

CORPORATE SERVICES DEPARTMENT
Director – Caroline Holland



**Democracy Services
London Borough of Merton
Merton Civic Centre
London Road
Morden SM4 5DX**

**Direct Line: 0208 545 3357
Email: democratic.services@merton.gov.uk**

Date: 5 April 2019

Dear Councillor

**Notification of a Decision taken by the Cabinet Member for
Regeneration, Environment and Housing**

The attached non-key decision has been taken by the Cabinet Member for Regeneration, Environment and Housing, with regards to:

-) Approval to include new controlled parking zones SW1, MTC 1 & 2 in the parking charges consultation approved by cabinet 14th January 2019.**

and will be implemented at **noon on Wednesday 10 April 2019** unless a call-in request is received.

The [call-in](#) form is attached for your use if needed and refers to the relevant sections of the constitution.

Yours sincerely

**Amy Dumitrescu
Democracy Services**

NON-KEY DECISION TAKEN BY A CABINET MEMBER UNDER DELEGATED AUTHORITY

See over for instructions on how to use this form – all parts of this form must be completed. Type all information in the boxes. The boxes will expand to accommodate extra lines where needed.

Title of report: Approval to include new controlled parking zones SW1, MTC 1 & 2 in the parking charges consultation approved by cabinet 14th January 2019.

Reason for exemption (if any) – N/A

Decision maker

Councillor Martin Whelton, cabinet Member for regeneration, housing & transport

Date of Decision

1 April, 2019

Date report made available to decision maker

27 March, 2019

Decision

That the Cabinet Member considers the issues detailed in this report and:

- A) Gives approval for Controlled Parking Zone SW1 (which become operational in December 2018) to form part of the wider consultation process in accordance with the Public health, air quality and sustainable transport – a strategic approach to parking charges report, approved by Cabinet on 14th January 2019. To include SW1 in the subsequent making of any new Oder.

- B) Gives approval for Controlled parking zones MTC 1 and MTC 2 which become operational on 13th May 2019 and be consulted with at such time they become operational for reasons as set out in the Public health, air quality and sustainable transport – a strategic approach to parking charges report, approved by Cabinet on 14th January 2019. To include MTC 1 & 2 in the subsequent making of any new Oder.

Reason for decision

At the time of drafting the committee reports controlled parking zone SW1, MTC1 and MTC 2 were not operation and therefore not included in the appendixes listing each controlled zone. As these zones were not specifically listed in the report Cabinet Member approval is required for inclusion in the consultation process.

Alternative options considered and why rejected

If approval is not given controlled parking zones SW1, MTC1 and MTC2 would not form part of the consultation process or be subject to the proposed changes in permit prices.

Documents relied on in addition to officer report

N/A

Declarations of Interest

None

Cllr Martin Whelton

1 April, 2019

Cabinet member for regeneration, housing and transport

Committee: Cabinet Member Report

Date: 5th April 2019

Agenda item:

Ward: Abbey and Cricket Green.

Subject: Approval to include new controlled parking zones SW1, MTC 1 & 2 in the parking charges consultation approved by cabinet 14th January 2019.

Lead officer: Chris Lee, Director of Environment & Regeneration.

Lead member: Councillor Martin Whelton, Cabinet Member for Regeneration, Housing and Transport.

Forward Plan reference number N/A

Contact Officer: Ben Stephens, Head of Parking Services

Tel 020 8545 3337

Email: ben.stephens@merton.gov.uk

Recommendations:

That the Cabinet Member considers the issues detailed in this report and;

- A) Gives approval for Controlled Parking Zone SW1 (which become operational in December 2018) to form part of the wider consultation process in accordance with the Public health, air quality and sustainable transport – a strategic approach to parking charges report, approved by Cabinet on 14th January 2019. To include SW1 in the subsequent making of any new order.

- B) Gives approval for Controlled parking zones MTC 1 and MTC 2 which become operational on 13th May 2019 and be consulted with at such time they become operational for reasons as set out in the Public health, air quality and sustainable transport – a strategic approach to parking charges report, approved by Cabinet on 14th January 2019. To include MTC 1 & 2 in the subsequent making of any new Oder.

At the time of drafting the committee reports controlled parking zone SW1, MTC1 and MTC 2 were not operational and therefore not included in the appendices listing each controlled zone. As these zones were not specifically listed in the report Cabinet Member approval is required for inclusion in the consultation process.

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- (A) For approval to be sought for Controlled Parking Zone SW1 (which become operational in December 2018) to form part of the wider consultation process in accordance with the Public health, air quality and sustainable transport – a strategic approach to parking charges report, approved by Cabinet on 14th January 2019. To include SW1 in the subsequent making of any new Oder.

- (B) For approval to be sought for Controlled parking zones MTC 1 and MTC 2 which become operational on 13th May 2019 and be consulted with at such time they become operational for reasons as set out in the Public health, air quality and sustainable transport – a strategic approach to parking charges report, approved by Cabinet on

14th January 2019. To include MTC 1 & 2 in the subsequent making of any new Order.

2. DETAILS

At the time of drafting the committee reports controlled parking zone SW1, MTC1 and MTC 2 were not operational and therefore not included in the appendices listing each controlled zone. As these zones were not specifically listed in the report Cabinet Member approval is required for inclusion in the consultation process.

3. ALTERNATIVE OPTIONS

If approval is not given controlled parking zones SW1, MTC1 and MTC2 would not form part of the consultation process or be subject to the proposed changes/making of Orders in due course.

4. CONSULTATION

The council has entered a significant statutory consultation on its proposed increase in charges, it is essential residents and those effected by these CPZs are fully engaged with, and any subsequent Orders made can include these CPZs.

4.1 Ward Councillor Comments

N/a.

5. PROPOSED MEASURES

6. TIMETABLE

Consultation of Parking Charges Ends 5th May 2019. Subject to approval implementation of new charges and making of orders to include SW1 MTC 1 and MTC will take place over the summer.

7.0 FINANCIAL RESOURCE AND PROPERTY IMPLICATIONS

There are no financial implications specifically relating to this report. Any costs relating to the consultation or making of Orders in respect of CPZs SW1, MTC 1 & MTC 2 are contained within existing budgets.

8. LEGAL AND STATUTORY IMPLICATIONS

8.1 The Traffic Management Orders would be made under Section 6 and Section 45/46 of the Road Traffic Regulation Act 1984 (as amended). The Council is required by the Local Authorities Traffic Order (Procedure) (England and Wales) Regulations 1996 to give notice of its intention to make a Traffic Order (by publishing a draft traffic order). These regulations also require the Council to consider any representations received as a result of publishing the draft order.

8.2 The Council's powers to make Traffic Management Orders arise mainly under sections 6, 45, 46, 122 and 124 and schedules 1 and 9 of the RTRA 1984.

9. HUMAN RIGHTS & EQUALITIES AND COMMUNITY COHENSION IMPLICATIONS

9.2 Bodies representing motorists, including commuters are included in the statutory consultation required for draft traffic management and similar orders published in the local paper and London Gazette. All residents will have the right to challenge or object to the proposals set out in the Public health, air quality and sustainable transport-a strategic approach to parking charges report approved by Cabinet in January 2019.

10. CRIME AND DISORDER IMPLICATIONS

10.1 N/a

11. RISK MANAGEMENT IMPLICATIONS

N/a

12. ENVIRONMENTAL IMPLICATIONS

N/a

13. APPENDICES

None

Merton Council - call-in request form

1. Decision to be called in: (required)

--

2. Which of the principles of decision making in Article 13 of the constitution has not been applied? (required)

Required by part 4E Section 16(c)(a)(ii) of the constitution - tick all that apply:

(a) proportionality (i.e. the action must be proportionate to the desired outcome);	
(b) due consultation and the taking of professional advice from officers;	
(c) respect for human rights and equalities;	
(d) a presumption in favour of openness;	
(e) clarity of aims and desired outcomes;	
(f) consideration and evaluation of alternatives;	
(g) irrelevant matters must be ignored.	

3. Desired outcome

Part 4E Section 16(f) of the constitution- select one:

(a) The Panel/Commission to refer the decision back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns.	
(b) To refer the matter to full Council where the Commission/Panel determines that the decision is contrary to the Policy and/or Budget Framework	
(c) The Panel/Commission to decide not to refer the matter back to the decision making person or body *	
* If you select (c) please explain the purpose of calling in the decision.	

4. Evidence which demonstrates the alleged breach(es) indicated in 2 above (required)

Required by part 4E Section 16(c)(a)(ii) of the constitution:

5. Documents requested

6. Witnesses requested

7. Signed (not required if sent by email):

8. Notes – see part 4E section 16 of the constitution

Call-ins must be supported by at least three members of the Council.

The call in form and supporting requests must be received by 12 Noon on the third working day following the publication of the decision.

The form and/or supporting requests must be sent:

-) **EITHER** by email from a Councillor’s email account (no signature required) to democratic.services@merton.gov.uk
-) **OR** as a signed paper copy to the Head of Democracy Services, 7th floor, Civic Centre, London Road, Morden SM4 5DX.

For further information or advice contact the Head of Democracy Services on
020 8545 3864