

Councillor Margaret Arma Graham
Traffic Regulation Order Sub Committee (Convener)
City of Edinburgh Council
City Chambers
High Street
Edinburgh EH1 1YJ

Tuesday, 9 December 2025

Dear Councillor Graham,

We are writing ahead of the TRO Sub-Committee meeting on Tuesday 16 December, at which you will consider the proposed TRO/24/05. Because this decision will have a direct and lasting impact on our community, it is essential that councillors receive and scrutinise accurate, representative, and methodologically sound evidence. Unfortunately, the data underpinning the recommendations does not meet this standard.

We therefore wish to draw your attention to several serious flaws in the parking survey evidence, each of which independently undermines the validity of the conclusions presented.

1. The claim of “sixteen” survey events is contradicted by the report’s own data

The report states (p.21):

“Streets with a surveyable parking capacity within the proposed CPZ boundary were surveyed at sixteen separate occasions throughout the week, including weekends.”

However, the report provides only seven dates (AM and PM) (See Appendix 2), with:

- Saturday 27 September listed twice,
- no confirmation that every street was surveyed in both sessions, and
- no evidence of sixteen survey events.

On its face, the published data does not and cannot support the claim made. This is a fundamental inconsistency in the evidence base.

In addition to the apparent errors in the survey data regarding when streets were visited, Council officials have so far declined to explain the whereabouts or status of the 2021 survey data (See Appendix 3). The Scottish Information Commissioner has determined that this case meets the criteria for further investigation. The Commissioner is currently reviewing the Council’s handling of the matter, although a ruling is not expected until 2026.

2. Saturday analysis relies on only two survey days -both in peak tourist season

Despite this extremely small sample, the report asserts (p.13) that Saturday parking pressures are “similar to those witnessed during the week.” This conclusion is not supported by the evidence.

Only two Saturdays were surveyed:

- Saturday 21 June 2025, during warm weather immediately before school holidays
- Saturday 27 September 2025, also warm and within an extended visitor season

There were:

- no winter Saturday surveys,
- no surveys in poor weather, and
- no baseline data for the rest of the year.

From such a limited and biased sample, it is statistically impossible to conclude that Saturday pressures are consistently high or comparable to weekdays.

3. The dataset is seasonally biased and cannot support year-round restrictions

The report states (p.11):

“Individual surveys were conducted for every street within the proposed boundary sixteen times during varying weather conditions and throughout the week, including weekends and both mornings and afternoons.”

However, the evidence provided directly contradicts this statement. All survey dates fall exclusively in June and late September - months characterised by warm, sunny, above-average temperatures. Weather records for the specific survey dates confirm that conditions were consistently favourable, decisively rejecting the claim that surveys took place in “varying weather conditions” (See Appendix 1).

This matters. Portobello is a seaside community, and parking demand is highly sensitive to warm, sunny weather. Conducting all surveys during peak seasonal conditions inevitably inflates parking pressure, creating a distorted and unrepresentative picture of typical, year-round demand. Even under these peak conditions, many streets within the proposed CPZ area still displayed adequate capacity, directly contradicting the narrative of year-round high pressure.

Despite this, the report provides:

- no analysis of seasonal bias,
- no adjustment for weather,
- no assessment using winter or term-time data, and
- no explanation for limiting surveys to peak visitor periods.

Edinburgh schools were on summer holiday from Thursday 26 June to Wednesday 13 August 2025. The June surveys (17 - 22 June) therefore took place immediately before the holiday period, when warm weather and early-summer activity already escalate visitor numbers, and the September surveys occurred during an extended tourism season.

The absence of representative off-peak, cool-weather, or term-time data is a significant methodological failure.

4. Surveys were carried out during major roadworks, distorting normal parking behaviour

The report makes no mention of substantial roadworks taking place in Portobello which continued until October 2025 and affected traffic flow, parking bay availability, and street layout.

This caused:

- displaced parking,
- diverted routes,
- temporary suspensions, and
- altered footways and kerb lines.

The data gathered under these temporary and abnormal conditions is not representative of normal parking behaviour and cannot form the basis of long-term regulation.

5. The evidence does not justify year-round CPZ restrictions

Because the dataset:

- covers only seven days (no evidence of 16 surveys),
- includes only two Saturdays,
- was collected almost exclusively in good weather,
- was influenced by major roadworks, and
- omits winter, spring, autumn, term-time, and poor-weather periods,

...it cannot reasonably be considered representative of typical, year-round conditions. Yet the report uses this limited, skewed dataset to justify a full-year, six-day CPZ, which is disproportionate to the evidence.

Progressing this CPZ is not only contrary to the expressed wishes of the community, but it also carries significant financial and strategic risks for the Council: The TRO/24/05, if approved based on the current evidence, is vulnerable to judicial review.

Adopting year-round restrictions on the basis of such compromised, inconsistent, and seasonally biased evidence exposes the decision to challenge.

A court could find that:

- material considerations were not properly assessed, or
- misleading or irrelevant factors were relied upon,

which may constitute irrationality under *Wednesbury* reasonableness as applied in Scottish local authority decision-making. The deficiencies outlined above would form a credible basis for judicial review.

Given the methodological inconsistencies, the limited and seasonally biased evidence base, the minimal Saturday sampling, and the distortion caused by roadworks, we respectfully urge the Sub-Committee to scrutinise the data with utmost care. The evidence presented does not credibly support the introduction of a year-round CPZ in Portobello.

Yours sincerely,

Nikki Middleton
Jane Grant
Ania Lewandowska-Craig
Ranald Leask

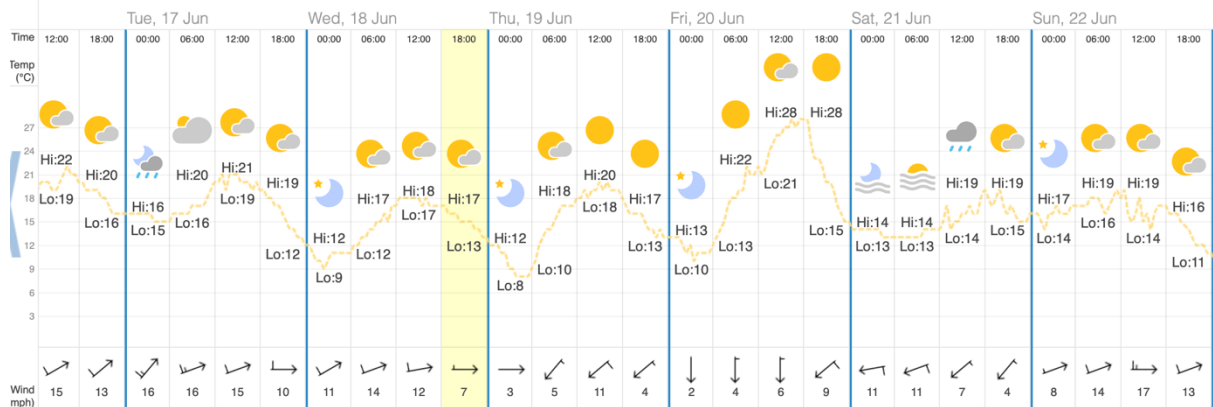
On behalf of Portobello and Joppa Residents & Businesses Against CPZ, and members of the Portobello Traders Association, which collectively represents more than 50 local businesses.

<https://www.portyagainstcpz.com/>

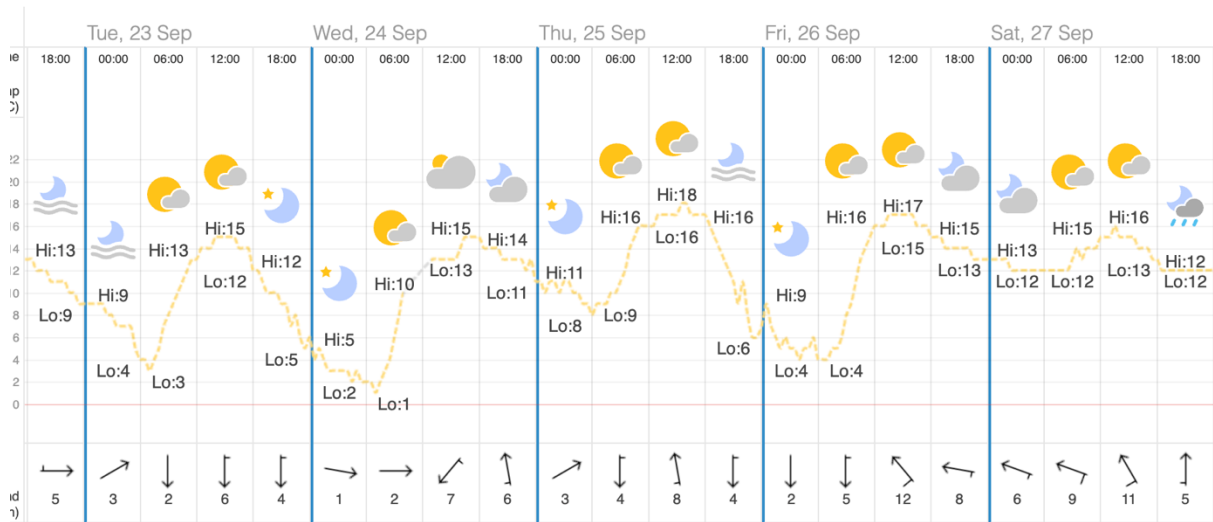
A petition with 1951 signatures rejecting Portobello and Joppa Residents & Businesses Against CPZ is available [here](#).

APPENDIX 1.

June 2025 Weather in Edinburgh — Graph



September 2025 Weather in Edinburgh — Graph



APPENDIX 2.

Survey Dates Listed in the Report (p.21)

- 1.7 Streets with a surveyable parking capacity within the proposed CPZ boundary were surveyed at sixteen separate occasions throughout the week, including weekends. Surveys were completed on the following dates in both the morning and afternoon of each day.

2025 Survey CPZ Survey Dates	
Tuesday 17 June 2025 AM & PM	Tuesday 23 September 2025 AM & PM
Thursday 19 June 2025 AM & PM	Wednesday 24 September 2025 AM & PM
Saturday 21 June 2025 AM & PM	Saturday 27 September 2025 AM & PM
Sunday 22 June 2025 AM & PM	Saturday 27 September 2025 AM & PM

APPENDIX 3.

The following is a written exchange between a local resident and Alisdair Dawson, a Council Information Compliance Officer. This exchange is from 22 July 2025 and refers to a previous response from the Council on the same topic:

Local resident: *"The Council states that: "Multiple visits were made on different days, and at different times, to all streets shown on the heat map; however, information regarding the exact times and days of visits is no longer held." What has happened to this information? Has it been deleted? Has it been lost? Surely you must have a record of it? If it has been deleted/lost, who was responsible for this error?"*

Information Compliance Officer: *"Although the consultants responsible for producing the report (detailing the survey and consultation outcomes) provided a description of the survey method, the information regarding the exact times and days of each of the 2021 survey visits is not held by the Council. Further on-street parking surveys have taken place and more are planned in for later in 2025, the results of which will take precedence over the survey data from 2021 and will be combined with the feedback the Council has received via the public consultation."*

The inability or refusal to disclose the relevant information casts doubt on the veracity and reliability of the data held by the Council (if indeed it is held at all and has not been lost/deleted). The Council refused to provide any further details as part of this exchange, which led to an appeal by the local resident to the Scottish Information Commissioner.

The Commissioner has adjudged that this case meets its criteria for further investigation. The Commissioner is currently investigating the Council's handling of this matter but it is unlikely to make a ruling until 2026.