parking restrictions, alongside appropriate road markings with accompanying signage. This process includes a pre-TRO consultation period, followed by a statutory consultation period.

Traffic Regulation Order Statutory Consultation

- 9.3 The legal processes associated with TRO/23/19 have been conducted in accordance with statutory requirements, including consultation with statutory bodies, Community Councils and local resident and amenity groups.
- 9.4 Formal advertisements of traffic orders to the general public are communicated online, and via local press which explains their opportunity to object or support the proposals. Comments received from the public are taken into consideration before determining whether to proceed with or abandon any proposals.
- 9.5 Ahead of the statutory TRO consultation commencement street notices were erected on street lighting at the entrance to all proposed locations.
- 9.6 There is no requirement to send letters to individual property owners as part of the TRO process.

10. Background reading/external references

- 10.1 [City Mobility Plan 2021-2030](#)
- 10.2 [Integrated Impact Assessment - Delivering Actions for Parking – Controlled Parking Zones](#)
- 10.3 [Integrated Impact Assessment – Delivering Actions for Parking - Waiting and Loading Restrictions](#)

11. Appendices

Appendix 1 – TRO-23-19 Copy of Advertised Proposals

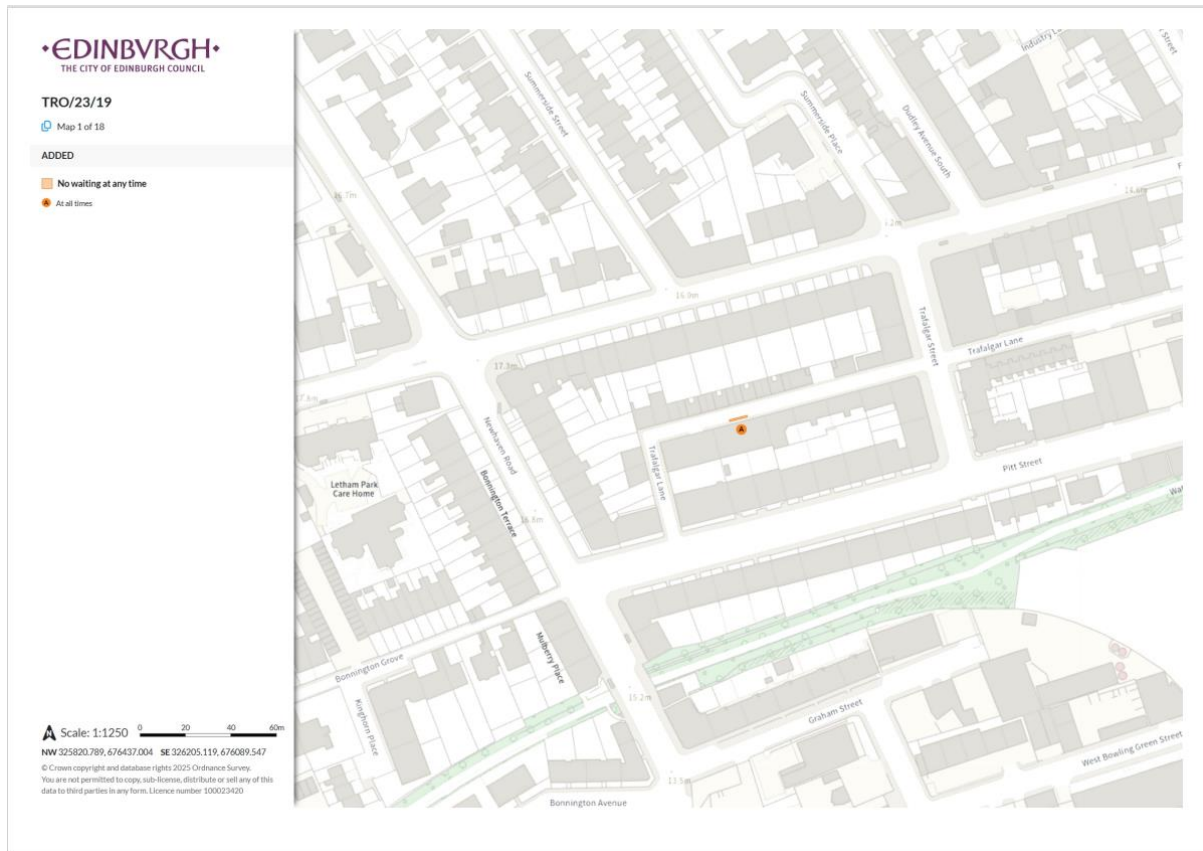
Appendix 2 – TRO-23-19 Objection Detail and Consultation Data - All Locations

Appendix 3 – TRO-23-19 Copy of Advertisement

Appendix 4 – TRO-23-19 Copy of Draft Order

Appendix 1 - TRO-23-19 Copy of Advertised Proposals

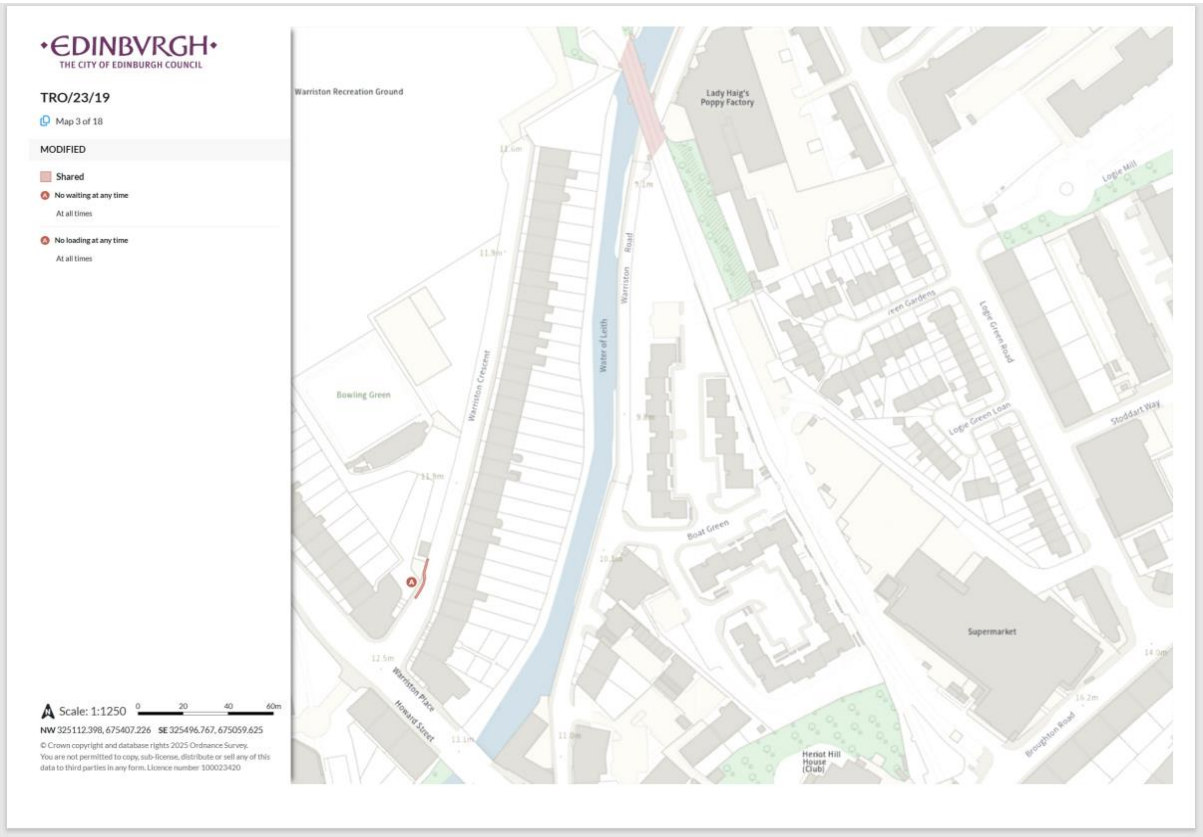
Map 1 – Trafalgar Lane



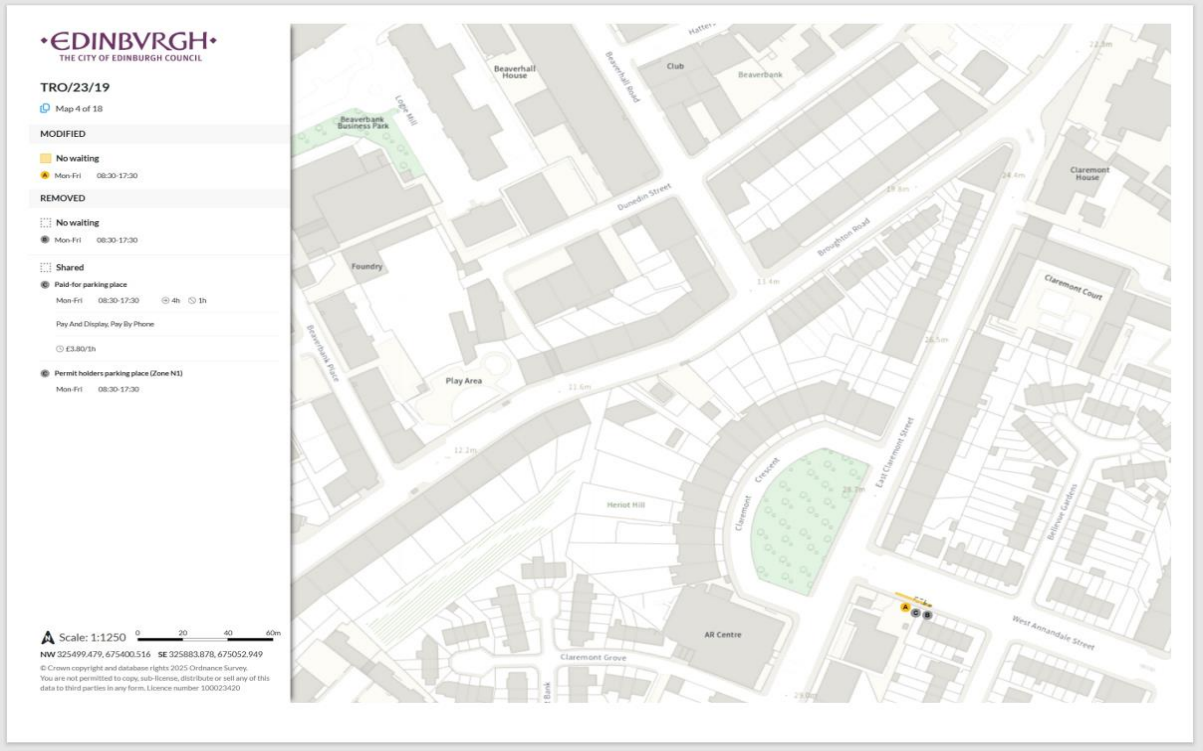
Map 2 – Eildon Terrace / Warriston Warriston Terrace



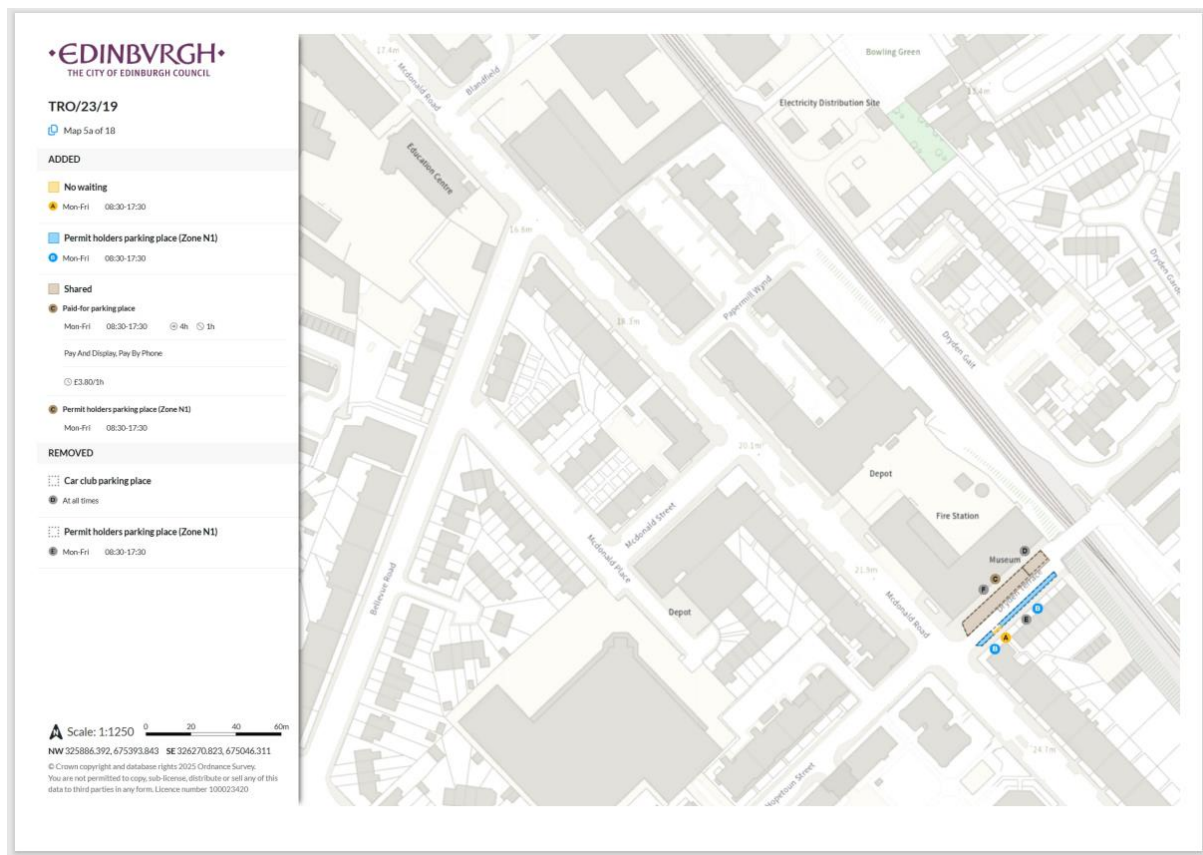
Map 3 – Warriston Crescent



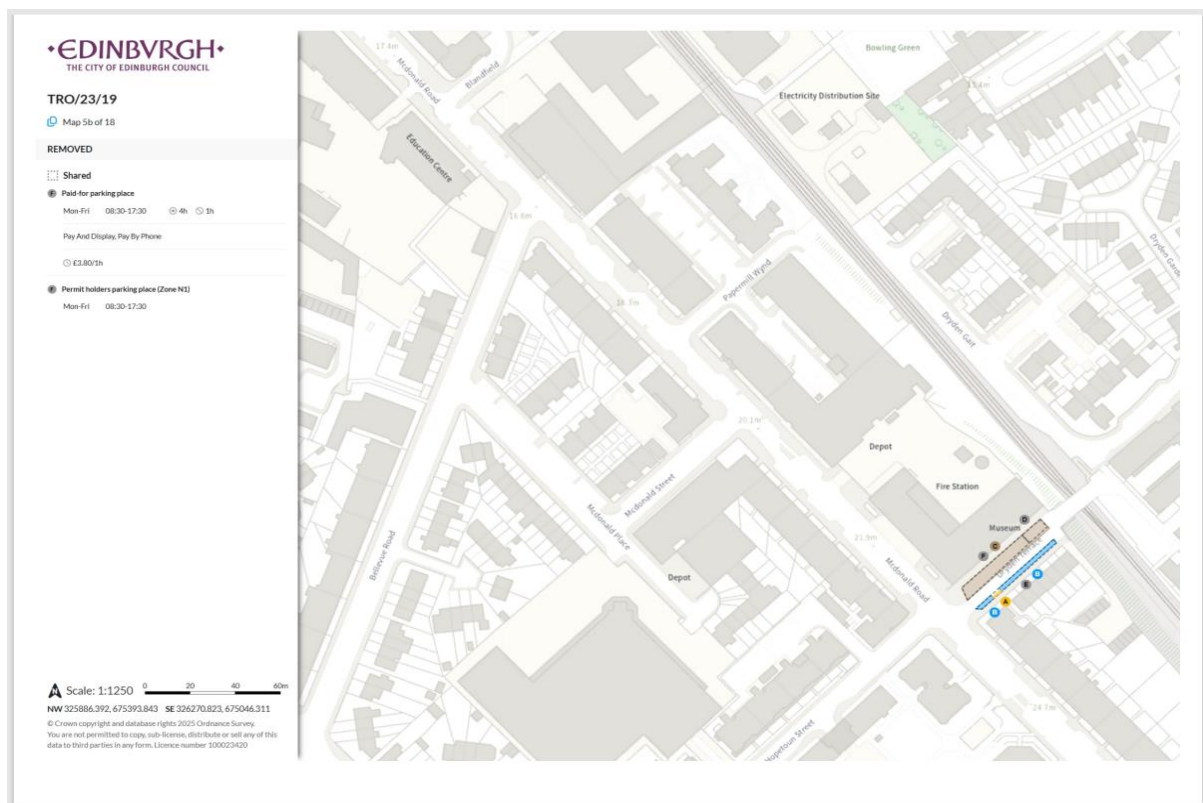
Map 4 – West Annandale Street



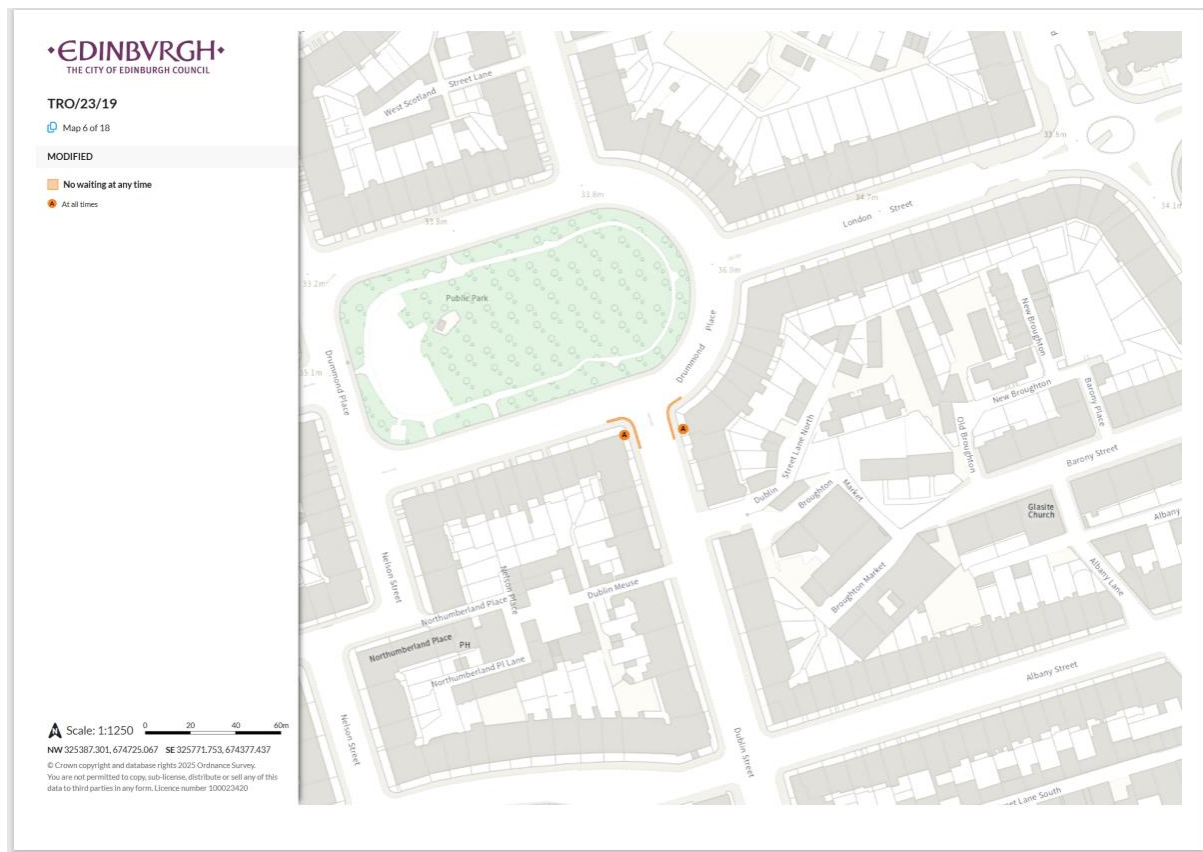
Map 5a - Dryden Terrace



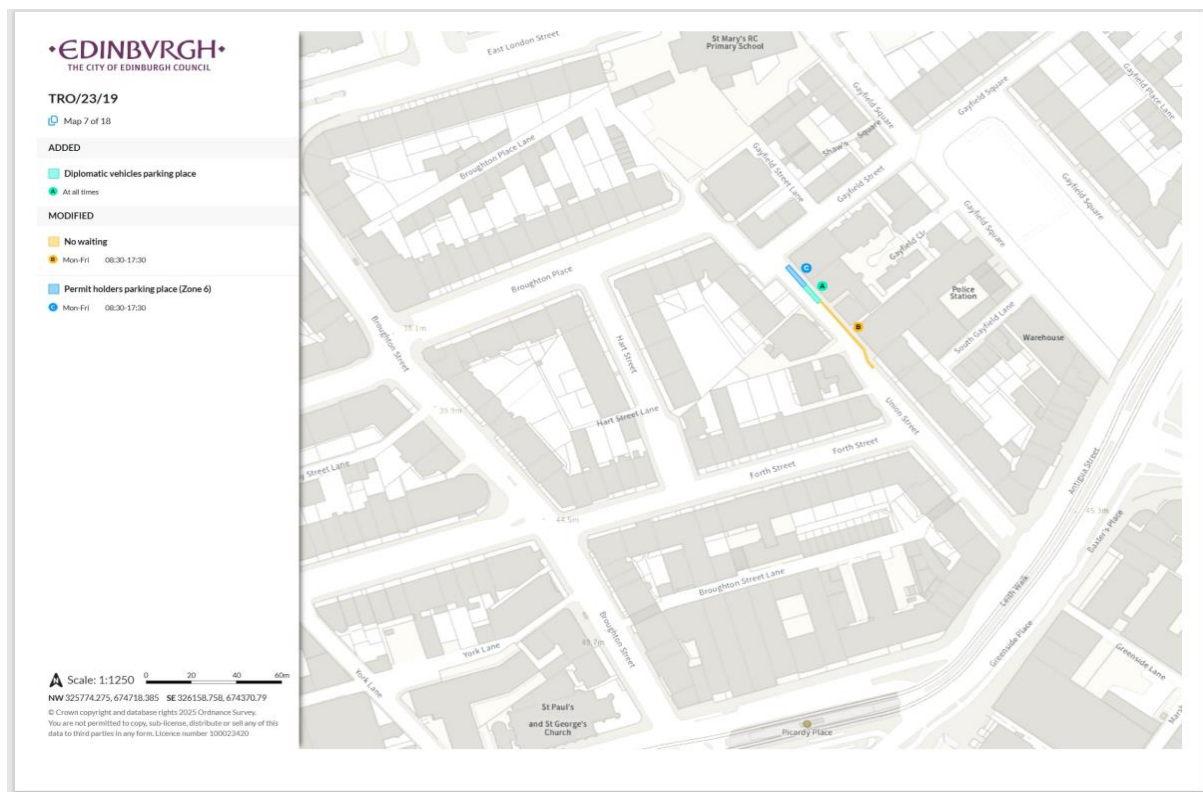
Map 5b – Dryden Terrace



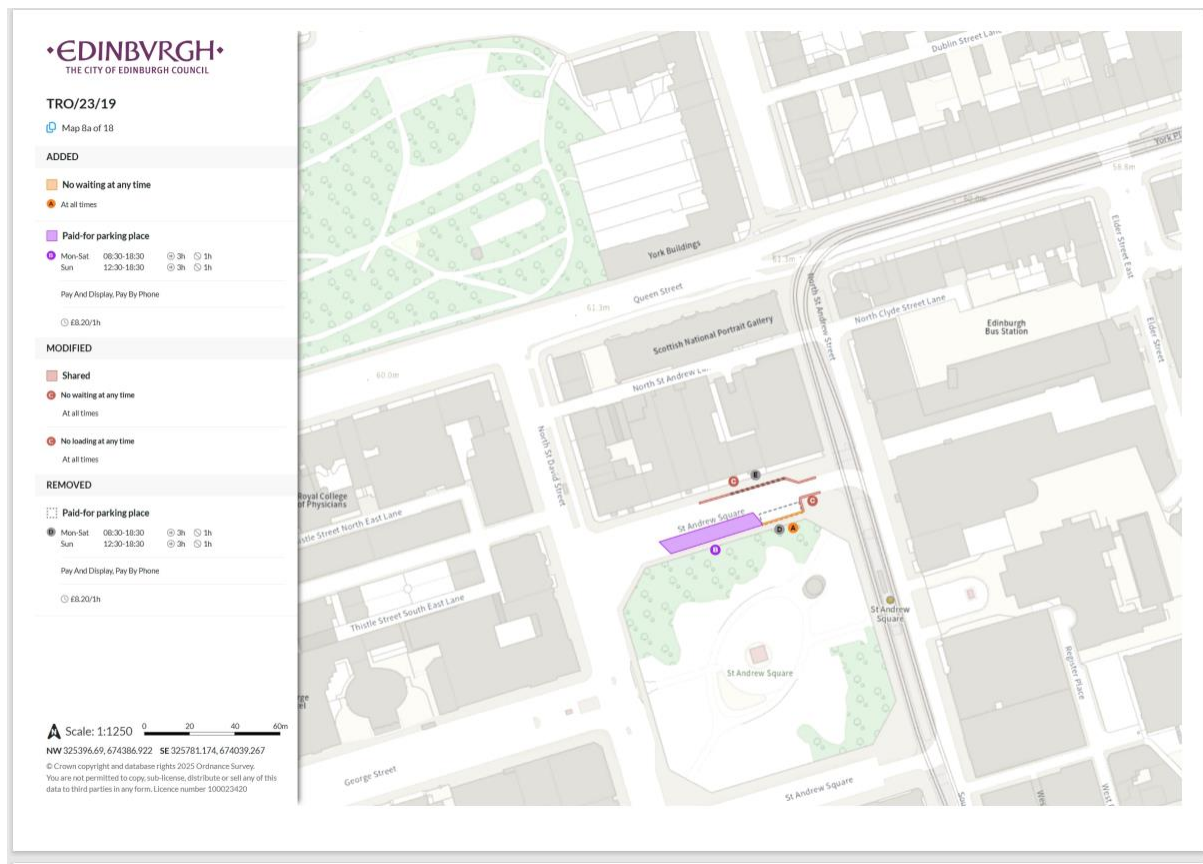
Map 6 – Drummond Place / Dublin Street



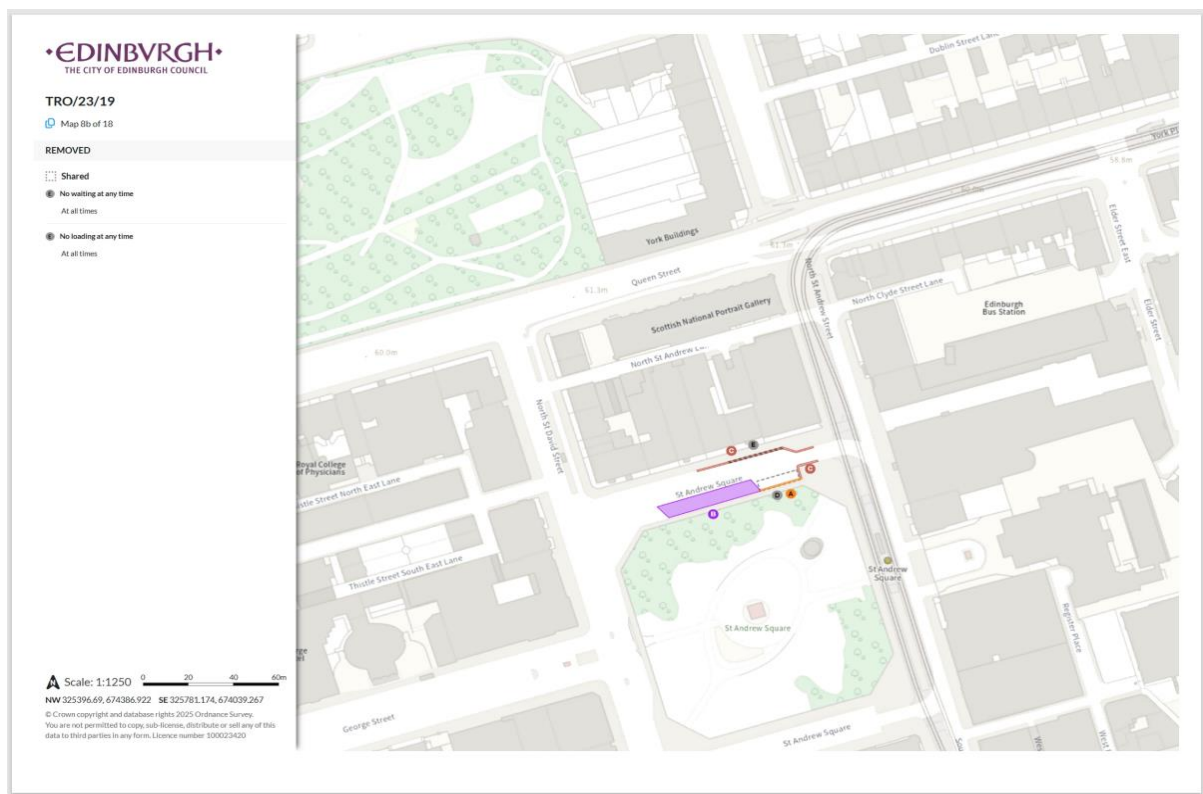
Map 7 – Union Street



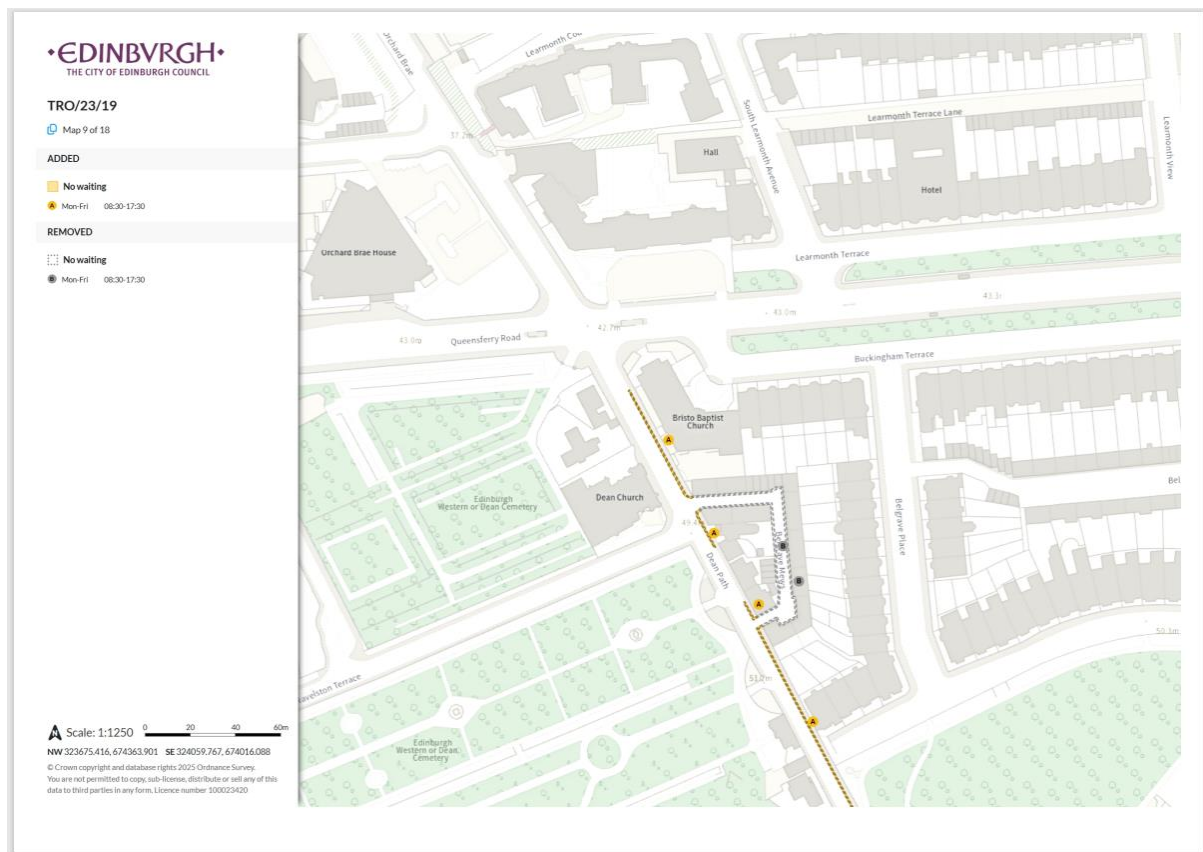
Map 8a – St Andrew Square



Map 8b – St Andrew Square



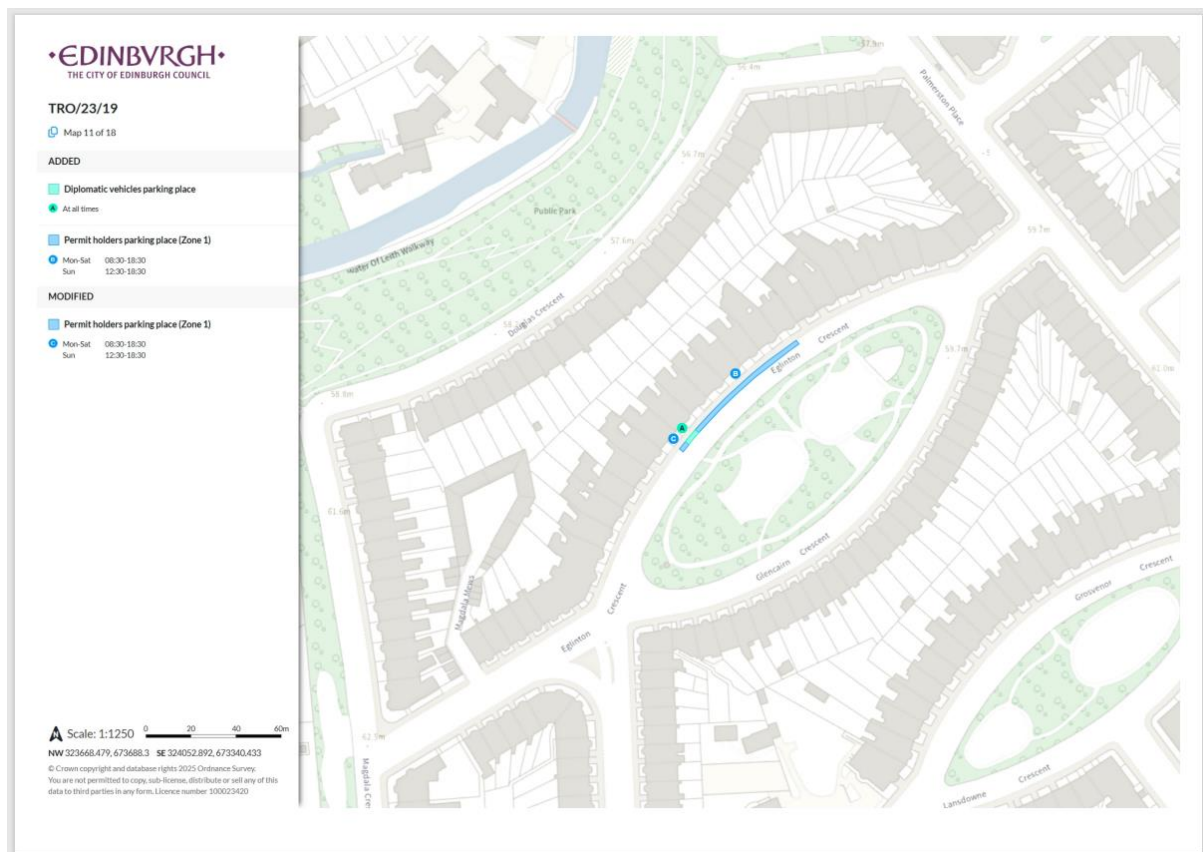
Map 9a – Belgrave Mews



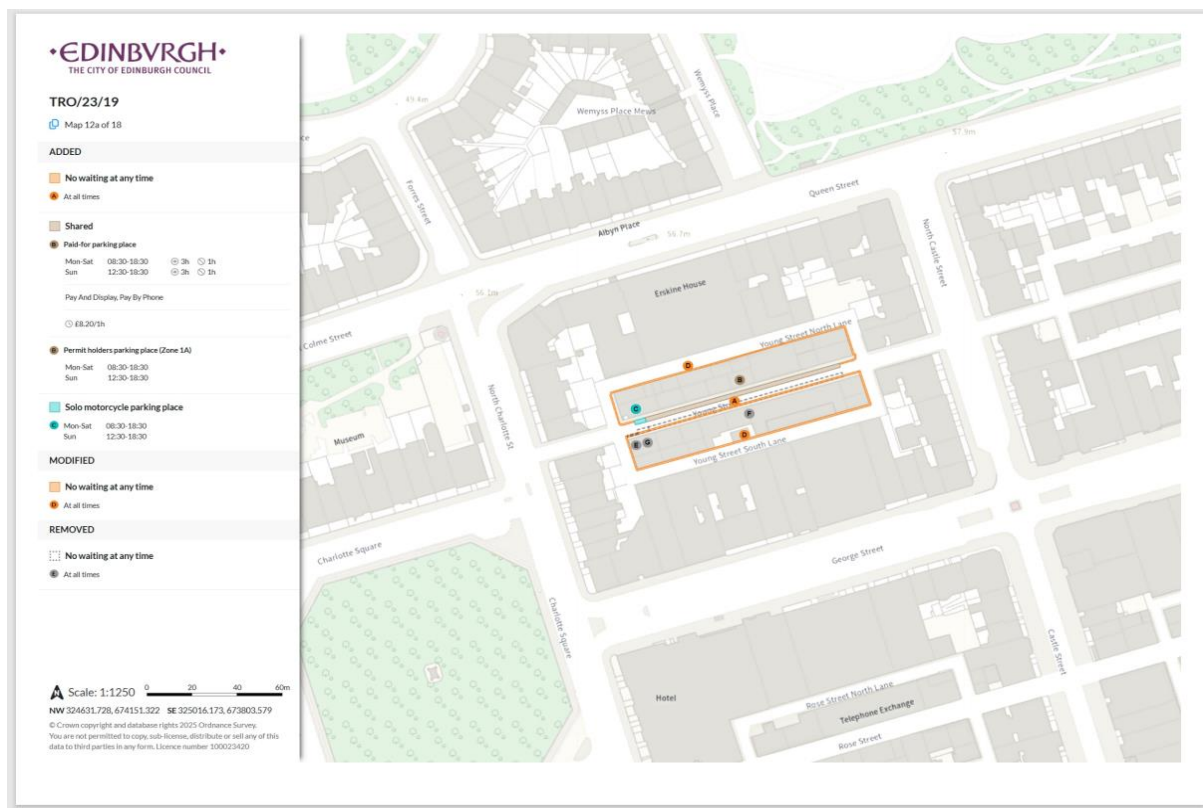
Map 10a – Belgrave Mews (additional map showing DYL from Belgrave Mews)



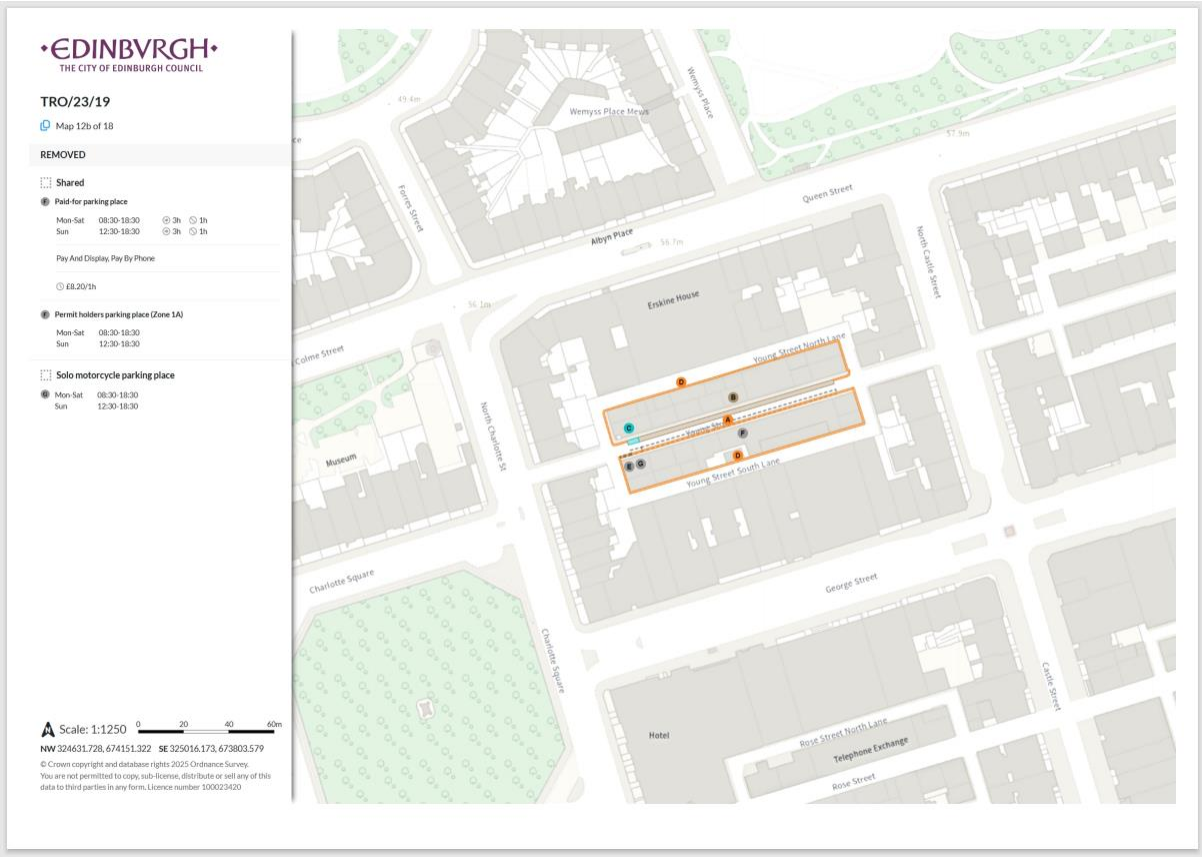
Map 11 – Eglinton Crescent



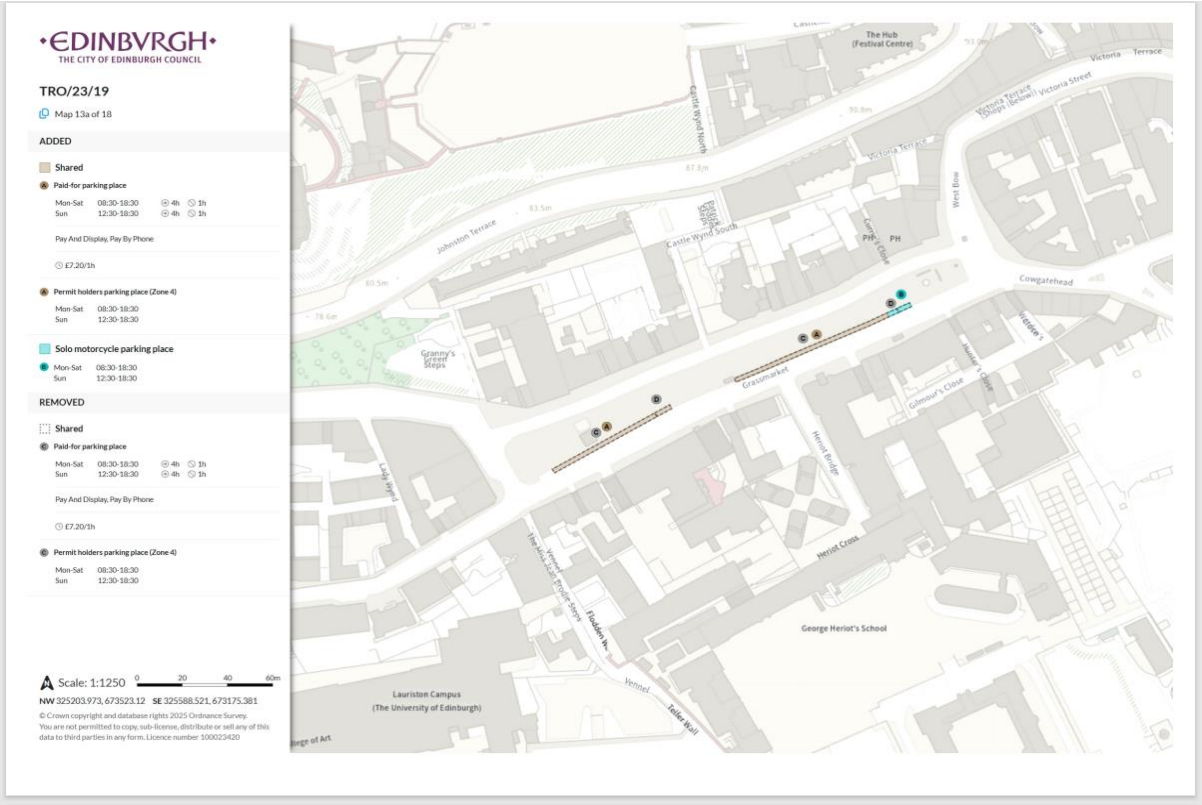
Map 12a – Young Street



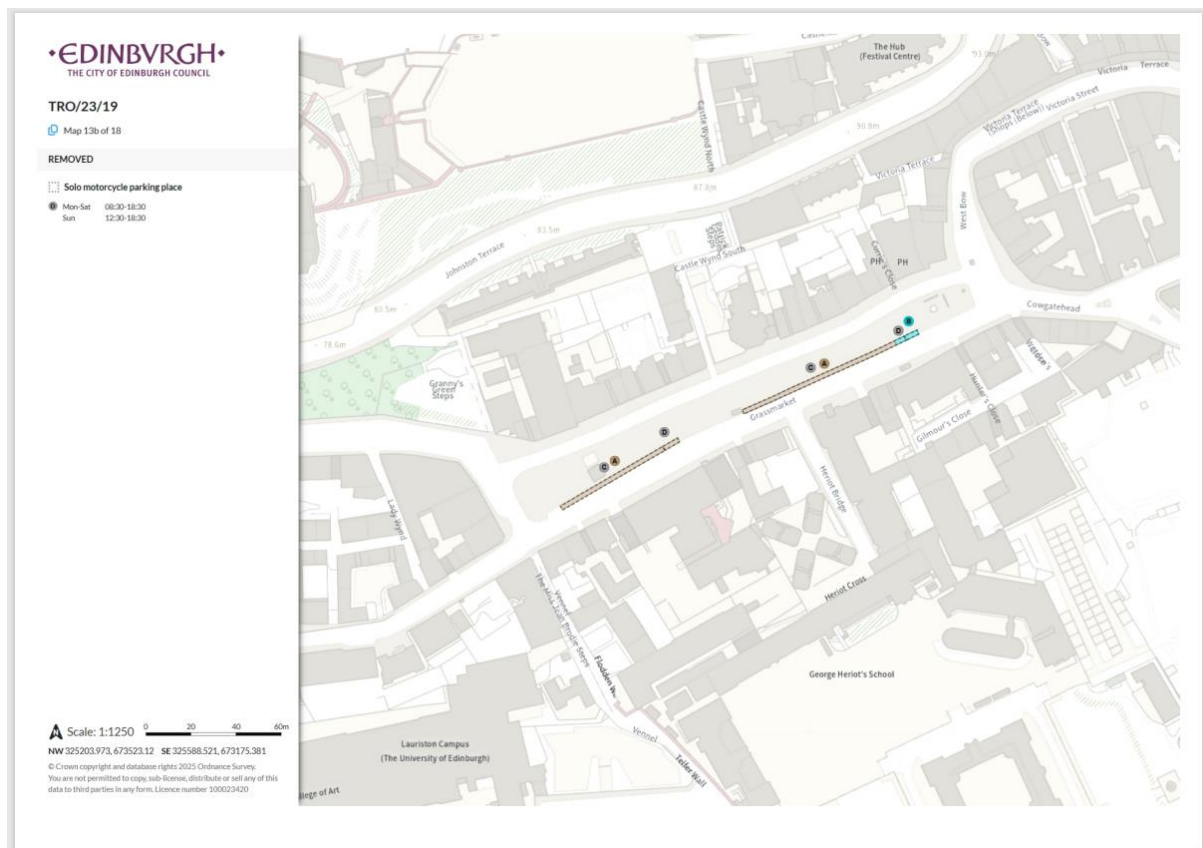
Map 12b – Young Street



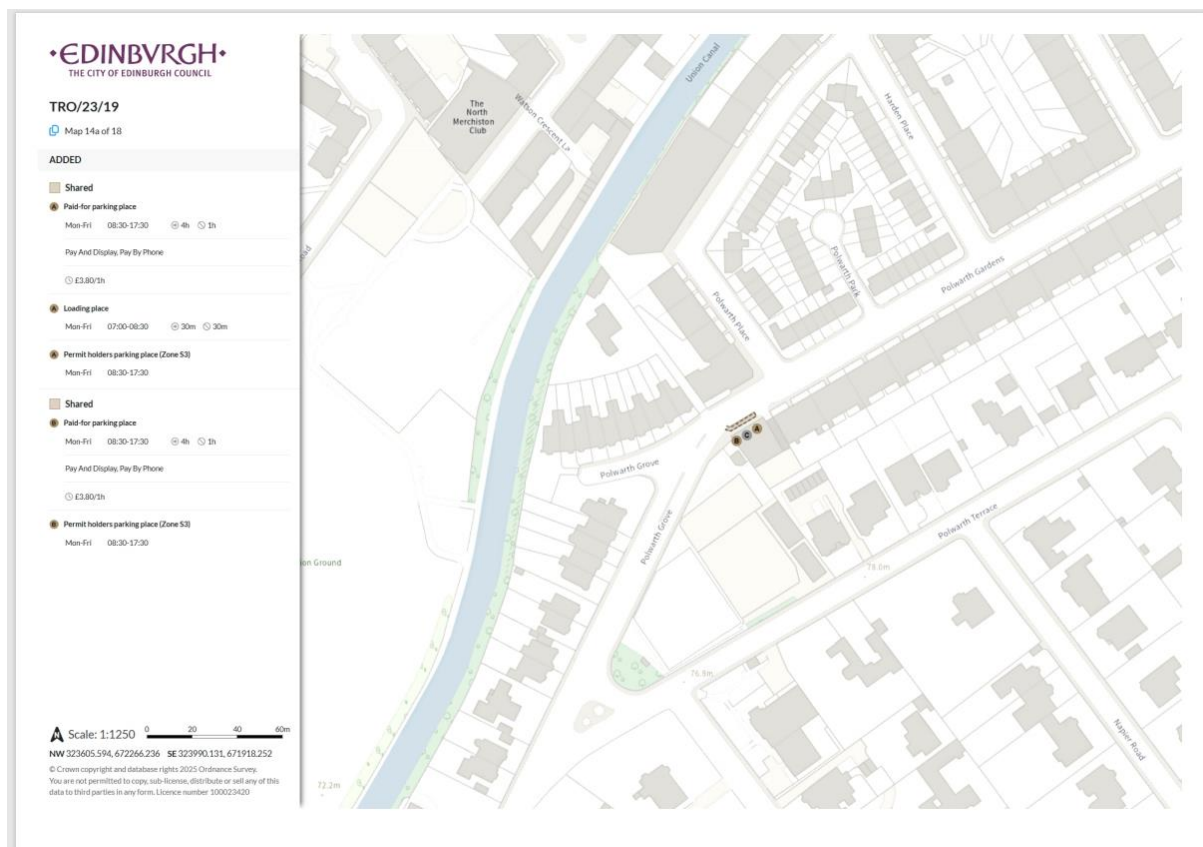
Map 13a – Grassmarket



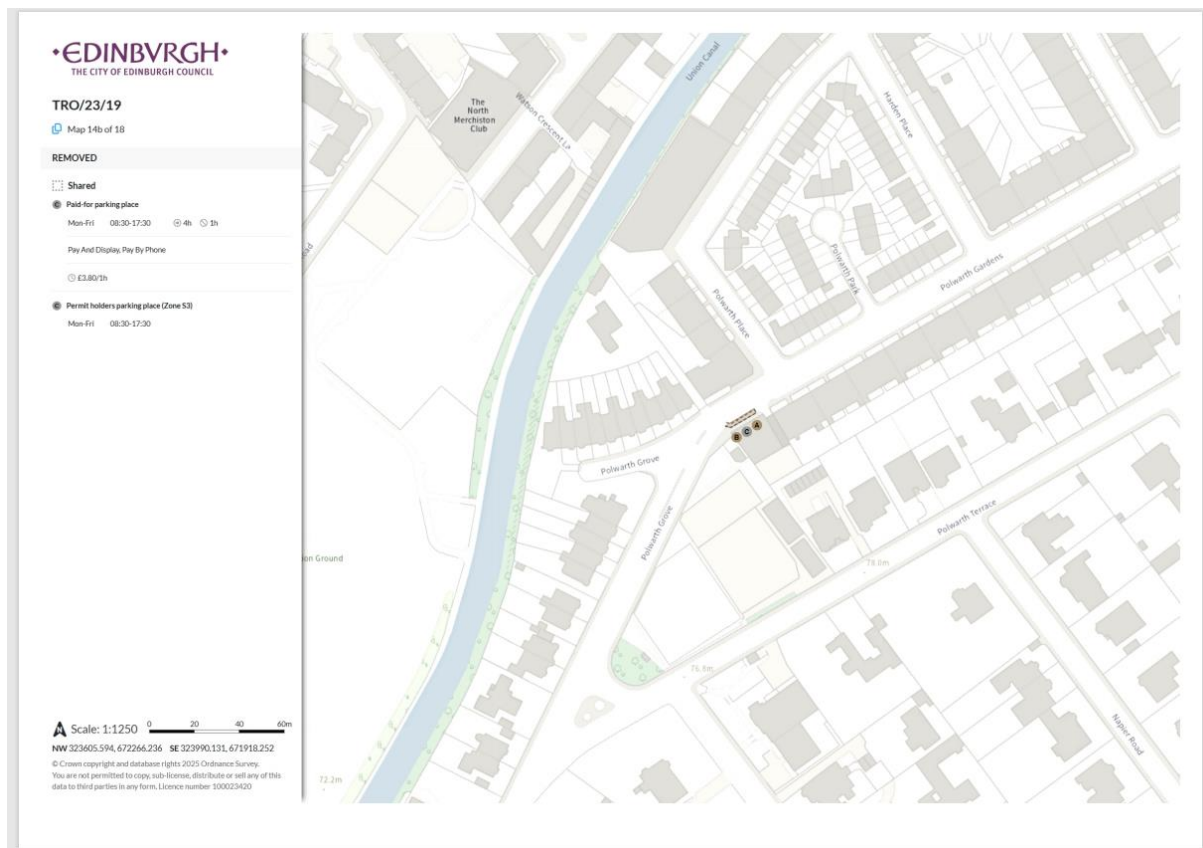
Map 13b – Grassmarket



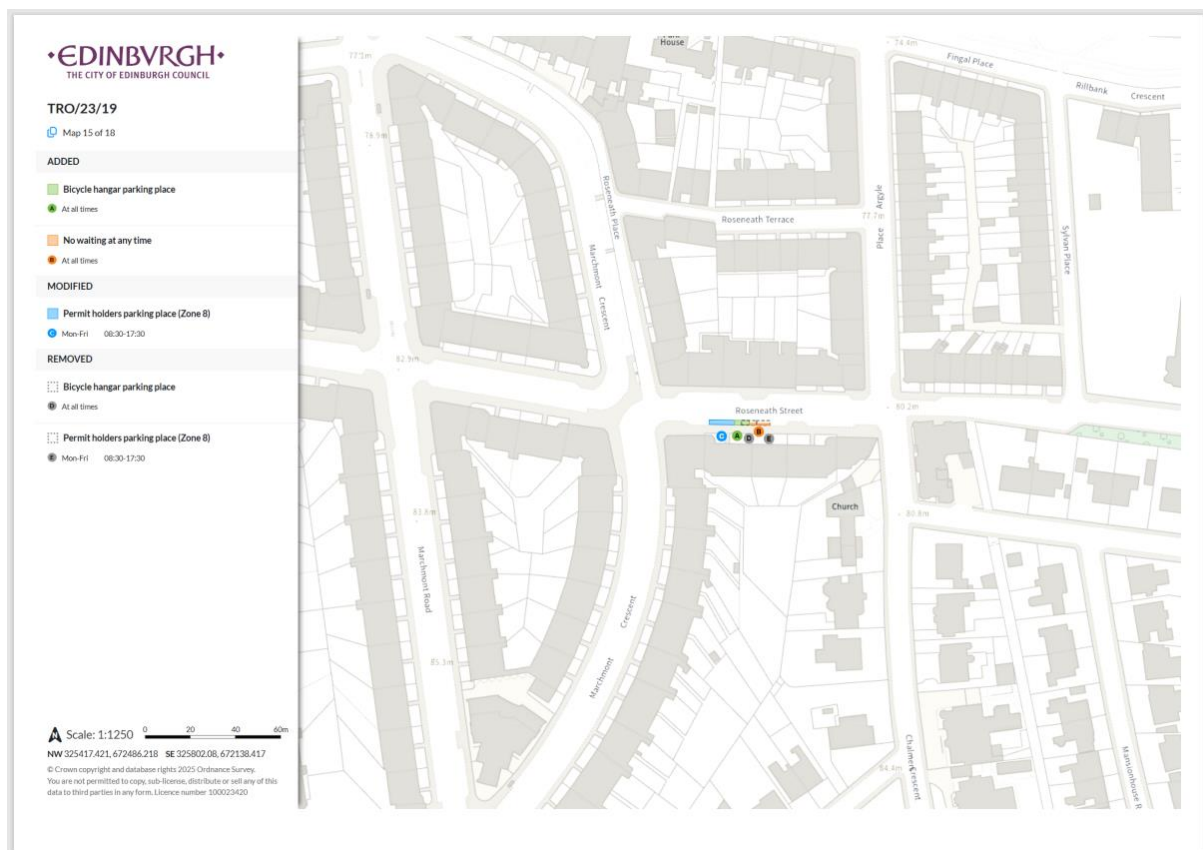
Map 14a – Polwarth Gardens



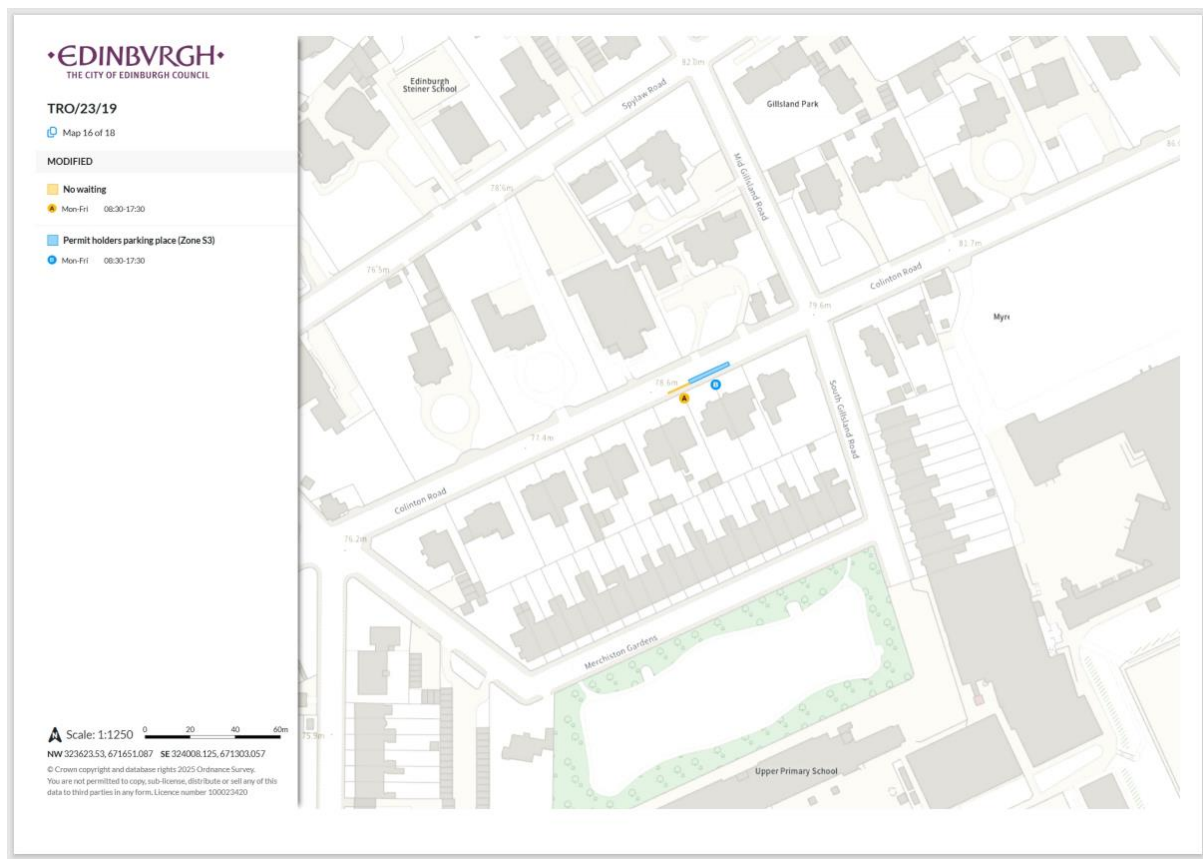
Map 14b – Polwarth Gardens



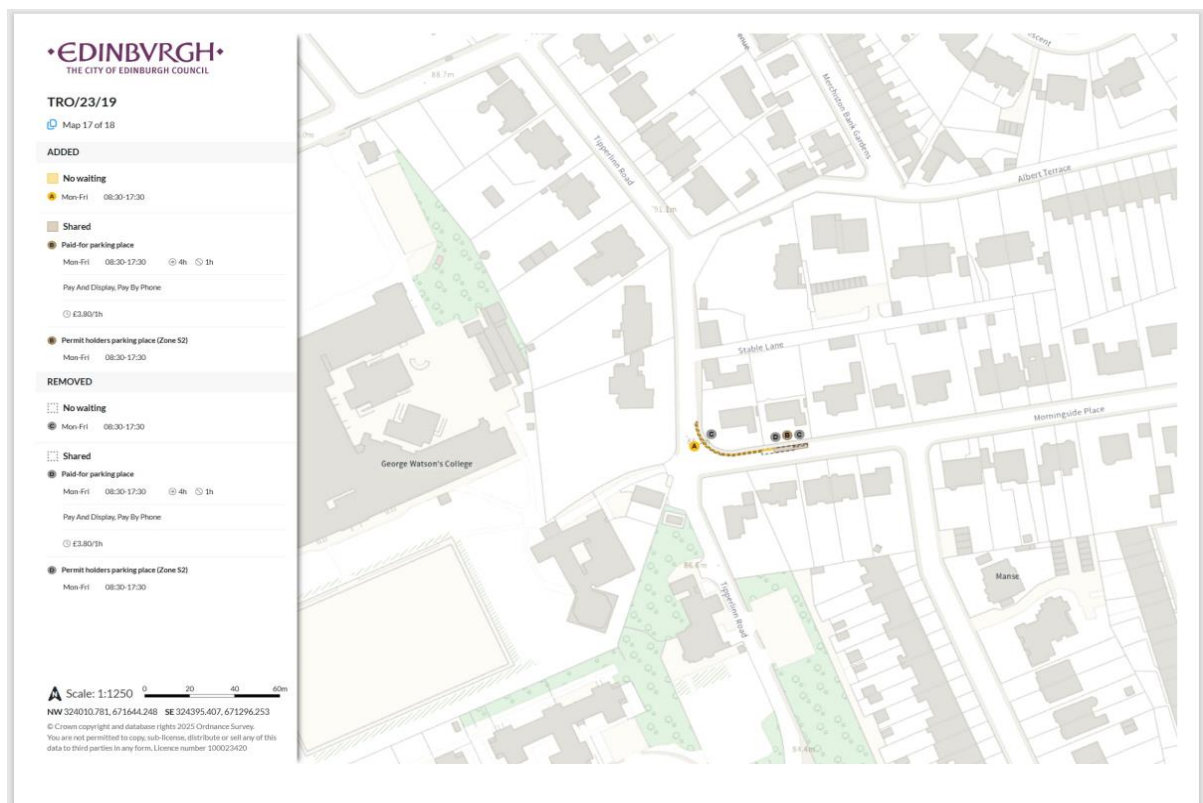
Map 15 – Roseneath Street



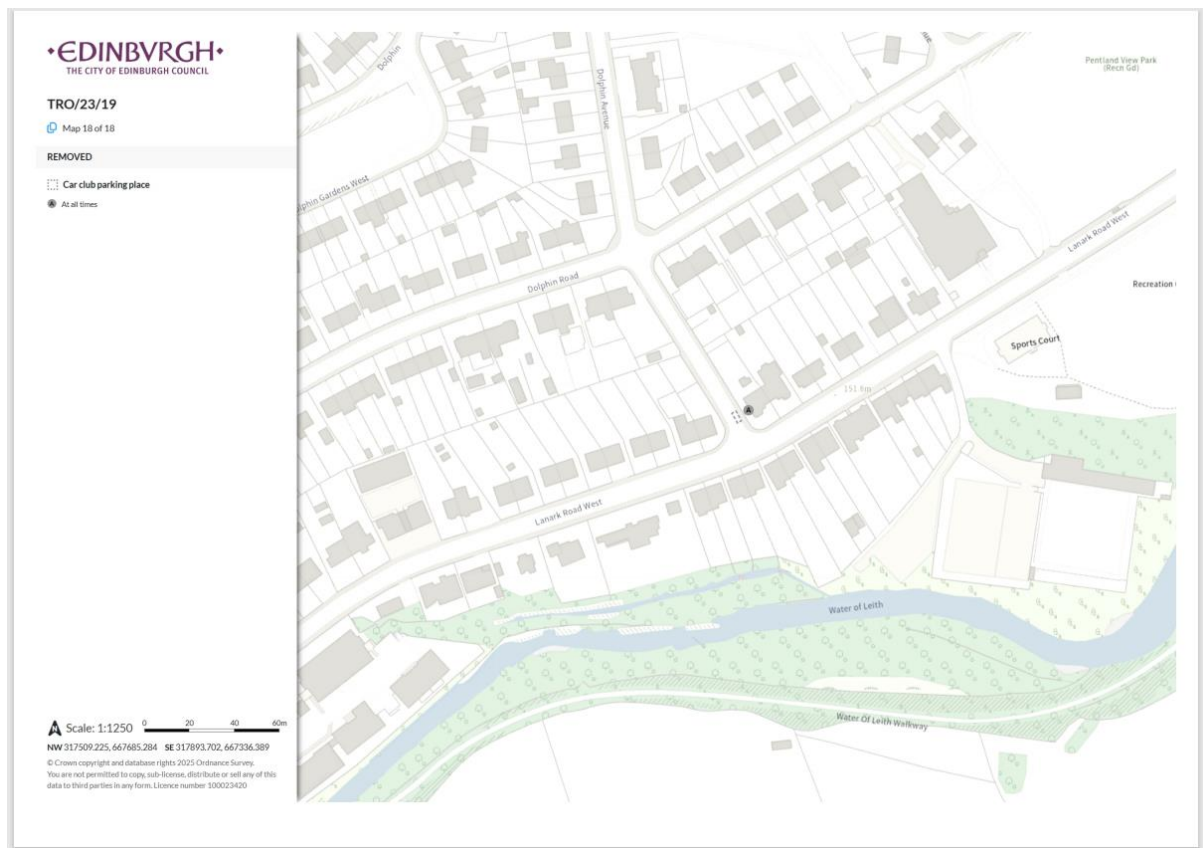
Map 16 – Roseneath Street



Map 17 – Morningside Place



Map 18 – Dolphin Avenue



Appendix 2 - TRO-23-19 Main Objection Themes and Consultation Data

TRO/23/19 – Eildon Terrace - Main Objection Themes

Theme ref	Objection Theme	Response	Action	No of Objections
1	Loss of resident parking space	The Council proposes to remove this proposal in light of new information	N/A	1, 2, 3, 4, 5, 6, 7
2	The dropped kerb at number 44 Eildon Terrace is illegal	The Council is aware of the status of the dropped kerb upon further investigation	N/A	2, 3, 6, 7

TRO/23/19 – Eildon Terrace - Full Consultation Data

Objection Number	Objection Detail
1	I don't agree to item 3 of TRO/26/19 we need these spaces for permit holders and visitors
2	I wish to object to TRO/23/19 "3. Replace a section of permit bay with a waiting restriction that operates 24-hours of each day on Eildon Ter." The reason for my objection is that my partner lives at No.46, Eildon Terrace, adjacent to the affected bay and so I am a regular visitor to her property and Eildon Terrace. I require to rely on the very limited number of metered spaces (7/8no.) and (outside of monitored hours/days) resident bays when visiting. A reduction in the number of spaces (together with a 24 hour limitation on parking and loading) would cause significant inconvenience for resident permit holders and visitors alike, who, at busy times, may require to seek to park on streets some distance away in the Inverleith / Canonmills area.

Objection Number	Objection Detail
	<p>It would appear the only beneficiary or beneficiaries of a change to the size of the parking bay are the residents of Nos. 44 and (potentially) 42, Eildon Terrace. The proposal would appear to be benefitting the needs of the few (residents of Nos. 44 & 42) over the many (principally resident permit holders and also visitors, who are likely to be displaced from the metered parking spaces by resident permit holders).</p> <p>In my opinion, the best course of action would be to simply retain the parking bay as existing and arrange reinstatement of the kerb at No.44, Eildon Terrace, whose owners are using the bay to park their car in their paved front garden, which I understand is in contravention of both their legal title deeds and the relevant Council traffic order. Reducing the size of the parking bay could further encourage the owner of No.42 to use their garden for a similar purpose (i.e. parking their car in their front garden area). It could also create an issue of precedent, where other residents may seek to reduce the public parking provision outside their properties for their own, individual benefit, reducing parking provision on the Terrace further and, if additional property owners seek to park their cars in their front gardens (whether with appropriate statutory consents or not), this would further reduce the greenspace and visual amenity of the Eildon Terrace estate.</p>
3	<p>These objections relate to TRO/23/19, Item no 3. Replace a section of permit bay with a waiting restriction that operates 24-hours of each day on Eildon Ter. Please see below for full list of objections, reasons and background information: Objections to 3. Replace a section of permit bay (in front of numbers 42 and 44 Eildon Terrace) with a waiting restriction that operates 24-hours of each day.</p> <ul style="list-style-type: none"> • This TRO relates to a request made by new owners at 44 Eildon Terrace in June 2022 but due to a three year backlog at Edinburgh Council, TRO/23/19 has not been publicly exhibited until March 2025. • I have been an N2 parking permit holder in Eildon Terrace since May 2008. We need to retain all of the existing permit spaces for residents and visitors, otherwise there will be too much pressure on remaining spaces. The above proposal 3. would remove two N2 spaces and these are the ones closest to our block of flats at number 46, so removal would severely impact our ability to park and unload close to our property.

Objection Number	Objection Detail
	<ul style="list-style-type: none"> • The owners of the house at number 44, who bought it in June 2022, immediately asked Edinburgh Council to remove these parking spaces on the basis of impeded access to their property. This was in fact a duplicitous request, as the real reason for their request was to use their front garden as a parking space and thus evade parking charges (ie buying an N2 permit) and surreptitiously try to add value to their property. The owners at 44 did not apply for planning permission and illegally lowered the kerb (council property) in August 2022 and started parking in their front garden, against our Title Deeds (Warriston Estate managed by Trinity Factors). I refer to National Archives of Scotland, Registers of Scotland, Book 16586, Folio 235, Page 2, Dated 26/4/1982: "All the ground of each lot shall so far as not occupied by buildings as aforesaid be used as ornamental or garden ground in front and at the sides..." • I made Edinburgh Council aware of this breach of planning (illegally dropped kerb) and parking regulations (an N2 space was being driven across to access 44's front garden, thus rendering this space unusable by permit holders) in August 2022 and numerous times subsequently in 2022, 2023 and 2024, by contacting both Planning and Parking departments by phone, email and via forms on Edinburgh Council's website. • I contacted our Councillor, Max Mitchell in August 2024, as there had not been a satisfactory resolution of these issues. New owners had bought 44 in 2024 and started using the front garden as a parking space (ie did not buy a parking permit and blocked our use of the N2 permit space by driving across it). [Coulter's Estate Agents, who were selling number 44 in 2024, removed details from their property particulars stating that a car space existed in 44's front garden when I made them aware that this was against Title Deeds and was removing use of an N2 space in front of the property.] Max Mitchell obtained a response from Edinburgh Council, in relation to the original request from the previous owner at 44 in June 2022, in which Edinburgh Council stated: "...the change is not being progressed as an alternative to applying for a dropped kerb...This change was not added to make the driveway available for use by vehicles."

Objection Number	Objection Detail
	<ul style="list-style-type: none"> • The kerb dropped without planning permission and against the terms of the TRO should be reinstated. The new owners at 44 from 2024 should be advised of the Title Deeds and asked to stop parking in their front garden and to buy an N2 permit. • Last month I spoke to [REDACTED], Senior Transport Team Leader at Edinburgh Council, in addition to my communications with Councillor [REDACTED], to discuss this matter and put it in proper context, as [REDACTED] was not aware of the contravening of the Original TRO request (illegally dropped kerb and use of front garden as parking space). • Please support law-abiding, long-term residents in Eildon Terrace, like myself, who are invested in our street and community, who dutifully pay for our parking permits (and Council Tax) and object to 'chancers' trying to evade Council regulations (parking and planning) and contravene Title Deeds to take advantage for themselves and cause disadvantage to their neighbors. • Cutting back two N2 parking bays would set a precedent for all residents to request such an action on the pretext of access when in fact they wish to create a parking space in their front garden. This would remove all N2 spaces (for which N2 permit holders are paying and to which we are entitled) and contravene our Title Deeds which exist to protect the attractiveness of Eildon Terrace and its front gardens. It would also detrimentally impact the Council with loss of parking permit revenue. 44 Eildon Terrace has already evaded three years of parking permits which is equivalent to over £400 (which I and others have been paying).
4	<p>I wholly object to this proposal. As a long term resident of this estate we have paid for an annual parking permit. We have very few permit only spaces in this area as the central parking area is shared with visitors and a single yellow line covers the opposite side to allow for vehicle access. This proposal would lose a further 2 spaces and also could lead to more residents applying to park in what are very small front gardens. This would lead to a further reduction in available parking and put pressure on other N2 areas.</p>

Objection Number	Objection Detail
5	<p>I wholly object to this proposal. We pay for permit parking annually and due to the layout of our street we have very few permit only places in this area as parking in the central area is shared with visitors and single yellow lines cover some of this area to allow vehicle access. This proposal would impact on more than one parking space. This also could lead to more people applying to park in their very small front gardens leading to a further loss of parking spaces.</p>
6	<p>a permit parking space could be lost as a resident has dropped the kerb without permission and is using the front garden to park their car. This goes against the general plan of Eildon Terrace and it means there's fewer spaces available. If one parks blocking the car in it could cause aggression.</p>
7	<p>I have been asked to object to this TRO. This proposed change would see a further reduction in the available space of a resident permit parking bay within Eildon Terrace. The trimming of this bay will negatively impact on residents' ability to park within their street but also negatively impact the overall space for parking within CPZ N2.</p> <p>There is also significant concern from residents around the process whereby the previous resident who lowered the kerb did not follow due process in terms of applying/paying for the kerb to be lowered and did not go via planning for clarity on the external changes to the property.</p> <p>Many thanks for your consideration</p>

TRO/23/19 – West Annandale Street - Main Objection Themes

Theme ref	Objection Theme	Response	Action	No of Objection
1	Seen to be putting back old restrictions	The Council is simply updating TRO records and the changes previously made to assist the resident are proposed to stay. Explanation provided to the resident.	Objection has been removed by thE resident	1

TRO/23/19 – West Annadale Street - Full Consultation Data

Objection Number	Objection Detail
1	<p>I don't know if I'm reading the documents correctly as they aren't clear to me what's being proposed. But from what I can see you are proposing to remove the no waiting lines outside my driveway (section B), and add in a permit holder/paid bay in section C. Firstly, please don't remove the no waiting restriction outside my driveway - if you do that people could park there and I won't be able to get my car in and out.</p> <p>Secondly, the bay that used to be between my driveway and the TA building driveway (section C) was removed not long ago. I think this was under TRO/21/12. I'd been in touch with you about this bay as it was a small bay and people parking in it don't park properly and overhang my drive which blocks me from getting my car in and out, and it's something that happens frequently. When your transport officer came out to look at the bay he said it was too small and there wasn't enough space for it and it should never have been there so he agreed to get it removed. I think it was around April 2023 it was removed. Please don't put the bay back as I'll be back to the situation where I can't get my car in and out of my drive when I need to. In the past this made me late for things like hospital appointments, and I almost missed a flight for a holiday once.</p>

TRO/23/19 – Dryden Terrece - Main Objection Themes

Theme ref	Objection Theme	Response	Action	No of Objection
1	Loss of resident's space	Explained in report	N/A	1
2	Unhappy with the retrospective TRO process	Explained in report	N/A	1

TRO/23/19 – Dryden Terrace - Full Consultation Data

Objection Number	Objection Detail
1	<p>I'm writing to formally object to TRO 23/19. Please note that I have spent an hour trying to navigate the "streets" app looking for the "proposals in consultation" option. Despite carefully following the instructions on your website I can't do this. I've found the area on the map but there is no option in the top right hand corner as suggested.</p> <p>Specifically I'm writing to object to the first part only of paragraph 6 as follows:</p> <p>6. Replace a section of permit bay with a waiting restriction and replace a car club bay by extending an existing shared use bay, both operating 8.30am-5.30pm Mon-Fri on Dryden Ter.</p> <p>For the avoidance of doubt I object to the section of permit bay which represents one parking space being replaced with a single yellow line. I support the removal of the car club which was never actually implemented in this location. I understand several hundred pounds was spent painting car club lines for them to be replaced a few months later. This</p>

Objection Number	Objection Detail
	<p>represents an entirely pointless exercise and waste of public funds of circa £500. Further to this, you have spent funds to remove a permit space which neighbours pay to use.</p> <p>I understand neighbours have written to you regarding the single line outside 4 Dryden Terrace. This has been a permit parking space for many years without issue. Recently new owners of 4 Dryden Terrace requested a single yellow line be installed over what they claim is a driveway but is actually just a path. No vehicle ever uses this driveway as it is too small for a vehicle. None of the other identical houses have a driveway. They are traditional terraced houses without a driveway.</p> <p>The council have been unable to locate any paperwork to show that the dropped kerb was installed legally. This brings its legality into question.</p> <p>I object on the basis that the permit parking space is desperately needed by neighbours including those with disabilities. This is a selfish request aimed at ensuring a clear view from one residents living room. It is not for the benefit of the majority of residents and there is no driveway there necessitating a yellow line. It's simply an entrance path where the gates have been modified in an effort to claim public space as private. The owners and requester of this line get annoyed if neighbours park legally on the yellow line outwith the restriction hours. It's a typical example of a homeowner feeling they own the street outside their home.</p> <p>It is disappointing that the Council painted the line on the road prior to any consultation. What is the point in consulting if the work has already been completed. It suggests a pre-determined outcome. If objections are genuinely heard and accepted then it means duplication of work to return it to the state it was in before. I understand this space has been in use as a permit space for a decade or more. I see no justification provided for its removal.</p> <p>Regards</p>

TRO/23/19 – Trafalgar Lane - Main Objection Themes

Theme ref	Objection Theme	Response	Action	No of Objection
1	Loss of residents space	The space is required to be maintained to keep clear to ensure the safe access to communal bins.	N/A	1

TRO/23/19 – Trafalgar Lane - Full Consultation Data

Objection Number	Objection Detail
1	We are struggling for parking spaces and there is no need for double yellows there.

Appendix 3 – TRO-23-19 Copy of TRO Advertisement

The City of Edinburgh Council (Traffic Regulation: Restrictions on Waiting, Loading and Unloading, Stopping and Parking Places) (Variation No. _) Order 202_ - **TRO/23/19**

The Council proposes to make an Order under the Road Traffic Regulation Act 1984 as amended to: **1.** Introduce a waiting restriction that operates 24-hours of each day on Trafalgar La. **2.** Reposition and resize a permit bay and adjust waiting restrictions to suit, both operating 8.30am-5.30pm Mon-Fri on Warriston Ter. **3.** Replace a section of permit bay with a waiting restriction that operates 24-hours of each day on Eildon Ter. **4.** Replace a 24-hour waiting restriction with a waiting restriction/loading prohibition that operate 24-hours of each day on Warriston Cres. **5.** Replace a shared use bay with a waiting restriction that operates 8.30am-5.30pm Mon-Fri on West Annandale St. **6.** Replace a section of permit bay with a waiting restriction and replace a car club bay by extending an existing shared use bay, both operating 8.30am-5.30pm Mon-Fri on Dryden Ter. **7.** Replace daytime waiting restrictions with waiting restrictions that operate 24-hours of each day on Drummond Pl and Dublin St. **8.** Replace a section of daytime waiting restriction with a diplomat bay that operates 24-hours of each day on Union St. **9.** Extend a waiting restriction/loading prohibition and replace a paid bay with a waiting restriction both operating 24-hours of each day, also introduce a paid bay that operates 8.30am-6.30pm Mon-Sat and 12.30-6.30pm Sun on St Andrew Sq. **10.** Remove daytime waiting restrictions from Belgrave Mews. **11.** Replace a section of permit bay with a diplomat bay that operates 24-hours of each day on Eglinton Cres. **12.** Replace a section of 24-hour waiting restriction with a motorcycle bay and a shared use bay both operating 8.30am-6.30pm Mon-Sat and 12.30-6.30pm Sun, also replace a motorcycle bay and a shared use bay with a waiting restriction that operates 24-hours of each day on Young St. **13.** Replace a motorcycle bay by extending a shared use bay and replace a section of shared use bay by extending a motorcycle bay all operating 8.30am-6.30pm Mon-Sat and 12.30-6.30pm Sun on Grassmarket. **14.** Replace a section of shared use bay with a bay that operates as a loading bay 7.00-8.30am Mon-Fri and a shared use bay 8.30am-5.30pm Mon-Fri on Polwarth Gdns. **15.** Replace a permit bay and a section of permit bay by repositioning a cycle hanger and introducing a waiting restriction, both operating 24-hours of each day on Warrender Pk Rd (Roseneath St). **16.** Replace a section of permit bay by extending a waiting restriction that operates 8.30am-5.30pm Mon-Fri on Colinton Rd. **17.** Reposition and resize a shared use bay and adjust waiting restrictions to suit, both operating 8.30am-5.30pm Mon-Fri on Morningside Pl. **18.** Remove a car club bay on Dolphin Ave. Details of the draft Order and related documents, including our privacy notice, can be viewed online at streets.appyway.com/edinburgh-city, from **21/02/2025** to **14/03/2025** by following the link to "Proposals in consultation" under reference **TRO/23/19** or at www.tellmescotland.gov.uk. Documents can also be viewed at Waverley Court Reception, 4 East Market St, Edinburgh, EH8 8BG between 9:30am & 3:30pm Mon-Fri during the same period. Objectors must complete the form found via the "Proposals in consultation" link referred to above, or state their reasons in writing quoting reference **TRO/23/19** to Traffic Orders at the above address, not later than **14/03/2025**. Objections should state the name and address of the objector. If you are responding to this consultation and your comments or objection relate to any specific location/s or element/s of the proposal, it would be helpful if you could identify them in your submission.

Appendix 4 – Copy of Draft Traffic Regulation Order (TRO/23/19)

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THE CITY OF EDINBURGH COUNCIL

THE CITY OF EDINBURGH COUNCIL (TRAFFIC REGULATION: RESTRICTIONS ON WAITING, LOADING AND UNLOADING, STOPPING AND PARKING PLACES) (VARIATION NO. _) ORDER 202_ - TRO/23/19

The City of Edinburgh Council in exercise of their powers under Sections 1(1), 2(1) to 2(3), 4(2), 32, 35, 45, 46, 49, 63 and 124 of, and Part IV of Schedule 9 to, the Road Traffic Regulation Act 1984 as amended (which Act as so amended is hereinafter referred to as "the 1984 Act"), and of all other enabling powers and after consultation with the Chief Constable in accordance with Part III of Schedule 9 to the 1984 Act, hereby make the following Order:

1. This Order may be cited as "The City of Edinburgh Council (Traffic Regulation: Restrictions on Waiting, Loading and Unloading, Stopping and Parking Places) (Variation No. _) Order 202_" and shall come into operation on the _____ day of _____ Two thousand and _____.
2. The restrictions imposed by this Order shall be in addition to and not in derogation of any restriction or requirement imposed by any regulations made under the 1984 Act or by or under any other enactment.
3. In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:

"the 2025 Order" means The City of Edinburgh Council (Traffic Regulation; Restrictions on Waiting, Loading and Unloading, Stopping and Parking Places) Designation and Traffic Regulation Order 2025.
4. Designation of parking places and loading places and application of the 2025 Order thereto.
 - 1) Each area on a road identified in the map schedule and map schedule legend as a parking place, or loading place and as an area marked out and signed for the use therein of specified classes of vehicles following the conditions specified in the 2025 Order in relation to that type of parking place or loading place, is designated as a parking place, or as the case may be, a loading place.
 - 2) Unless otherwise so identified, a parking place or a loading place shall be bounded on one side of its length by the edge of the carriageway and be an area marked either by a traffic sign or by another method of indicating the extent of a parking place or loading place as specified in the Traffic Signs Regulations and General Directions 2016.

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3) The provisions of the 2025 Order (other than Articles 3-1 and 7-1) shall apply to an area designated as a parking place by this Order as if in those provisions any reference to:

- a) a parking place included a reference to an area designated as a parking place by this Order, and
- b) a loading place included a reference to an area designated as a loading place by this Order.

5. Loading prohibitions and/or waiting restrictions applicable in prohibited or restricted roads.

Without prejudice to the validity of anything done or to any liability incurred in respect of any act or omission before the coming into operation of this Order, the 2025 Order shall have effect as though any loading prohibition and/or waiting restriction identified in the map schedule and map schedule legend, and marked out and signed as a loading prohibition and/or waiting restriction shall be construed as though it were a prohibited road and/or restricted road referred to in the 2025 Order.

6. Without prejudice to the validity of anything done prior or to any liability incurred in respect of any act or omission before the coming into operation of this Order, The City of Edinburgh Council (Traffic Regulation; Restrictions on Waiting, Loading and Unloading, Stopping and Parking Places) Designation and Traffic Regulation Order 2025 shall have effect subject to the variations, insertions, substitutions, removals, and additions specified in the map schedules and map schedule legends of this Order:-

1) Map schedule legend and map schedule for TRO/23/19 consisting of;

Map 1 of 18	Map 2 of 18	Map 3 of 18	Map 4 of 18	Map 5a of 18
Map 5b of 18	Map 6 of 18	Map 7 of 18	Map 8a of 18	Map 8b of 18
Map 9 of 18	Map 10 of 18	Map 11 of 18	Map 12a of 18	Map 12b of 18
Map 13a of 18	Map 13b of 18	Map 14a of 18	Map 14b of 18	Map 15 of 18
Map 16 of 18	Map 17 of 18	Map 18 of 18		

Executed by The City of Edinburgh Council this _____ day of _____ Two thousand and _____.

(witness)

signed on behalf of Executive Director of Place

Actions

Traffic Regulation Orders Sub-Committee

12 May 2025 ([Webcast Link](#))

Agenda Item No	Agenda title / Subject / Source	Decision (This may not be the final minute wording)	Action Owner	For information	Further Approval / Consideration (where indicated)
1.1	Order of Business	No change	Committee Services Lead Officer: Natalie Carter-Osborne natalie.carter@edinburgh.gov.uk		
2.1	Declaration of Interests	<p>1) Cllr O'Neil declared an interest in item 4.1 as a resident of the area and took no part in the discussion or decision.</p> <p>2) Cllr Osler declared an interest in item 4.2 due to having previously engaged in correspondence. Cllr Osler</p>	Committee Services Lead Officer: Natalie Carter-Osborne natalie.carter@edinburgh.gov.uk		

Agenda Item No	Agenda title / Subject / Source	Decision (This may not be the final minute wording)	Action Owner	For information	Further Approval / Consideration (where indicated)
		took no part in the discussion or decision.			
3.1	Minutes	Approved as a correct record.	Committee Services Lead Officer: Natalie Carter-Osborne natalie.carter@edinburgh.gov.uk		
4	Reports				
4.1	Footway Parking – Objections to TRO/24/14	1) To agree to set aside the objections received and agree to make TRO/24/14, with the following change: <ul style="list-style-type: none"> The removal of the advertised measures from the Lochend Drive and Lochend Quadrant. 	Interim Executive Director of Place Lead Officers: Paul Bathgate Paul.bathgate@edinburgh.gov.uk		
4.2	TRO/23/19 Proposed amendments to parking restrictions within the Controlled Parking Zone and elsewhere	1) To agree to set aside the objections received and agree to make TRO/23/19, with the following change:	Interim Executive Director of Place Lead Officers: Paul Bathgate Paul.bathgate@edinburgh.gov.uk		

Agenda Item No	Agenda title / Subject / Source	Decision (This may not be the final minute wording)	Action Owner	For information	Further Approval / Consideration (where indicated)
		<ul style="list-style-type: none"> The abandonment of proposals and advertised measures for Eildon Terrace. 			
4.3	Travelling Safely – City Centre and East Areas - ETRO/21/26A and ETRO/21/28A	<ol style="list-style-type: none"> To agree to set aside the objections received and agree to make ETRO/21/26A a permanent TRO without modification. To continue the decision on ETRO/21/28A to the next meeting to the TRO Sub-Committee. 	<p>Interim Executive Director of Place</p> <p>Lead Officers: Andrew Easson / Andres Lices</p> <p>Andrew.Easson@edinburgh.gov.uk / Andres.Lices@edinburgh.gov.uk</p>		