

**CITY OF EDINBURGH COUNCIL (PORTOBELLO PARK) BILL
COMMITTEE
CONSIDERATION STAGE - ADDITIONAL EVIDENCE**

Group 2 to the Committee on Road Safety and traffic concerns

At the evidence hearing in the Scottish Parliament on 26 March we raised a number of road safety, traffic and congestion issues and we did not accept the responses given by the City of Edinburgh project team.

We therefore wrote to Transport Scotland to seek clarification on these issues – we sent a copy of that letter to you on 10 April.

A copy of Transport Scotland's letter of response dated 16 April is attached.

1. CEC project team claimed at the evidence hearing on 26 March that **Transport Scotland in their letter of 28 October 2013 fully supported the CEC proposals for the new Portobello High School.**

I challenged CEC's interpretation of the Transport Scotland letter and argued that Transport Scotland was only interested in the effects of the proposed Portobello High School on the trunk road network. I am sure that you will recall that the CEC team did not know where the nearest trunk road was relative to the proposed school during the discussion.

You will see from Transport Scotland's letter that they were

- ...formally consulted by CEC in relation to the Environmental Impact Assessment process and the Environmental Statement which was submitted in support of the planning application for the new school.
- ...remit with regard to the review of the traffic and associated environmental impacts associated with the new development is restricted to the Scottish Trunk Road Network.
- In the case of Portobello High School, the nearest trunk road is at A1/A720 junction at Old Craighall which is 3.2 kms south east of the site. For avoidance of doubt the A1 north-west of A1/A720 junction is not a trunk road.
- In JMP's letter of 28 October 2013, it was confirmed that TS was satisfied that the proposed development would not give rise to any significant traffic or associated environmental impacts on the trunk road network. This conclusion was based on a review of the Environmental Statement rather than the Transport Assessment Report.
- For clarification, I would confirm that **Transport Scotland was not formally consulted on the Planning Application. The agency was only consulted in relation to the EIA process, and in these circumstances, Transport Scotland neither supports or objects to the proposals.**

Transport Scotland's letter clearly demonstrates that the CEC statement regarding Transport Scotland supporting their proposals for the new school was not true. The letter also clearly demonstrates that my interpretation of the letter was correct. The truth is that CEC did not even submit the Transport Assessment for consultation to Transport Scotland.

2. In our letter to Transport Scotland we also sought their views on the following

- 2.1 Road safety on A1 and adjacent road network in light of personal injury accident rate on Milton Road which has not been addressed in the Transport Assessment
- 2.2 CEC's policy of not identifying safe pupil drop-off locations on the adjacent road network for the proposed Portobello High School where the existing personal injury accident rate is currently twice the accident record for A class roads
- 2.3 The need and timing of a Stage 1 Road Safety Audit for the proposed Portobello High School. CEC stated that the Stage 1 Road Safety Audit should be carried out when the contractor starts on site!
- 2.4 The need for a traffic model to demonstrate whether the traffic movements generated by the proposed new school could be safely accommodated without significant impact on the A1 Milton Road strategic transport corridor.

Unfortunately Transport Scotland stated that these issues relate to the Local Road Network, and are therefore the responsibility of CEC. In addition it is worth restating that CEC did not submit the Transport Assessment to Transport Scotland for consultation.

We have some new/further information on these four issues including the scope of services for the CEC Transport Assessment.

2.1 Road safety on A1 and adjacent road network in light of personal injury accident rate on Milton Road which has not been addressed in the Transport Assessment

In my evidence on 26 March I provided details of the 13 personal injury accidents which had occurred on the section of Milton Road fronting the proposed new school over the last 5 years – this equates to a personal injury accident rate of more than twice the accident rate for A class roads in Lothian and Borders.

The Transport Assessment does not adequately address the road safety issues relating to significant additional traffic turning into the proposed new school access, additional traffic turning into and out of adjacent road network to drop off / pick up pupils, the 1400 pupils travelling to and from school up to four times per day by bus, cycling or walking. In addition it takes no account of local residents trying to go about their daily business. All of these activities would take place on or adjacent to Milton Road where the existing personal injury accident rate is twice the average for A class roads in Lothian and Borders.

In the morning peak traffic flows, the westbound traffic currently queues back from Milton Road/Duddingston Park to the east of Hope Lane. If the proposed school is approved the queues on Milton Road will increase because of the new Tucan Crossing and increased pedestrian demand on the signalised crossings at Duddingston Park and Hope Lane, and increased traffic turning into the new school access and turning traffic trying to access and egress the adjacent network to drop off pupils.

I challenged the CEC project team that they were irresponsible in not addressing the road safety issues associated with the proposed new school, particularly in light of the current personal injury accident rate on Milton Road.

The CEC project team claimed that road safety was of paramount importance but the only positive action appears to be to propose a 20mph speed limit on Milton Road when the extended times for bus lanes are in operation and this does not include lunchtime.

I strongly believe that the CEC has been irresponsible in not addressing the road safety issues associated with the proposed new school for the following reasons

- 1. CEC was unaware of the current personal injury accident rate on Milton Road before this was pointed out by the Local Residents.**
- 2. Over the last 3.5 years CEC has denied the need for a Road Safety Audit process for the proposed new school despite**

the need in the CEC's Movement and Development Guidelines.

- 3. Having now accepted the need for a Road Safety Audit process following our independent Road Safety Report, CEC is claiming it is good practice to have all 3 stages carried out by the Contractor on starting on site. This is wrong as clearly set out in the CEC Movement and Development Guidelines and HD 19/03, the Technical Memorandum.**

- 4. The drop off of pupils on the road network adjacent to schools is recognised as an activity which has the potential for personal injury accidents. The likely increase of personal injury accidents will increase for the proposed new school as pupil drop off will be prohibited on Milton Road because the bus lanes will be in operation during the normal school starting and closing times. In addition the local streets adjacent to Milton Road are not suitable for pupil drop off because of the additional turning movements of vehicles trying to access these streets, the conflict with pupils walking and cycling to school and the local residents going about their daily business. In these circumstances it is not acceptable for CEC to not address these issues.**

2.2 CEC's policy of not identifying safe pupil drop-off locations on the adjacent road network for the proposed Portobello High School where the existing personal injury accident rate is currently twice the accident record for A class roads

The drop off of pupils on the road network adjacent to schools is recognised as an activity which has the potential for significantly increasing personal injury accidents.

The potential for an increase of personal injury accidents will increase for the proposed new school as pupil drop off will be prohibited on Milton Road because the bus lanes will be in operation during the normal school starting and closing times.

In addition the local streets adjacent to Milton Road are not suitable for pupil drop off because of the additional turning movements of vehicles trying to access these streets, the conflict with pupils walking and cycling to school and the local residents going about their daily business.

All these issues were identified in the independent Road Safety Report which was procured by the Local Residents and which was carried out by a Transport Scotland approved Lead Road Safety.

In these circumstances it is irresponsible for CEC not to identify safe drop off locations for pupils to be dropped off. Again this was identified in the Road Safety Report procured by the Local Residents.

2.3 The need and timing of a Stage 1 Road Safety Audit for the proposed Portobello High School. CEC stated that the Stage 1 Road Safety Audit should be carried out when the contractor starts on site.

'Movement and Development' is CEC's Traffic and Transport Design Guide for Developments. The criteria for Road Safety Audits is covered in paragraph 11.3 Road Safety Audits.

'A Road User Safety Audit is required where a development proposes any change to the existing public road layout which will have a material effect on its use by any other road user.'

The Council, as an addition to the Development Control process, will carry out the Audit. For new developments this involves 3 stages: Stage 1 (outline), Stage 2 (detail) and Stage 3 (on completion of the works).'

The Technical Memorandum for Road Safety Audits is HD 19/03. The criteria for the timing of Stage 1 Road Safety Audits is covered in paragraph 2.21.

'Stage 1 Road Safety Audits will be undertaken at the completion of preliminary design (Order Publication Report Stage) before publication of draft Orders and for development-led Highway Improvement Schemes before planning consent where possible.'

Clearly a Road Safety Audit is required for the proposed Portobello High School and the Stage 1 Road Safety Audit should have been undertaken before planning consent.

I first raised the need for a Road Safety Audit at the Public Meeting in August 2010 and have consistently raised the issue in objections to both Planning Applications and at subsequent Public Meetings.

CEC has continually denied the need for Road Safety Audits and/or overruled our objections.

The Local Residents commissioned an independent road safety report from a Transport Scotland approved Lead Road Safety Auditor in March 2014. This report recommended that 'the entire project should be subject to a Road Safety Audit at each of the three stages defined in the Movement and Development Guidelines.' 'The importance and urgency of commissioning the Stage 1 Road Safety Audit cannot be overstated as likely mitigation measures to the problems identified in this report are likely to recommend significant alterations to the existing road layout in order to reduce or remove the adverse safety impact of the scheme during the development of the detailed design.'

At the evidence hearing on 26 March 2014 CEC project team finally accepted the need for Road Safety Audits for the proposed Portobello High School. However despite the clear advice on the timing of the Stage 1 Road Safety Audits in both in the Movement and Development Guidelines and the Technical Memorandum, the CEC project team (Mr MacIntyre on 26 March and Mr MacIntyre and Mr Alexander on 23 April) claimed that it was good practice for the Contractor to carry out all three Stages of the Road Safety Audit when he arrived on site!

These claims are fundamentally wrong on two counts – firstly the three stages of road safety audits should be carried out separately at preliminary design stage, detailed design stage and on completion of the works and secondly the Road Safety Audits should be carried out by the Promoter of the development or the Council!

These statements by the CEC project team seriously question the qualifications and experience of the staff in both the Architect and Transportation Team which promoted the scheme and the 'independent' Planning Development team which recommended approval of the Planning Applications for Portobello High School.

It is very likely that a Stage 1 Road Safety Audit would recommend widening footways (I am sure you will remember Mr Flockhart's 1.4 metre length of string) and constructing 'build outs' to improve the safety of pedestrians and cyclists walking along and crossing Milton Road. This, of course, would result in Milton Road being reduced to a single

carriageway and will effectively destroy the A1 Milton Road strategic transport corridor. This demonstrates why a Stage 1 Road Safety Audit should be carried out at preliminary design stage and before planning consent is granted.

2.4 The need for a traffic model to demonstrate whether the traffic movements generated by the proposed new school could be safely accommodated without significant impact on the A1 Milton Road strategic transport corridor.

The scope of services (CEC/AECOM) for the Transport Assessment identifies the need for traffic modelling/junction assessment.

(We have still to receive the brief clarifying the scope of the transport assessment which CEC should have agreed with AECOM see column 192).

However the Transport Assessment does not report on any traffic modelling or report on the junction assessments of Park Avenue and Hope Lane during the AM peak traffic flow when the westbound traffic queues back past both these junctions. Right turn movements from either of these junctions are therefore not possible from Hope Lane and Park Avenue during the AM peak traffic flow.

The Transport Assessment states that it follows the recommendations of Planning Advice Note 75. The Planning Advice Note recommends that a micro simulation traffic model (Paramics) should be developed to demonstrate that the existing road network can safely accommodate traffic movements generated by a new development. **A traffic model was not developed.**

Given the current queues and congestion on Milton Road during the AM peak traffic flows, Bill Flockhart challenged the CEC project team and asked whether they had looked at the wider issues of the additional traffic on the Milton Road transport corridor which would result from approved developments from the South East Wedge and planned developments in East Lothian and Midlothian.

Mr McIntyre claimed that the CEC Transportation officials had considered the wider issues. However without having developed a micro simulation model this would not have been possible.

Conclusion

The findings in this paper clearly demonstrate that the CEC project team has been irresponsible in not addressing the road safety, traffic and congestion issues associated with the proposed new school in Portobello Park. Road safety must be of paramount importance for a proposed new school on Portobello Park with a direct access on to the A1 Milton Road strategic transport corridor.

Should the bill proceed as proposed it is inevitable that there will be a significant increase in the number of personal injury accidents involving pupils, local residents and the travelling public on the A1 Milton Road and adjacent local road network. Given that the CEC project team has clearly not followed the Council's planning guidance procedure with regard to road safety, it is possible that in the event of any personal injury accidents the Council (and any other party colluding with the Council) could be the subject of litigation actions.

As this bill is specifically for a school it is essential that road safety is considered for this site as a school and this has not been done. There is no mention of accidents in the Transport Assessment and the lack of a Road Safety Audit is a serious failing by the council and is a major part of my objection. Without the audit my objection cannot be dismissed and therefore the bill should not proceed.