

Report authorised by the Executive Director of Place under Delegated Powers

18 August 2025

TRO/23/33 – Objection Report - Proposed Amendments and Introduction of Yellow Line Waiting Restrictions

**Decision/scrutiny
Wards**

**08- Colinton/Fairmilehead, 10-Morningside,
05- Inverleith, 17-Portobello/Craigmillar**

1. Recommendations

- 1.1 It is recommended that.
 - 1.1.1 The eight material objections received to this TRO, having been considered in accordance with legislative requirements are set aside.
 - 1.1.2 The remaining twenty-five responses be subject to consideration as part of TRO/24/05.
 - 1.1.3 TRO/23/33 should proceed to be “made order” stage of the TRO process with changes implemented on-street.



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Report

2. Executive Summary

- 2.1 The proposed TRO, having been advertised from the 2 April until the 23 April 2025, attracted a total of thirty-six replies via the Council's Traffic Orders mapping system. This report considers the responses received and makes recommendations based on that consideration.
- 2.2 This report details the outcome of the advertisement of TRO/23/33 which proposed amendments to the existing restrictions and installation of new restrictions, this report includes objections relating specifically to Swan Spring Avenue, Royal Edinburgh Hospital access road, March Road, and Milton Road East.

3. Background

- 3.1 In 2023 a number of changes were identified as being required and TRO/23/33 was initiated to make those changes.
- 3.2 In addition, through a process of review of existing restrictions, the Council may itself identify locations where it is necessary to introduce, amend or remove restrictions on-street.
- 3.3 As part of the legal process, the proposed changes were advertised so that those who might be affected by them could both view what was proposed and, if required, make objections to the changes.
- 3.4 This report fulfils the Council's legal obligation to show that any objections received to the proposed changes have been fully considered prior to a decision being taken on the future of said proposals.

4. Main report

Comments received to TRO/23/33

- 4.1 TRO/23/33 was advertised in accordance with legislative requirements between 2 April and 23 April 2025. Having advertised in the local press, placed notices on each affected road, and provided details of the proposed changes via the engagement element of our online mapping system, a total of thirty-six responses were received against TRO/23/33.
- 4.2 Under the Council's Scheme of Delegation, traffic orders that attract six or more objections would normally require those traffic orders to be referred to Committee for

a decision. This report sets out why this should not apply in this instance and seeks a decision on the objections that relate to the advertised proposals.

- 4.3 Of the thirty-six responses received, eight indicate that the respondent is wholly objecting to a proposal. Ten responses indicates that they support proposals, three are unclear what the responses relate to. Twenty-five objections relate to TRO/24/05. One of the eight objections was for March Road has now been removed after contact with the proposals Transport officer who clarified the proposal.
- 4.4 Swan Spring Avenue received two objections; this location proposal was requested by residents and was related to works vans parking at the junction affecting a route to the local primary school.
- 4.5 Royal Edinburgh Hospital access road proposal received four objections, this proposal was requested by the NHS facility management after obstructive parking caused issues for emergency services access,
- 4.6 March Grove/Road received one objection, the proposal was requested by residents to clear sightlines at a cul-de-sac, after contact with the objector, they removed their objection to the proposal.
- 4.7 Milton Road East received one objection to the proposal, the proposal was requested by residents to clear sightlines at a cul-de-sac, objection states they are objecting to parking charges, this does not relate to the proposal.

Council responses to TRO/23/33 material objections

- 4.8 For the sake of clarity, this report details all of the responses received and sets out the Council's response to each of them, further detailing the proposed course of action. Appendix 1 to this report sets out the objections received and the Council's responses.
- 4.9 Appendix 3 to this report contains the detailed map tiles showing the proposed changes.
- 4.10 Having considered the responses, the Council proposes to proceed to make TRO/23/33 as advertised and to implement the proposed changes on-street.

Comments received to other advertised Traffic Regulation Orders

- 4.11 Whilst eight material objections were received to TRO/23/33 and have been responded to in Appendix 1 Part One, twenty-five comments were received for TRO/24/05 and three comments were received to other TRO advertisements. These comments are also added in Appendix 1 Part Two and Part Three.

TRO/24/05 Portobello Area

- 4.12 Twenty-five of the responses specifically reference Portobello. None of the proposed changes affect Portobello and there is a separate ongoing traffic order process for the Portobello area. It appears evident that these five responses have been submitted to the wrong traffic order and, on that basis, these responses will be re-assigned to the Portobello traffic order (TRO/24/05). This reduces the number of objections to

eight, thereby allowing those objections to be considered under delegated authority as no more than six relate to one location.

- 4.13 A further three objections are from respondents with addresses in the Portobello area. The wording of their responses does not, however, make it clear that these objections relate to the proposals for Portobello. Since it is not possible to say with any certainty that these objections either relate, or do not relate, to Portobello, they have been considered within this report as objections to TRO/23/33.

Swan Spring Avenue proposal

- 4.14 Two objections were received for this location; they referred to the proposal that it is not required and will remove corner house parking and will increase speeds at the junction. There was also an alternative of Oxfangs Hill / Oxfangs Green where residents believe the restrictions should have been installed, this is outside of the scope of this report.

Edinburgh Hospital (Access Road) Proposal

- 4.15 Four objections were received from NHS staff from the hospital objecting to the removal of parking in the hospital grounds, the staff have been able to park free of charge on existing restrictions added by their facilities management team as these restrictions have never been made official, this report aims to make existing and new restrictions official to assist emergency services access.

Milton Road East proposal

- 4.16 One objection was received for this location objecting to parking charges. No parking charges are proposed as part of this proposal only yellow lines restrictions.

5. Next Steps

- 5.1 The legal process will be concluded, with TRO/23/33 being “made” and the changes being brought into effect. The changes will then be made on-street.
- 5.2 All objectors to TRO/23/33 will be contacted to advise them of the Council’s decision.
- 5.3 The objections received that appear to refer to TRO/24/05 will be recorded against those individual TRO, so that they can be considered along with other responses received to the advertising of these Orders.

6. Financial impact

- 6.1 The costs involved in providing the required changes to road markings and signs will be met from existing budgets contained within Parking Operations.

7. Key Policies

Equality and Poverty

- 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 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 A Waiting and Loading Restriction IIA identified the following positive impacts, which are directly enabled through TRO/23/33:
- 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.
- 7.5 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.

Climate and Nature Emergencies

- 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 as 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.

Environmental Impacts

- 8.4 As referred to in the previous section, a Strategic Environmental Assessment was carried out as part of the City Mobility Plan, concluding that reducing commuting and managing private car use would have a positive environmental impact, and will act in responding to climate change.

Housing Emergency

- 8.5 The Council declared a housing emergency in November 2023. The Housing Emergency Action Plan (HEAP) was considered by the Housing, Homelessness and Fair Work Committee on 25 February 2025.
- 8.6 This report is anticipated to have no negative impacts on the housing emergency or on the HEAP.

9. Risk, policy, compliance, governance.

- 9.1 The Transport (Scotland) Act 2019 introduced the footway parking prohibition and placed a duty on Councils to enforce this and mitigate against any impacts.

Equalities impacts were considered as part of the legislative process when the Act progressed through the Scottish Parliament. 7.2 The introduction of additional waiting restrictions will help improve road safety and accessibility for disabled people in Edinburgh.

- 9.2 Traffic Regulation Orders (TRO) are required to enable enforcement of parking restrictions, this process includes a pre-TRO consultation period, followed by a statutory consultation period allowing the public to make representations in support of or object to the proposals. Comments are sought from the emergency services and other stakeholders in advance of public consultation.
- 9.3 Formal advertisements of traffic orders to the general public were communicated online, via local press, and street notices are erected on existing street furniture within affected streets, Community Councils and Councillors are also informed of proposals. These methods increase awareness to local residents and businesses of yellow line proposals, 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.

Traffic Regulation Order Statutory Consultation

- 9.4 Comments received from the public are taken into consideration before determining whether to proceed with or abandon any proposals. The legal processes associated with TRO/23/33 have been conducted in accordance with statutory requirements, including consultation with statutory bodies, Community Councils and local resident and amenity groups.
- 9.5 Formal advertisements of this TRO to the general public shown in this report were communicated online, and via local press which explained their opportunity to object or support the proposals. Comments received from the public have been taken into consideration before determining whether to proceed with or abandon any proposals.
- 9.6 As part of the statutory TRO consultation commencement, street notices are erected on street lighting at the entrance to all proposed location.
- 9.7 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 - Waiting and Loading Restrictions](#)

11. Appendices

- 11.1 Appendix 1 - Objections received and the Council's response.
- 11.2 Appendix 2 – TRO/23/33 Delegated Powers Report
- 11.3 Appendix 3 - Proposal drawings