

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:

**) Proposed waiting restrictions borough wide 2019 Batch 1 (statutory
consultation)**

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.

1. Title of report

Proposed waiting restrictions borough wide 2019 Batch 1 (statutory consultation)

2. Reason for exemption (if any)

3. Decision maker

Councillor Martin Whelton, Cabinet Member for Regeneration, Housing and Transport

4. Date of Decision

4 April 2019

5. Date report made available to decision maker

3 April 2019

6. Decision

- 1) Notes the result of the statutory consultation carried out between 1st February 2019 and 22nd February 2019 on the proposals to introduce 'at any time' waiting restrictions at various locations across the borough.
- 2) Agrees to proceed with the making of the relevant Traffic Management Orders (TMOs) and the implementation of the waiting 'at any time' at various locations across the borough as shown in Drawing Nos. Z27-671-01 – Z27-671-12 and revised drawing no. Z27-671-09A.
- 3) Agrees to exercise his discretion not to hold a public inquiry on the consultation process.

7. Alternative options considered and why rejected

Do nothing. This would be contrary to the concerns expressed by the local communities, and would not resolve the dangerous and obstructive parking that is currently taking place.

8. Documents relied on in addition to officer report

None

9. Declarations of Interest

None

Cllr Martin Whelton

Cabinet member for regeneration, housing and transport

4 April, 2019

Cabinet Member for Regeneration, Environment and Housing:

Date: 3rd April 2019

Agenda item:

Ward: Various

Subject: Proposed waiting restrictions borough wide 2019 Batch 1 (statutory consultation)

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: Barry Copestake, Tel: 020 8545 3840

Email: barry.copestake@merton.gov.uk

Recommendations:

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

- 1) Notes the result of the statutory consultation carried out between 1st February 2019 and 22nd February 2019 on the proposals to introduce 'at any time' waiting restrictions at various locations across the borough.
- 2) Agrees to proceed with the making of the relevant Traffic Management Orders (TMOs) and the implementation of the waiting 'at any time' at various locations across the borough as shown in Drawing Nos. Z27-671-01 – Z27-671-12 and revised drawing no. Z27-671-09A.
- 3) Agrees to exercise his discretion not to hold a public inquiry on the consultation process.

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 This report details the undertaking of the statutory consultation and the outcome on the Councils' proposals to introduce waiting restrictions across the borough operating 'at any time'.
- 1.2 It seeks approval to proceed with the making of the relevant Traffic Management Orders (TMOs) to introduce waiting restrictions at various locations across the borough operational 'at any time' as shown in drawing nos. Z27-671-01 – Z27-671-12 and revised drawing no. Z27-671-09A.

2 BACKGROUND

- 2.1 Officers regularly receive complaints and concerns regarding obstructive and dangerous parking from emergency services, local ward members and the local residents. Due to the large number of requests that are received throughout the year, it has been necessary to group these requests with the intention of undertaking a borough wide statutory consultation. Each request is added to a rolling programme for investigation and the appropriate recommendations and the proposals are formulated in one report.

3 STATUTORY CONSULTATION

- 3.1 The statutory consultation on the Council's proposal to introduce waiting restrictions at various locations across the borough commenced on 1st February 2019 and concluded on 22nd February 2019. The consultation included the erection of street Notices on lamp

columns in the vicinity of the proposals and the publication of the Council's intentions in the Local Guardian and the London Gazette. Details and drawing plans of the proposals, see appendix A, were also available on the Council's website and a link to this website was included on all street notices.

3.2 Locations of proposals are as follows (drawing plans can be found at appendix A),

1. Lynmouth Avenue, SM4
2. Kingsbridge Road and Cleveland Rise, SM4
3. Cardinal Close, SM4
4. Lower Morden Lane, SM4
5. Camborne Road, SM4
6. Arthur Road, KT3
7. Martin Way and Whatley Avenue, SW20
8. Cannon Hill Lane and Springfield Avenue, SW20
9. Denmark Road, SW19
10. Deer Park Road, SW19
11. Locks Lane and Kennedy Close, CR4
12. Locks Lane and Pearce Close, CR4

3.3 The statutory consultation resulted in the Council receiving four representations to the proposals, which includes three objections to Denmark Road and one objection to Cardinal Close. The representations are further explained in section 4 and the content of the representations can be found in appendix B.

3.4 It is important to note that the council must strike a balance of ensuring safety and maintaining unobstructed traffic flow whilst acknowledging the parking needs of the community.

Ward Councillor Comment

3.5 Ward Members of the wards affected by the proposals have been engaged during the statutory consultation process with the proposals.

3.6 Hillside Ward Councillors made comments regarding the Denmark Road proposal that objectors made some very good points and the suggestion of double yellow lines across the length of the resident's crossover but leaving the rest as single yellow is worth pursuing by the Council.

4 REPRESENTATIONS RECEIVED

4.1 **Denmark Road, SW19.** Proposal was in response to resident reports of obstructive parking across the access to nos.1a - 1c and to facilitate entering / egress. Three Objections received explained current parking demand made use of the single yellow lined area outside of the CPZ operational period and concern for the continued business of the car repair garage being able to utilise the area in front of the garage doors again outside of the CPZ operational period.

4.2 Giving consideration to the representations received and appreciation to residents parking on the single yellow line outside of the CPZ's operational period the proposal has been amended for the restriction to provide clearance at the access only and retain a single yellow line for the length between the access and the existing double yellow lines at the corner junction with Ridgway. The revised proposal can be found in appendix C.

4.3 **Cardinal Close, SM4.** In response to residents' reports of obstructive parking at the turning head of the cul-de-sac hindering vehicles exiting off-road / driveway parking areas and using the area to turn. One representation was received to explain the household had several cars and for convenience a vehicle had to be parked outside the property in the turning head.

- 4.4 However, the aim of the proposal is to maintain clear access at the turning head of the cul-de-sac. Due to narrow width of road and turning head it is recommended that the use of off-road parking areas is maximised.

5 TIMETABLE

- 5.1 If a decision is made to proceed with implementation of the proposed waiting restrictions, Traffic Management Orders could be made six weeks after the made decision. This will include the erection of the Notices on lamp columns in the area, the publication of the made Orders in the Local Guardian and the London Gazette. The documents will be made available at the Link, Civic Centre and on the Council's website. The measures will be introduced soon after.

6 ALTERNATIVE OPTIONS

- 6.1 Do nothing. This would be contrary to the concerns expressed by the local communities, and would not resolve the dangerous and obstructive parking that is currently taking place.

7 FINANCIAL RESOURCE AND PROPERTY IMPLICATIONS

- 7.1 To introduce the proposed restrictions will cost approximately £3.5k. This includes the making of The Traffic Management Orders. The set up costs will be funded from the Capital budget identified for controlled parking zones within the Capital Programme 2019 / 2020.

8 LEGAL AND STATUTORY IMPLICATIONS

- 8.1 The Traffic Management Orders would be made under Section 6 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 has discretion as to whether or not to hold a public inquiry before deciding whether or not to make a Traffic Management Order or to modify the published draft Order. A public inquiry should be held where it would provide further information, which would assist the Cabinet Member in reaching a decision.

9 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 9.1 The Council carries out careful consultation to ensure that all road users are given a fair opportunity to air their views and express their needs. The parking needs of the residents and visitors are given consideration but it is considered that maintaining safe access must take priority.
- 9.2 Bodies representing motorists, including commuters are included in the statutory consultation required for draft traffic management and similar orders.
- 9.3 The implementation of waiting restrictions affects all sections of the community especially the young and the elderly and assists in improving safety for all road users as well as achieving the transport planning policies of the government, the Mayor for London and the borough.
- 9.4 By maintaining clear access points, visibility will improve thereby improving the safety at junctions; bends and along narrow sections of a road and subsequently reducing potential accidents.
- 9.5 Regulating and formulating the flow of traffic will ensure the safety of all road users and improved access throughout the day.

10 RISK MANAGEMENT IMPLICATIONS

- 10.1 The risk in not introducing the proposed waiting restrictions would be the potential risk to all road users, businesses and visitors, in the case of an emergency, and access difficulties will not be addressed. It would also be contrary to the support and concerns expressed and could lead to loss of public confidence in the Council.
- 10.2 The risk of introducing the proposed restrictions could lead to possible extra pressure on the current parking demand in the surrounding roads at each location. However, the benefits of the proposals outweigh the possible increase in demand.

11 APPENDICES

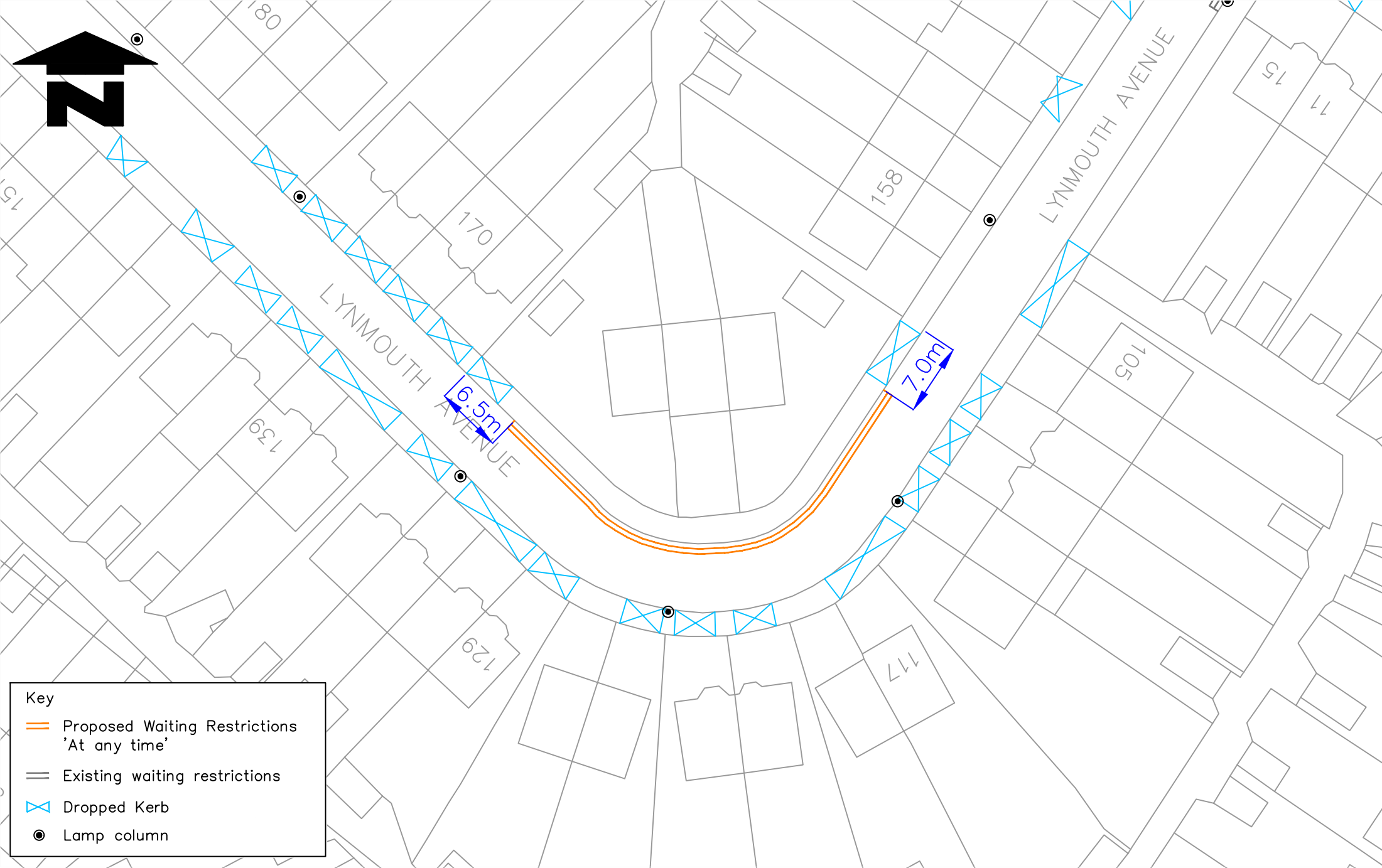
11.1 The following documents are to be published with this report and form part of the report.

11.2 Appendix A - Drawing Nos. Z27-671-01 – Z27-671-12

11.3 Appendix B - Representations and Officer's Comments

11.4 Appendix C – Revised Drawing No. Z27-671-09A

Appendix A - Drawing Nos. Z27-671-01 – Z27-671-12



Key

- Proposed Waiting Restrictions 'At any time'
- Existing waiting restrictions
- Dropped Kerb
- Lamp column

Notes
Do not scale from this drawing

Rev.	Revisions	Drawn	Sig.	Date	Chkd.	Sig.	Date	App.	Sig.	Date



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Approved by	Sig.	Date Dec2018

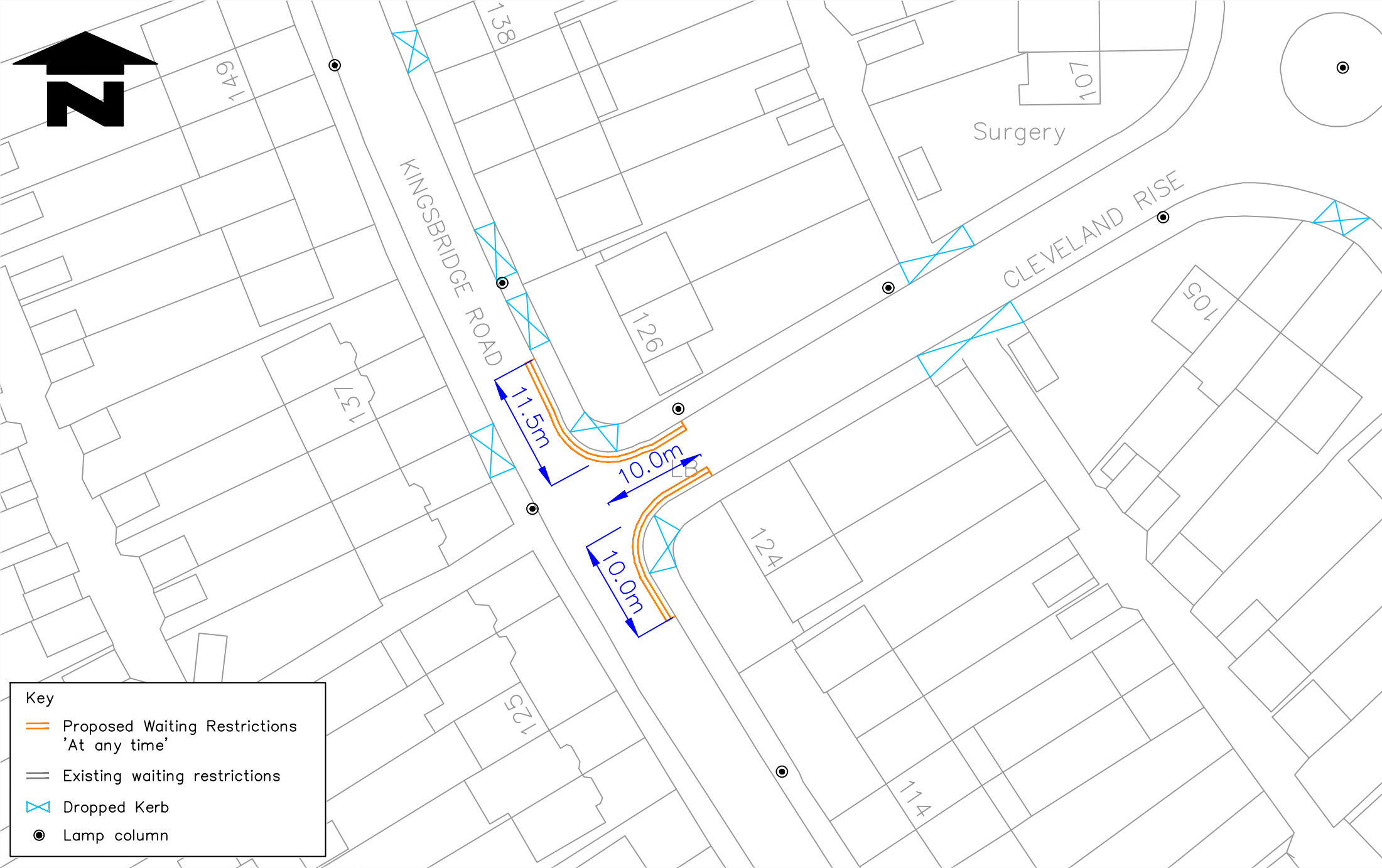
PROJECT
Waiting Restrictions (double yellow lines)

TITLE
Lynmouth Avenue
SM4



Merton Civic Centre
London Road
Morden, Surrey
SM4 5DX
www.merton.gov.uk

Drawing No. Z27-671-01
Revision -
Classification CONSULTATION
Scale 1: 500



Key

- Proposed Waiting Restrictions 'At any time'
- Existing waiting restrictions
- Dropped Kerb
- Lamp column

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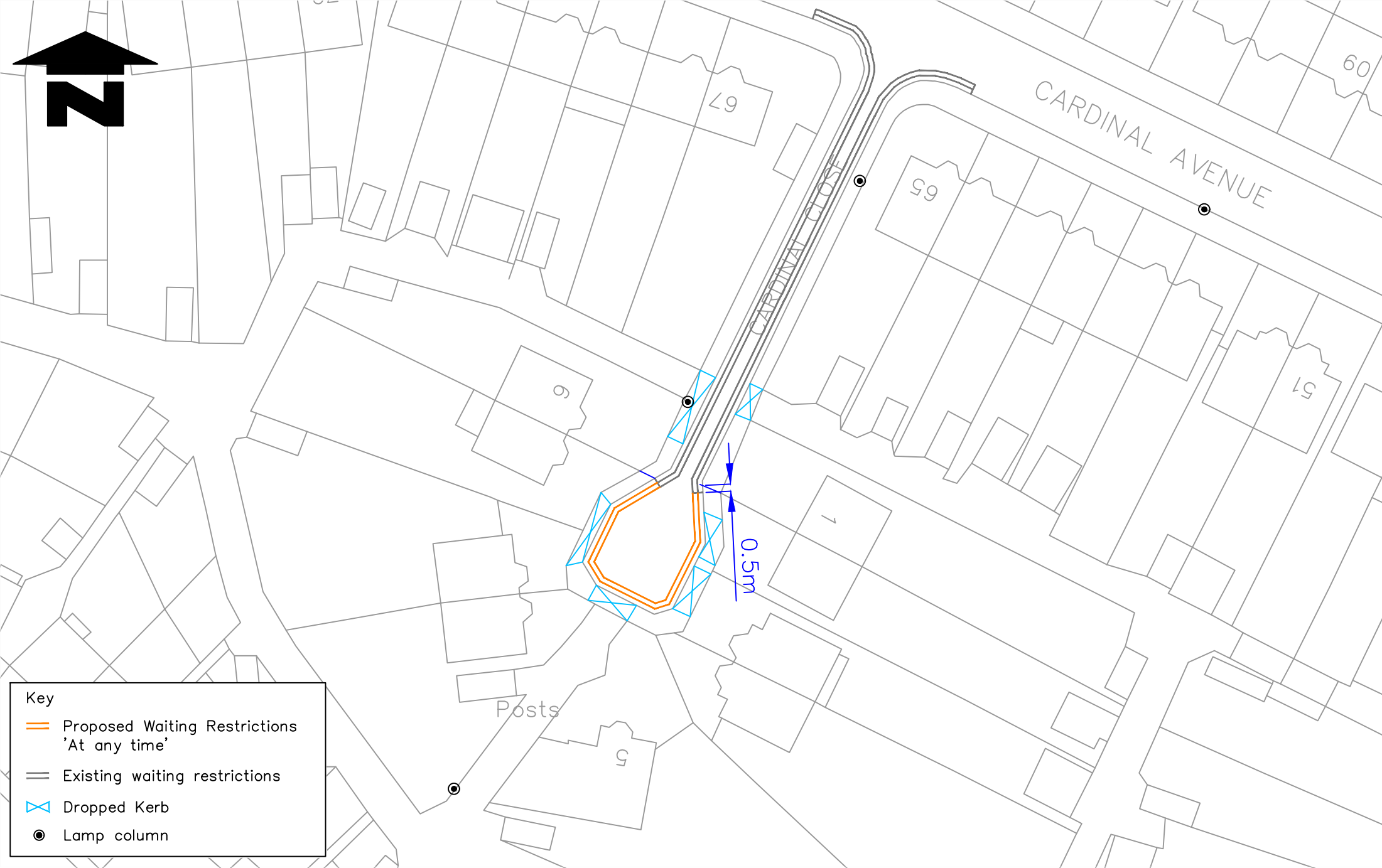
PROJECT
Waiting Restrictions
(double yellow lines)

TITLE
Kingsbridge Rd / Cleveland Rise
SM4



Merton Civic Centre
London Road
Morden, Surrey
SM4 5DX
www.merton.gov.uk

Drawing No. Z27-671-02
Revision -
Classification CONSULTATION
Scale 1: 500



Key

- Proposed Waiting Restrictions 'At any time'
- Existing waiting restrictions
- Dropped Kerb
- Lamp column

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PROJECT
Waiting Restrictions
(double yellow lines)

TITLE
Cardinal Close
SM4



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London Road
Morden, Surrey
SM4 5DX
www.merton.gov.uk

Drawing No. Z27-671-03
Revision -
Classification CONSULTATION
Scale 1: 500



(um)

CS

LOWER MORDEN LANE





19.5m

3.5m

103

16

Key

-  Proposed Waiting Restrictions 'At any time'
-  Existing waiting restrictions
-  Dropped Kerb
-  Lamp column

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Approved by	Sig.	Date Dec 2018

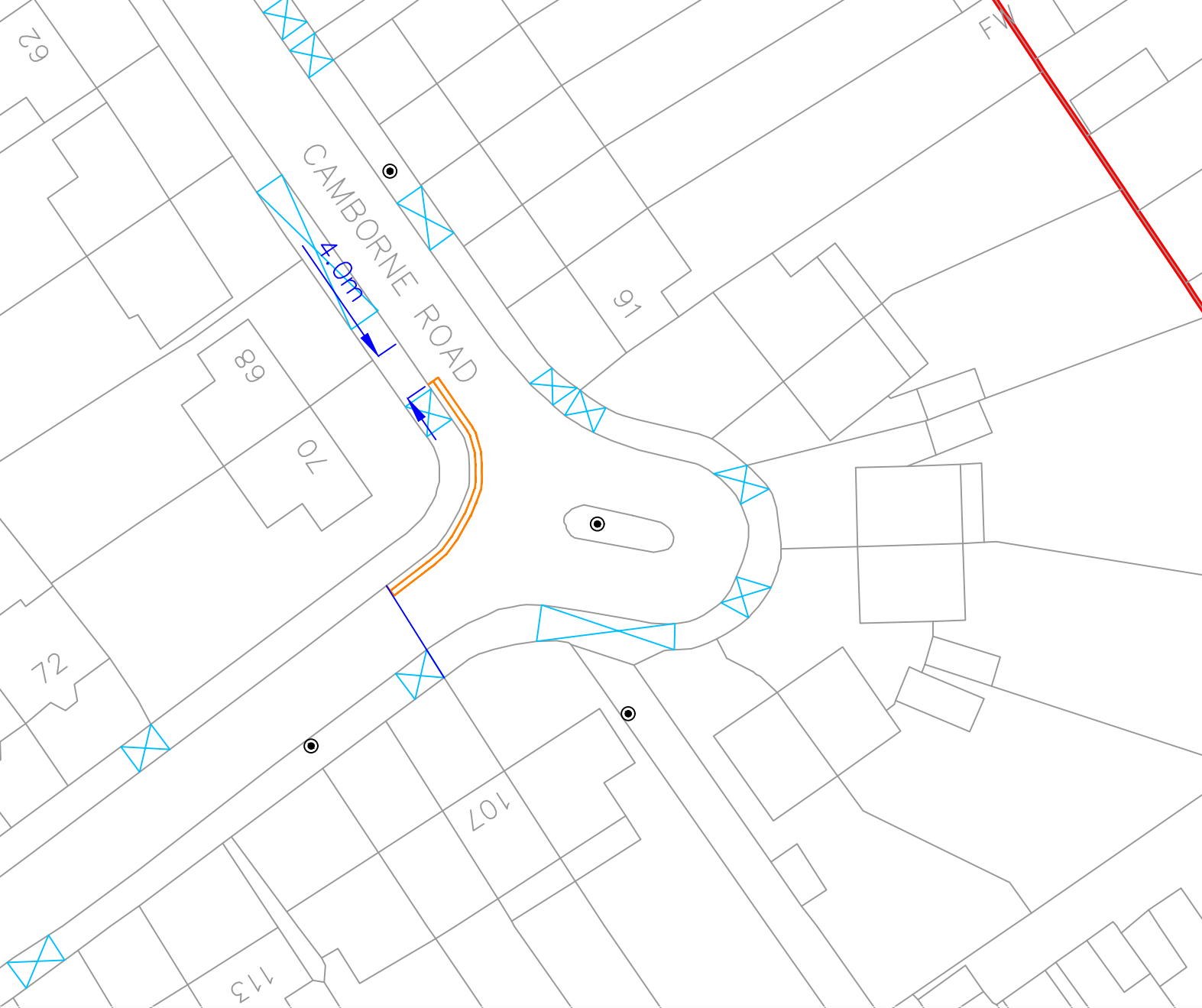
PROJECT
Waiting Restrictions (double yellow lines)

TITLE
Lower Morden Lane SM4



Merton Civic Centre
London Road
Morden, Surrey
SM4 5DX
www.merton.gov.uk

Drawing No. Z27-671-04
Revision -
Classification CONSULTATION
Scale 1: 500



Key

- Proposed Waiting Restrictions 'At any time'
- Existing waiting restrictions
- Dropped Kerb
- Lamp column

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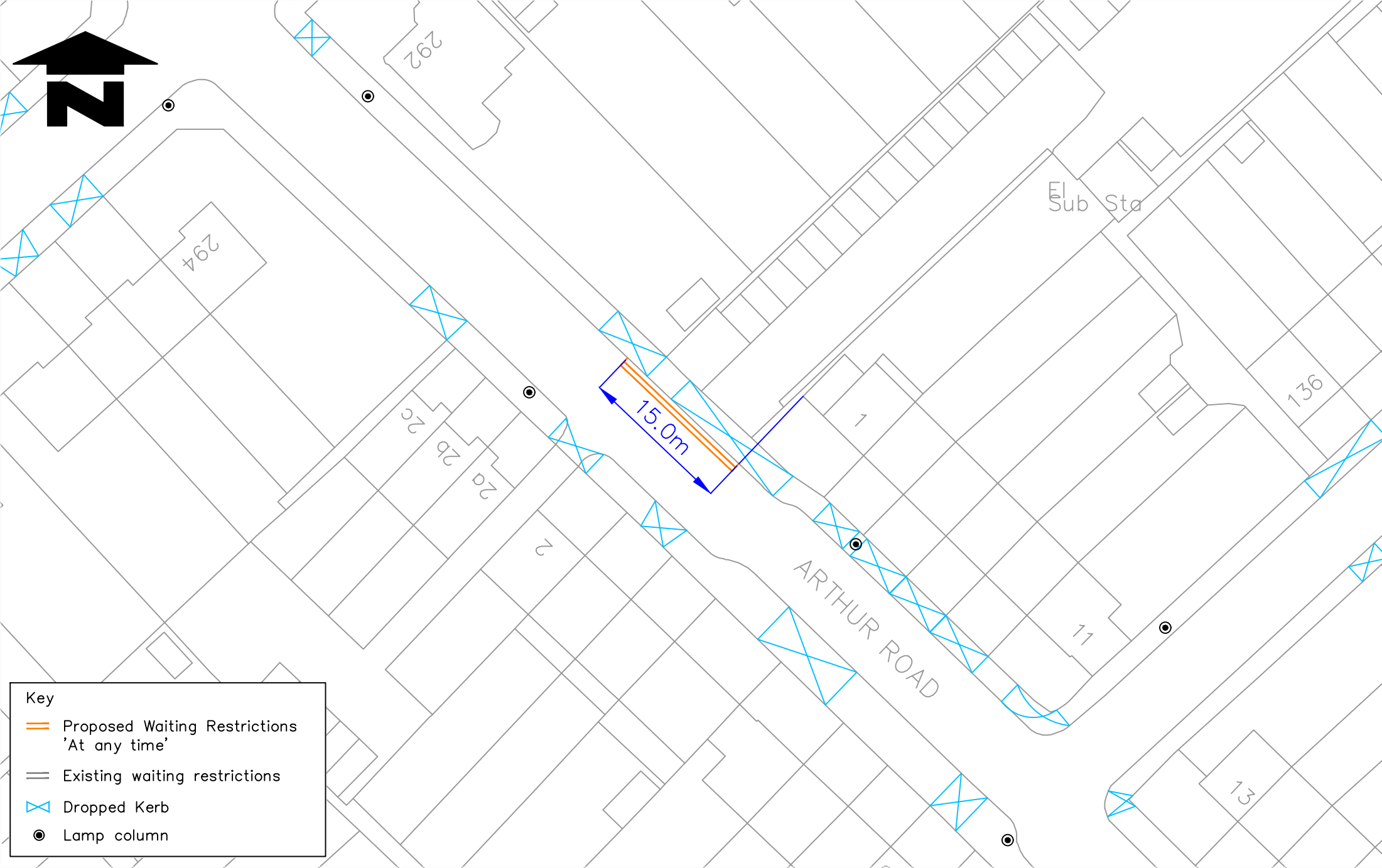
Drawn by BC	Sig.	Date May2017
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Approved by	Sig.	Date Dec2018

PROJECT
Waiting Restrictions (double yellow lines)

TITLE
Camborne Road SM4

Merton Civic Centre
London Road
Morden, Surrey
SM4 5DX
www.merton.gov.uk

Drawing No. Z27-671-05
Revision -
Classification CONSULTATION
Scale 1: 500



Key

- Proposed Waiting Restrictions 'At any time'
- Existing waiting restrictions
- Dropped Kerb
- Lamp column

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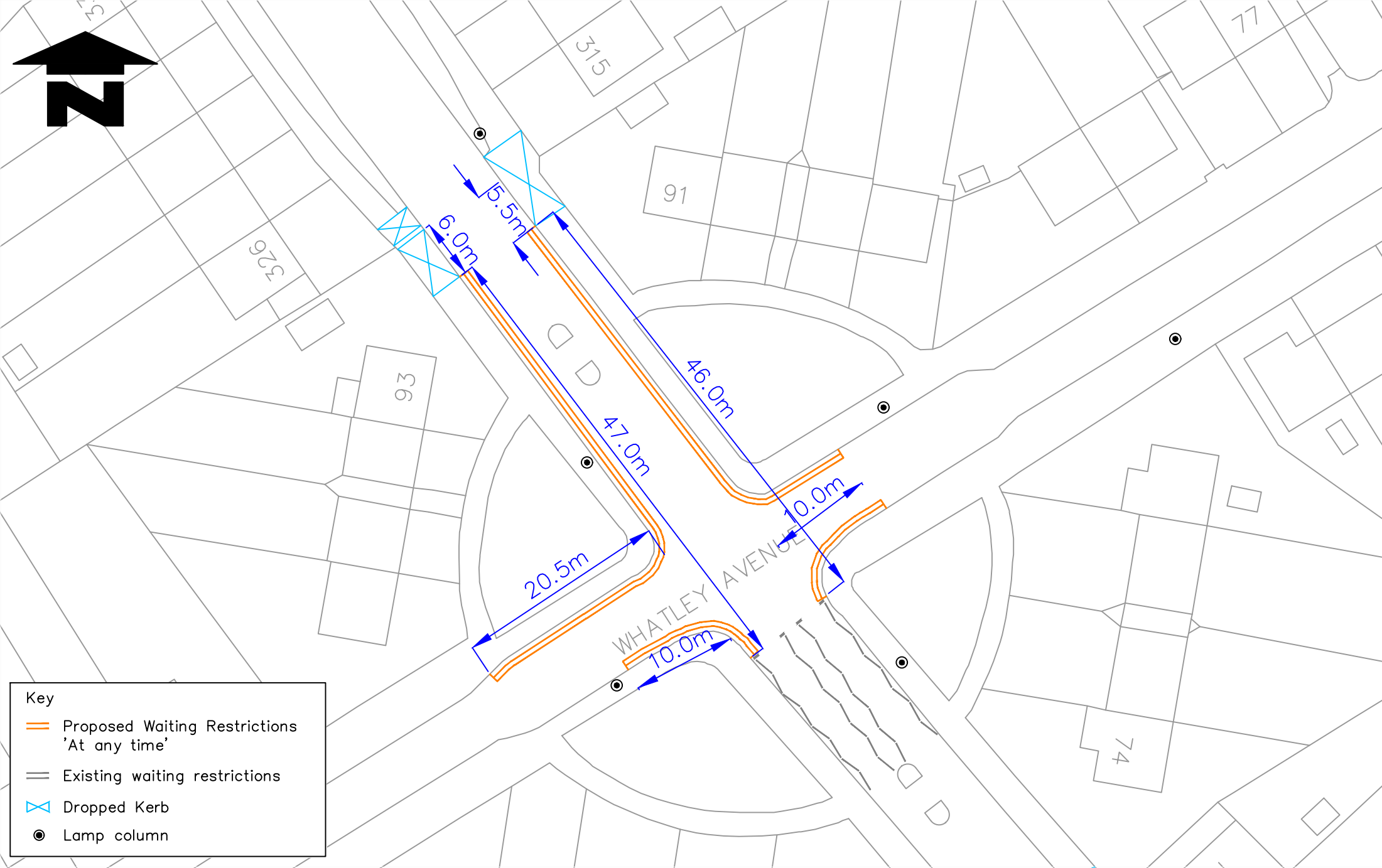
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Approved by	Sig.	Date Dec 2018

PROJECT
Waiting Restrictions (double yellow lines)

TITLE
Arthur Road
KT3

Merton Civic Centre
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SM4 5DX
www.merton.gov.uk

Drawing No. Z27-671-06
Revision -
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Scale 1: 500



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- Existing waiting restrictions
- Dropped Kerb
- Lamp column

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Approved by	Sig.	Date Jan2019

PROJECT
Waiting Restrictions
(double yellow lines)

TITLE
Whatley Ave / Martin Way
SW20

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London Road
Morden, Surrey
SM4 5DX
www.merton.gov.uk

Drawing No. Z27-671-07
Revision -
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El Sub Sta

CANNON HILL LANE

SPRINGFIELD AVENUE

Key

-  Proposed Waiting Restrictions 'At any time'
-  Existing waiting restrictions
-  Dropped Kerb
-  Lamp column

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Sustainable Communities
environment & regeneration

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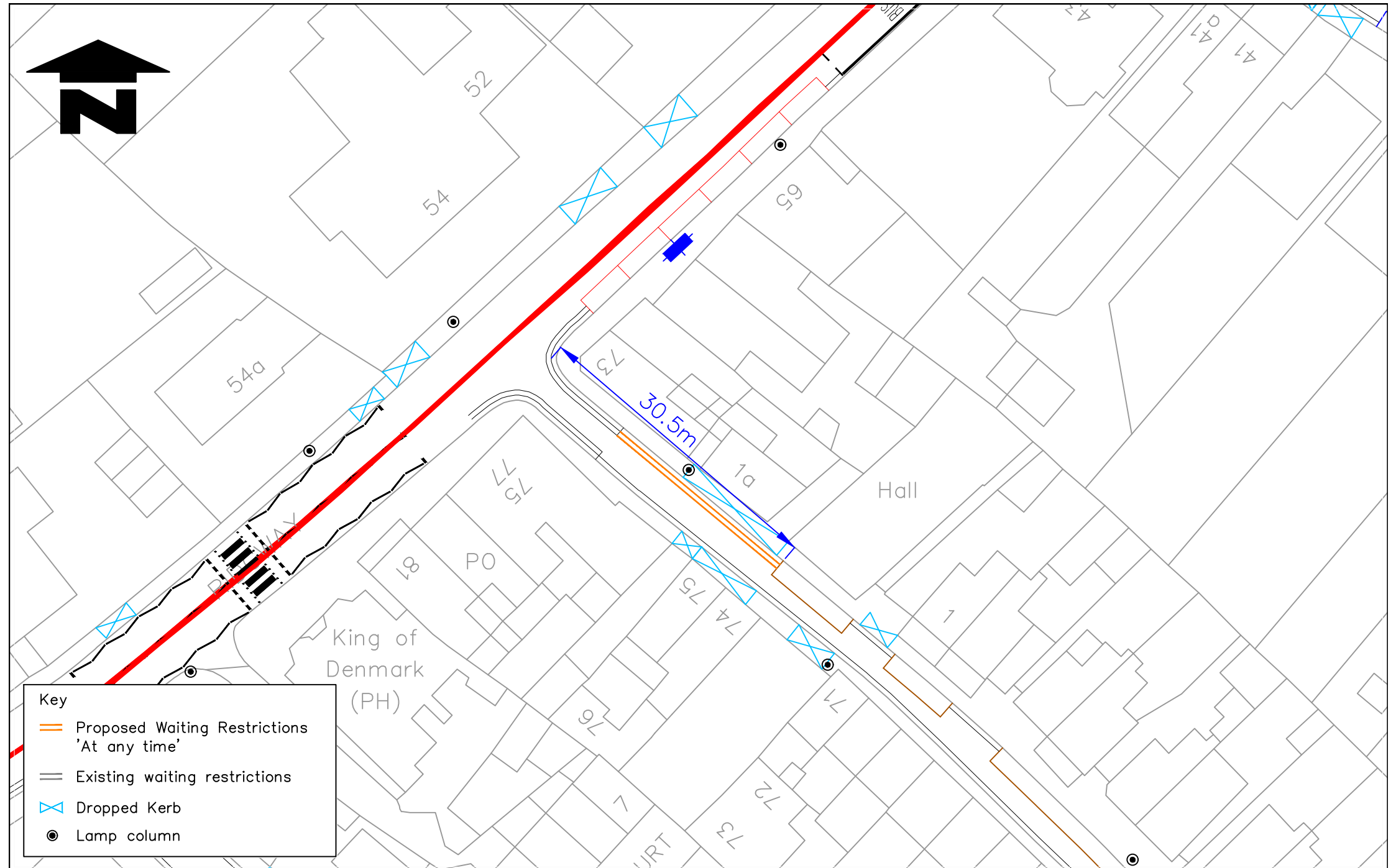
PROJECT
Waiting Restrictions
(double yellow lines)

TITLE
Cannon Hill Ln / Springfield Ave
SW20



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London Road
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Drawing No. Z27-671-08
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- Existing waiting restrictions
- Dropped Kerb
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PROJECT
Waiting Restrictions (double yellow lines)

TITLE
Denmark Road SW19



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London Road
Morden, Surrey
SM4 5DX
www.merton.gov.uk

Drawing No. Z27-671-09
Revision -
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Scale 1: 500



Factory

Dep

Works

18

22





15.5m

4.5m

25

Works

Key

-  Proposed Waiting Restrictions 'At any time'
-  Existing waiting restrictions
-  Dropped Kerb
-  Lamp column

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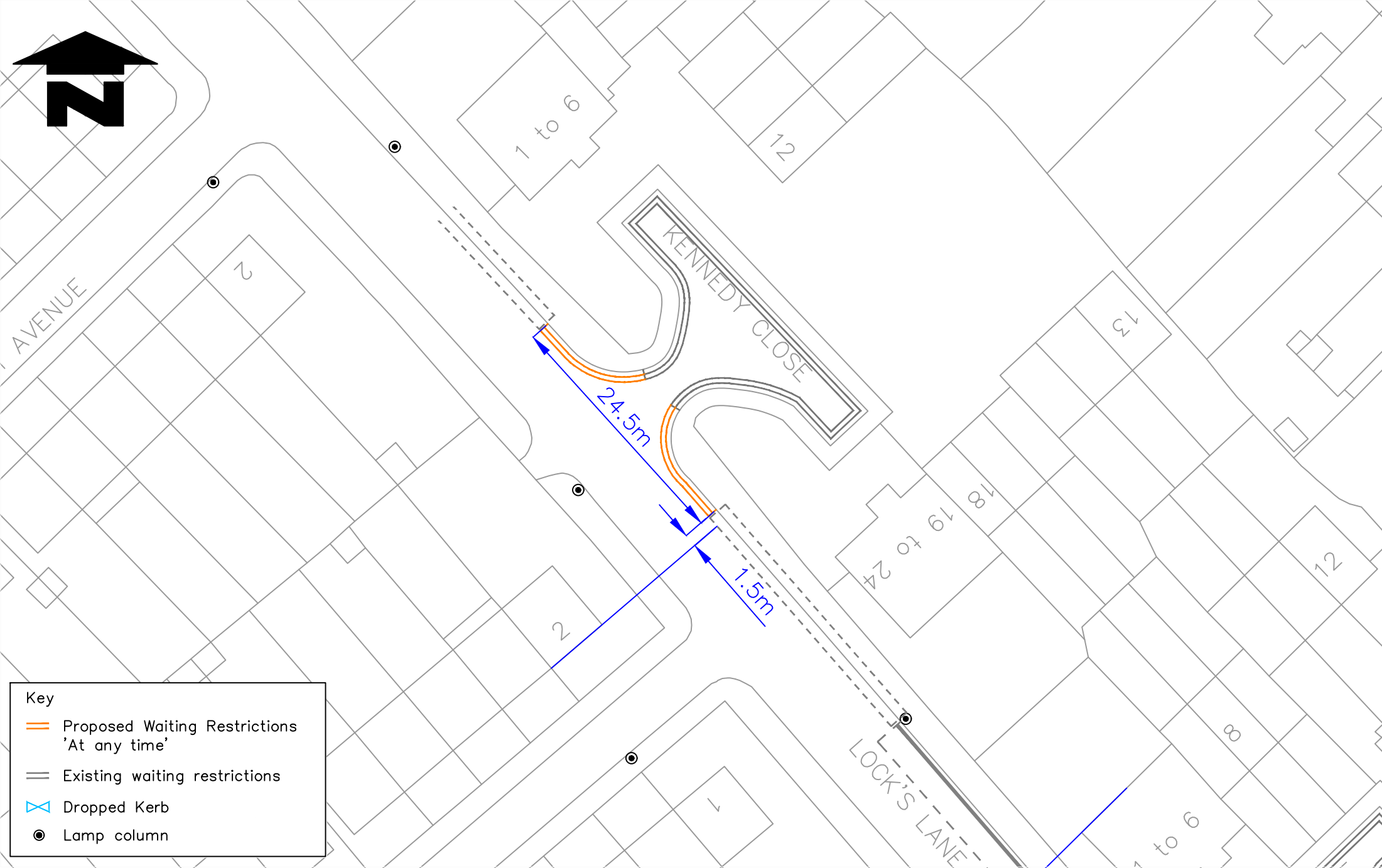
PROJECT
Waiting Restrictions (double yellow lines)

TITLE
Deer Park Road
SW19



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Drawing No.	Z27-671-10
Revision	-
Classification	CONSULTATION
Scale	1: 500



Key

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- Existing waiting restrictions
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- Lamp column

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Approved by	Sig.	Date Jan2019

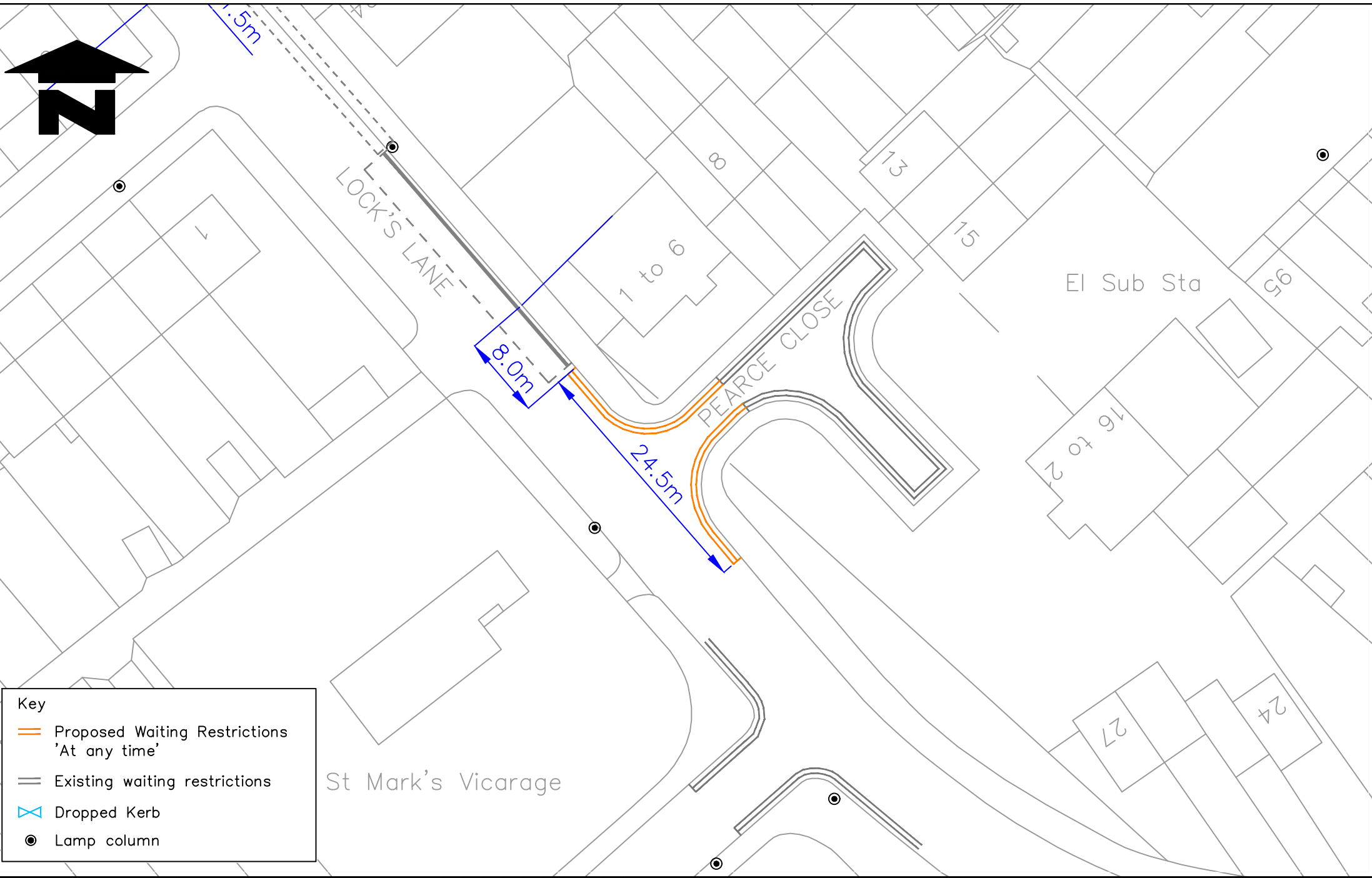
PROJECT
Waiting Restrictions (double yellow lines)

TITLE
Lock's Lane / Kennedy Close CR4



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Drawing No. Z27-671-11
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Scale 1: 500



Key

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- Dropped Kerb
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Approved by	Sig.	Date Jan2019

PROJECT
Waiting Restrictions (double yellow lines)

TITLE
Lock's Lane / Pearce Close CR4



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Drawing No. Z27-671-12
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Appendix B - Representations and Officers' Comments

Rawnsley Avenue and Octavia Close, CR4

ES/WR2019B1/001

I am a resident of Denmark Road I have read Mrs **** representations. I agree with her views entirely. The notice itself was somewhat lacking in clarity and didn't mention Denmark Road itself. I gather that it does so. I have never noticed anyone parking across the driveway of the residential house. I do not want to do anything or agree to anything that would damage Barry Hewitt's garage. The parking in the road is difficult at best and we do not want to lose any more space. I would support the revised suggestion of double yellow lines immediately across the driveway of the resident in question leaving the remaining single yellow lines in place.

ES/WR2019B1/002

The proposal is to change the existing single yellow lines at the top end of Denmark Road to double yellow lines from the existing double to the start of the residents permit bays. This proposal is at the request of the residents who have a dropped kerb directly adjacent to Hewitts garage.

The residential house in question was constructed 10 – 15 years ago from an existing yard. Highways as part of the planning permission considered that the drive way and exit into Denmark Road provided sufficient space for a vehicle to access and permission was granted. I have lived in Denmark Road for nearly thirty years and have never seen anyone park across the driveway, although it is of course entirely possible that some selfish drivers may temporarily park across the driveway for a few minutes when collecting their children from the Belgrave Harriers hall, however a double yellow line will not prevent that.

My principle concern is twofold; the first is that residents park on the single yellow line (not across the driveway) overnight; our zone expires at 6.30pm and parking is then very limited as non-residents park in the road to use the facilities at the Belgrave Harriers Hall and the Lighthouse restaurant on the Ridgway. We then have until 8.30am to move our vehicles, and of course this works out as many residents leave for work prior to 8.30am. The proposal as it stands would eliminate two spaces and create further parking difficulties for the residents.

Secondly, the proposal would place double yellow lines outside Hewitts Garage. Hewitts has operated in this road for over 40 years and is a valued member of our community. Customers of the garage deliver in their cars in the evenings ready for Hewitts to deal with first thing in the morning and the proposal would prevent this from happening putting unfair pressure on the garage.

As discussed this morning I would support the revised suggestion of double yellow lines immediately across the driveway of the resident in question leaving the remaining single yellow lines in place.

Barry Copestake was very receptive to my concerns this morning and I very much hope that this proposed scheme will be amended as above.

ES/WR2019B1/003

I wish to object to the proposed changes to extend the prohibited waiting zone in Denmark Road, the north-east side. As the changes still permit the loading and unloading of vehicles in the zone – the effect will be only to adversely restrict the business carried out at No.1A. Business has been carried out at this address for over 25 years – it does not restrict deliveries to the adjacent restaurants nor online or postal deliveries nor refuse collection. I consider that the proposed order should be cancelled.

Officer's Comments:

The points made regarding the placement of the waiting restriction have been taken into consideration and the proposal has been amended for the restriction to provide clearance at the access only and retain a single yellow line for the length between the access to nos.1a – 1c and the existing double yellow lines at the corner junction with Ridgway.

ES/WR2019B1/004

I would like to make my objections to double single line, just within my property boundaries and that is ** Cardinal Close. In front of our property we have bay that we can park our smallest car that doesn't affect neighbours neither pedestrians. I know about our neighbours conflict but that is not related with us whatsoever.

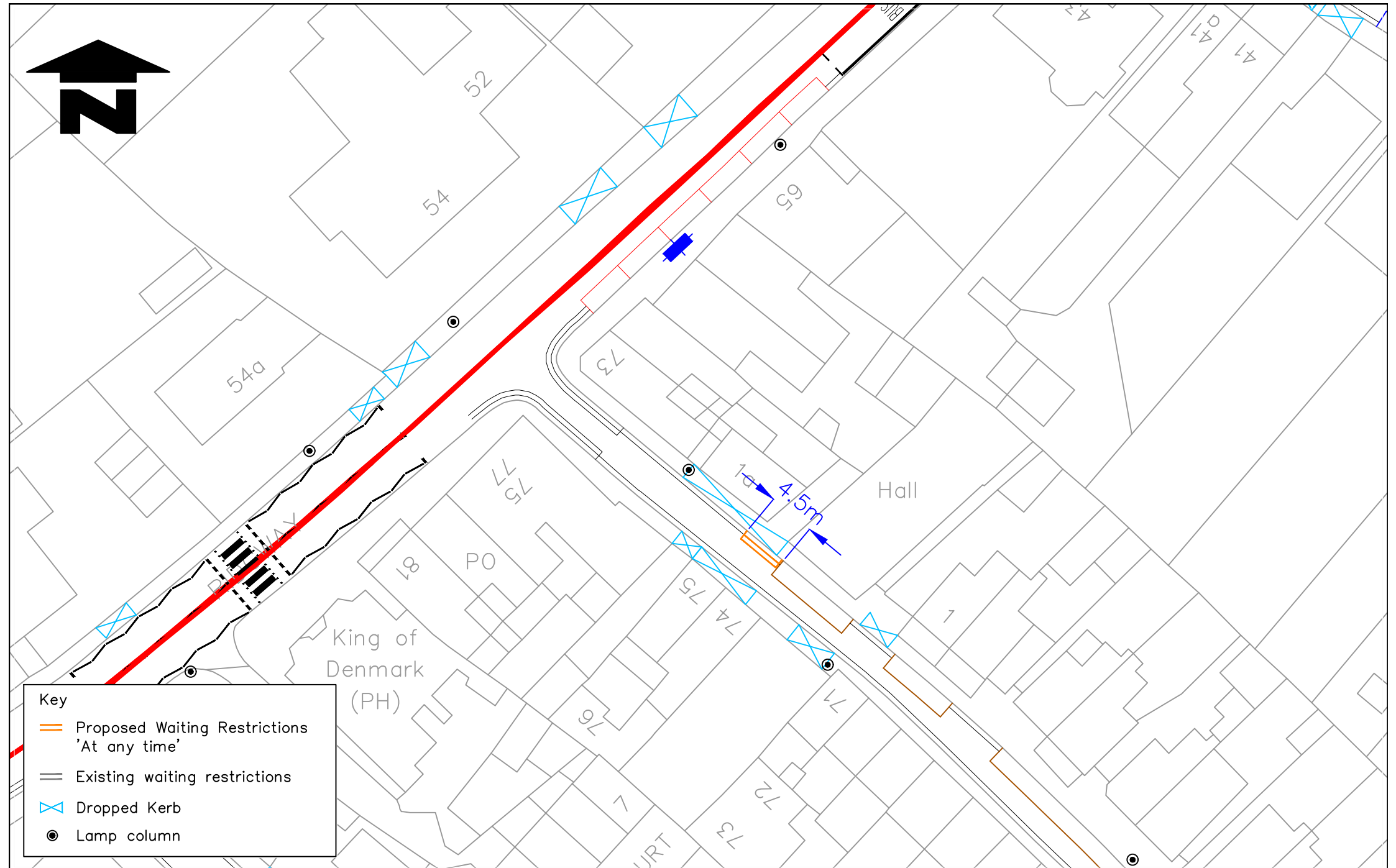
We have 3 cars in the property and I use my small car for school drop off and after school clubs for my children and other daily routine tasks, so I need park my car in front of our property for convenience and not at the Cardinal Avenue. Double lines within my property boundaries will impact my family convenience.

I would be grateful if you could omit area within our boundaries. Thank you.

Officer's Comments:

The aim of the proposal is to maintain clear access at the turning head of the cul-de-sac. The proposal is in response to the majority of residents at the end of the cul-de-sac reporting of obstructive parking at the turning head. It is appreciated that parking may be a priority for you but as the Traffic and Highway Authority, Council's priority is to ensure that safety and access are maintained at all times and as a result officer's recommendations would be to introduce the proposed restrictions. It is recommended that the use of off-road parking areas is maximised.

Appendix C – Revised Drawing No. Z27-671-09A



Key

- Proposed Waiting Restrictions 'At any time'
- Existing waiting restrictions
- Dropped Kerb
- Lamp column

Notes
Do not scale from this drawing

Rev.	Revisions	Drawn	Sig.	Date	Chkd.	Sig.	Date	App.	Sig.	Date



TRAFFIC & HIGHWAYS

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Drawn by BC	Sig.	Date May 2017
Checked by	Sig.	Date Jan 2019
Approved by	Sig.	Date Jan 2019

PROJECT
Waiting Restrictions
(double yellow lines)

TITLE
Denmark Road
SW19



Merton Civic Centre
London Road
Morden, Surrey
SM4 5DX
www.merton.gov.uk

Drawing No. Z27-671-09
Revision A
Classification CONSULTATION
Scale 1: 500

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