

[REDACTED]

From: [REDACTED]

Sent: 19 April 2026 22:16

To: [REDACTED]
[REDACTED]
[REDACTED]

Cc: [REDACTED]
[REDACTED]

Subject: Greenbank to Meadows Quiet Route - Schedule 2 to TRO/21/29D



External email



First time sender



I urge the Council's officers preparing the report ("the TRO Report") for the TRO Sub-Committee ("the TROSC") which will be considered by the TROSC when the TROSC considers the Greenbank-Meadows Quiet Route ("the Quiet Route"), and whether TRO/21/29D ("the 2024 TRO") should be made permanent in whole or in part or should be allowed to lapse on 15 June 2026, whether there are errors in the drafting of Schedule 2 ("Schedule 2") to the 2024 TRO as suggested in this email.

I urge the members of the TROSC to consider in particular the drafting of Schedule 2 in so far as Schedule 2 relates to the Braid Avenue /Cluny Drive junction ("the BA/CD junction") and the Hermitage Gardens/Cluny Drive junction ("the HG/CD junction", the BA/CD junction and the HG/CD junction being together the "relevant junctions"). I believe that the TROSC acting in its quasi-judicial role should undertake a forensic examination of Schedule 2.

My understanding is that the authority for the current modal filters at the relevant junctions originally came from Article 5 of and Schedule 3 to TRO/21/29 ("the 2022 TRO") which came into force on 21 November 2022 but expired on 20 May 2024 and now comes from Article 5(1) of the 2024 TRO and Schedule 2 which came into force on 16 December 2024 and which will unless made permanent by the TROSC expire on 15 June 2026 - I appreciate that my understanding may not be correct.

I also understand that the drafting of Articles 5(1) and 5(2) of the 2024 TRO and Schedule 2 is identical in so far as they relate to the relevant junctions to the drafting of Articles 5(1) and 5(2) of and Schedule 3 to the 2022 TRO.

I believe that the drafting of Schedule 2 in respect of the relevant junctions is defective in that it confuses north and south and does not provide for or permit the modal filters currently at those junctions.

I am a resident of the Braid Estate, [REDACTED], [REDACTED]

[REDACTED] - I appreciate that in retirement I am not as sharp as I may have

been during my working life but I was during my working life an expert in interpreting legislation and documents.

I am a member of Morningside Community Council and am Chair of Friends of Midmar Paddock (the Local Place Plan for Midmar Paddock being the first community led Local Place Plan approved and registered by the Council) - but I am sending this email to you in a personal capacity.

I support the Greenbank to Meadows Quiet Route ("the Quiet Route") in its aim of improving safety for and use by cyclists and pedestrians and especially as a pedestrian, and I believe that the closure of Braid Road immediately to the north of the Braid Road/Hermitage Drive junction, the closure of Canaan Lane, the closure of Whitehouse Loan immediately to the south of Strathearn Road and the closure of Whitehouse Loan immediately to the south of Warrender Park Road work well and effectively in achieving the Quiet Route - although my understanding is that the closure of Braid Road immediately to the north of Hermitage Drive is not part of the 2024 TRO as it is not mentioned in Schedule 2 (whereas it was mentioned in Schedule 3 to the 2022 TRO).

I believe however that significant improvements can and should be made to the Quiet Route as the Quiet Route passes through the Braid Estate.

I thought that Option 3 of the options which were presented by the Council for public consultation ("the 2023 consultation") in September/October 2023 (the 2023 consultation opening on 4 September 2023 and closing on 22 October 2023) and which came close to being implemented on an experimental basis earlier this year was the marginally the best of the (in my view poor) options presented to the public but I was not keen on Option 3 - in my view it overengineered the Quiet Route especially on Hermitage Drive and Braid Avenue, and indeed disfigured Braid Avenue, and was not appropriate for a conservation area - I have every sympathy with the Braid Avenue residents for their opposition to Option 3.

My interpretation of Schedule 2 may be wrong, but what if I am right?

If I am right, it seems to me that the TROSC must consider:

1. whether to implement the Quiet Route at the relevant junctions as per the 2024 TRO (which would mean removing the modal filters at the junctions and replacing the modal filters with barriers blocking Braid Avenue and Hermitage Gardens completely for two metres both north and south of the relevant junctions;
2. amending the 2024 TRO to provide for and allow the current modal filters at the relevant junctions;
3. considering whether there is any alternative to achieve what is best and safest for the Quiet Route at the relevant junctions.

To explain my concern on the drafting of Schedule 2 but addressing only the BA/CD junction, although exactly the same applies in respect of the HG/CD junction (except that my point below on cyclist speeding on Braid Avenue does not apply so much to cyclists on Hermitage Gardens):

1. Article 5(1) of the 2024 TRO provides that except for the exemptions specified in

Article 5(2) of the 2024 TRO "no person shall cause or permit any motor vehicle to enter or proceed in any part of the lengths or areas of the road described in [Schedule 2]" - noting that Schedule 2 does not appear to refer to any areas of road and appears only to refer to lengths of roads.

2. Schedule 2 provides for the prohibition of motor vehicles in Braid Avenue at all times (subject to exemptions) "from the southern kerbline of the eastern arm of Cluny Drive, southwards for a distance of 2 metres or thereby" - so the prohibition applies to the whole of the Braid Avenue carriageway and not just to part of the Braid Avenue carriageway and applies for two metres south of the southern kerbline of the eastern arm of Cluny Drive, but the BA/CD junction is north of the southern kerbline of the eastern arm of Cluny Drive.

3. Schedule 2 provides for the prohibition of motor vehicles in Braid Avenue at all times (subject to exemptions) "from the northern kerbline of the western arm of Cluny Drive, northwards for a distance of 2 metres or thereby" - so again the prohibition applies to the whole of the Braid Avenue carriageway and not just to part of the Braid Avenue carriageway and applies for two metres north of the northern kerbline of the western arm of Cluny Drive, but the BA/CD junction is to the south of the northern kerbline of the western arm of Cluny Drive.

4. So has the draftsman of Schedule 2, following the draftsman of Schedule 3 to the 2022, got north and south confused.

5. The current modal filter at the BA/CD junction runs north west (not south) from the southern kerbline of the eastern arm of Cluny Drive and south east (and not north) from the northern kerbline of the western arm of Cluny Drive.

6. So does not Schedule 2 require the closure of both carriageways of Braid Avenue for two metres south of the BA/CD junction (so the complete closure of Braid Avenue for two metres south of the junction) and the closure of both carriageways of Braid Avenue for two metres north of the BA/CD junction (so the complete closure of Braid Avenue for two metres north of the junction) with Schedule 2 not applying to that part of Braid Avenue which crosses Cluny Drive, so that the 2024 TRO does not prohibit motor vehicles crossing Braid Avenue at the BA/CD junction from Cluny Drive from both the east and the west.

7. Braid Avenue is currently closed at the BA/CD junction by the width of the modal filter and not by the four metres that appears to be envisaged by Schedule 2.

8. Finally on the interpretation of Schedule 2 the current modal filter, screwed as it is into the road, does not appear to allow for the exemptions provided for by Article 5(2) of the 2024 TRO and Schedule 2.

Note that Column 4 of Schedule 2 refers to the exemptions listed in Schedule 4, but there is no Schedule 4 and I think the Schedule referred to should be Schedule 3 (note that Article 5(2) of the 2024 TRO refers to Schedule 3 and not to Schedule 4).

If I am right on the interpretation of Schedule 2 is the validity of the statutory consultation on the 2022 TRO and the 2024 TRO called into question, as the modal filters at the relevant junctions were in place before the statutory consultation and

responses to the statutory consultation are likely to have been made on the basis of what was seen at the relevant junctions and not on the basis of the what was actually said in Schedule 2.

The BA/CD junction is I suggest the least successful element of the Quiet Route through the Braid Estate - I suspect that the information available to the Council indicates that the closure of Braid Avenue at the BA/CD junction is the most contentious and disputed element of the Quiet Route, and I question whether a modal filter at the BA/CD junction is actually the best solution for the Quiet Route in controlling the junction and making the junction safe for pedestrians and cyclists. As a pedestrian I walk across Braid Avenue at the BA/CD junction most days and sometimes a number of times on the same day. As a pedestrian I find crossing Braid Avenue at the BA/CD junction dangerous as cyclists cycling north down Braid Avenue with the Braid Avenue/Cluny Gardens traffic lights in their sights and taking advantage of the Braid Avenue hill to maximise their speed do not see pedestrians or expect pedestrians crossing Braid Avenue to give way to them - my wife reports that she has once seen a cyclist recognise and stop at the double white lines on Braid Avenue south of the modal filter, but I have never seen a cyclist give way to myself or to any other pedestrian at the modal filter.

As a pedestrian getting older (I am over 70) it is becoming increasingly difficult for me to spot a speeding cyclist heading north down Braid Avenue and if I do spot the cyclist to anticipate the speed of the cyclist, especially if it is wet and I am wearing a hood for protection against the weather.

The double white lines painted on the road at the BA/CD junction are faded and difficult to see, and are particularly difficult to see in the wet or in the dark (and almost impossible to see when it is both wet and dark).

So I urge the TROSC when assessing and deciding on the Quiet Route to focus on the BA/CD junction and to consider how the BA/CD junction could be made safer for pedestrians and cyclists, and if a cyclist was to hit a pedestrian the consequences could be as bad if not more serious for the cyclist as they are for the pedestrian.

One suggestion might be to change the Quiet Route so that cyclists coming from the south (from the Hermitage Drive/Braid Road junction) approach the BA/CD junction not by heading north down Braid Avenue (often taking advantage of the hill to achieve what looks like a worryingly dangerous speed) but from the west along Cluny Drive, with

- (a) vehicles and cyclists travelling east along Cluny Drive having right of way at the BA/CD junction to turn north into Braid Avenue;
- (b) vehicles and cyclists travelling north down Braid Avenue having to stop at the BA/CD junction;
- (c) vehicles and cyclists travelling north up Braid Avenue having right of way to travel on north up Braid Avenue or to turn west into Cluny Drive; and
- (d) vehicles and cyclists travelling west along Cluny Drive having to stop at the junction..

The BA/CD junction would be significantly improved for pedestrians if there was a zebra crossing over Braid Avenue - and a zebra crossing would have the added benefit of slowing motor vehicles.

If a zebra crossing was out of the question, mini traffic islands in the middle of Braid Avenue both immediately north and immediately south of the BA/CD junction would make crossing Braid Avenue safer for pedestrians and would prevent vehicles cutting the corner when turning at the junction, and pedestrians crossing the eastern arm of Cluny Drive would have the benefit of new Highway Code Rule H2 giving pedestrians priority at junctions.

Note that Braid Avenue is wide enough to accommodate mini traffic islands - there are mini traffic islands in Braid Avenue both immediately to the north of and immediately to the south of the Braid Avenue/Cluny Gardens junction.

Like a zebra crossing mini traffic islands would have the added advantage of slowing motor vehicles.

I believe that the TROSC should take into account that the Council's officers in their presentation of the 2023 consultation noted concerns on the volume of traffic created by the Quiet Route on certain streets. The options on the Quiet Route presented in the 2023 consultation sought to address those concerns. I urge the Council's officers preparing the TRO Report and the members of the TROSC also to take those concerns into account.

Looking at the roads and junctions addressed in Schedule 2 in addition to the relevant junctions::

1. I do not understand Schedule 2 in so far as Schedule 2 relates to Canaan Lane - Schedule 2 prohibits vehicles (subject to exemptions) "from the extended northern kerbline of the access to Newbattle Terrace, northwards for a distance of 32 metres or thereby" - I cannot work out from where the 32 metres is intended to start, I cannot work out what northern kerbline is referred to as Canaan Lane is on the south of Newbattle Terrace (so any closure of Canaan Lane would have to be southwards and not northwards from Newbattle Terrace) - and Canaan Lane is not blocked for 32 metres from Newbattle Terrace and is only blocked by the width of the two wooded boxes which are in place half way down the north/south leg of Canaan Lane;
2. I believe that the two provisions of Schedule 2 relating to Whitehouse Loan are correctly applied in the closures of Whitehouse Loan immediately to the south of Strathearn Road and immediately to the south of Warrender Park Road Road.

Note that Canaan Lane and Whitehouse Loan are completely closed pursuant to Schedule 2 and Braid Avenue and Hermitage Gardens are referred to in Schedule 2 in exactly the same way as Canaan Lane and Whitehouse Loan are referred to - which to me suggests that Braid Avenue and Hermitage Gardens should also be completely closed pursuant to Schedule 2.

Many thanks for giving me your attention. I believe I am right on the interpretation of Schedule 2 - but appreciate that there may be something I am overlooking

[REDACTED]

