

60679

This request concerns the legal status, adoption history, initial registration and regulatory control of the road known as Orchard Toll EH4 and any associated access roads or parking areas within that development.

I would be grateful if you could provide the following information:

Adoption Status Please confirm whether Orchard Toll and any associated roads within the development are recorded by the Council as:

- adopted public roads maintained by the Council under the Roads (Scotland) Act 1984
- privately owned roads subject to public rights of passage
- privately owned roads with no public rights of passage
- roads maintained privately but subject to parking regulation by the Council.

[Orchard Toll is a publicly adopted road maintained by the City of Edinburgh Council under the Roads \(Scotland\) Act 1984.](#)

Adoption Records Please provide copies of all documents held by the Council relating to the adoption status of Orchard Toll, including but not limited to:

- road adoption certificates

[Adopted as of 13/01/1983 by Transportation Committee. See item labelled:](#)

[- card file entry Orchard Toll. The requirement for adoption certificates was introduced under the Roads \(Scotland\) Act of 1984. As this road & its adoption predates that Act, no certificate exists.](#)

- section 16 or section 17 agreements under the Roads (Scotland) Act 1984 road construction consent documents

[Please see photos of original site drawings; please note these are site drawings & not adoption drawings.](#)

- completion certificates adoption maps or schedules any historic adoption determinations.
  - [See items labelled: Orchard Toll Roads Adoption Plan;](#)
  - [Extract from minutes of Asset & Inventory meeting held 06/02/26 referred to stating: '9.4 Orchard Toll – Parking enquiry - 3 parking bays in front of garages on south east side to be private. Road to north to stay adopted. No parking on north side of square'](#)

Roads Register Please provide the entry for Orchard Toll (and any associated roads) as recorded in the Council's List of Public Roads maintained under section 1 of the Roads (Scotland) Act 1984.

The entry in the City of Edinburgh Council's List of Public Roads is available on the website here: <https://www.edinburgh.gov.uk/directory-record/1810989/orchard-toll>)

**Ownership Information** Please provide any records held by the Council relating to the ownership of the land forming the road surface of Orchard Toll, including any title references known to the Council.

See Correspondence folder for emails labelled as below:  
[RE\\_ Landownership at Orchard Toll 1 – response from Estates Research](#)

**Legal Advice** Please provide copies of any internal or external legal advice, briefing notes, or reports prepared by or for the Council regarding: the adoption status of Orchard Toll whether the Council has authority to impose parking controls or traffic regulation orders on the road.

[Please refer to the correspondence attached.](#)

**Traffic Regulation Order Authority** Please provide copies of any documents, internal guidance, or legal analysis relied upon by the Council to conclude that parking controls or Traffic Regulation Orders may lawfully apply to Orchard Toll.

**Correspondence**, Please provide copies of any internal correspondence between Council officers discussing: the adoption status of Orchard Toll the ability of the Council to regulate parking on that road objections received from residents regarding adoption or parking controls.

See Correspondence folder for correspondence with of Parking & Traffic Control.3 emails titled as below:

- FW\_ Orchard Toll – initial email from JM
- RE\_ Orchard Toll (1) - final response after Asset & Inventory meeting.
- Extract from minutes of Asset & Inventory meeting held 06/02/26 stating:  
*'9.4 Orchard Toll – Parking enquiry - 3 parking bays in front of garages on south east side to be private. Road to north to stay adopted. No parking on north side of square'*

Please provide records of any maintenance, inspection, repair, resurfacing, or other works carried out by the Council on Orchard Toll or associated roads, including but not limited to: maintenance logs inspection reports work orders contractor instructions records of road repairs, resurfacing, line painting, signage installation, drainage works, or other road-related works.

See items labelled:

- Inspection Data for Orchard Toll up to Sept 2013 .pdf - contains screenshots from GIS for 2000- 2013. This came into use in late 1990s and it appears that the inspection records were entered around 2000.
- SHR Orchard Toll 2013 – 27032026.pdf -Site History for Orchard Toll from Sept 2013 to date.