

CORPORATE SERVICES DEPARTMENT
Director – Caroline Holland



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

**Direct Line: 0208 545 3356
Email: democratic.services@merton.gov.uk**

Date: 1 July 2019

Dear Councillor

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

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

-) Proposed MP4 CPZ Grasmere Avenue and Kenley Road – Statutory Consultation

and will be implemented at **noon on Thursday 4 July 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

**Lisa Jewell
Democracy Services**

NON-KEY DECISION TAKEN BY A CABINET MEMBER

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 and reason for exemption (if any)

MP4 CPZ – Grasmere Area – Statutory consultation

2. Decision maker

Cabinet member for regeneration, housing and transport

3. Date of Decision

28 June 2019

4. Date report made available to decision maker

28 June 2019

5. Date report made available to the Chairs of the Overview and Scrutiny Commission and of any relevant scrutiny panel

N/A

6. Decision

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

- A) Notes the results of the statutory consultation carried out between 9 and 31 May 2019 on the proposal to introduce MP4 Controlled Parking Zone (CPZ) to include Grasmere Avenue and Kenley Road (between Windermere Avenue and Circle Gardens).
- B) Notes and considers the representations received in respect of the proposal as detailed in Appendix 2.
- C) Agrees to proceed with the making of the relevant Traffic Management Orders (TMO) and the implementation of the proposed MP4 CPZ to include Grasmere Avenue operational Monday to Sunday, between 8.30am and 6.30pm as shown in Drawing No. Z78-218-01C in Appendix 1.
- D) Agrees to proceed with making of relevant Traffic Management Orders (TMOs) for the implementation of the proposed 'At any time' waiting restrictions in Grasmere Avenue and Kenley Road.
- E) Agrees to proceed with a statutory consultation to extend the existing MP1 CPZ to include Kenley Road (between Windermere Avenue and Circle Gardens), operational Monday to Friday between 10am and 4pm as shown in Drawing No. Z78-356-01C.

- F) Agrees to proceed with a statutory consultation of the relevant Traffic Management Orders (TMOs) and the extension of the 'At any time' waiting restrictions Windermere Avenue on the west side between its junction with Kenley Road and party wall of properties No. 60 and 62 Windermere Avenue as shown in Drawing No. Z78-356-0B and attached in Appendix 1
- G) Agrees to exercise his discretion not to hold a public inquiry on the consultation process.
-

7. Reason for decision

- 1) Following the statutory consultation, residents' indicated a preference to be included in the existing MP1 existing zone instead of MP4
- 2) Support shown from residents of Grasmere Avenue for 7-day parking controls.
- 3) The introduction of 'at any time' waiting restrictions will improve road safety for pedestrians and car users.

8. Alternative options considered and why rejected

- 8.1 **Do nothing.** Do nothing. This would not address the current parking demands of the residents in respect of their views expressed during the formal consultation, as well as the Council's duty to provide a safe environment for all road users.
- 8.2 Not to introduce the proposed double yellow lines. In the event of an incident, however, this would put the residents at safety risk and the Council would be at risk as the Council could be considered as failing in its duties by not giving safety and access priority.

Informal consultation documents, and drawings

9. Declarations of Interest

None



Councillor Martin Whelton
Cabinet member for regeneration, housing and transport
28 June, 2019

Committee: Cabinet Member report

Date: 27 June 2019

Wards: Merton Park

Subject: Proposed MP4 CPZ Grasmere Avenue and Kenley Road – Statutory Consultation

Lead officer: Chris Lee, Director of Environment & Regeneration

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

Contact officer: Paul Atie, Tel: 020 8545 3337

Email: <mailto:paul.atie@merton.gov.uk>

Recommendations:

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

- A) Notes the results of the statutory consultation carried out between 9 and 31 May 2019 on the proposal to introduce MP4 Controlled Parking Zone (CPZ) to include Grasmere Avenue and Kenley Road (between Windermere Avenue and Circle Gardens).
 - B) Notes and considers the representations received in respect of the proposal as detailed in Appendix 2.
 - C) Agrees to proceed with the making of the relevant Traffic Management Orders (TMO) and the implementation of the proposed MP4 CPZ to include Grasmere Avenue operational Monday to Sunday, between 8.30am and 6.30pm as shown in Drawing No. Z78-218-01C in Appendix 1.
 - D) Agrees to proceed with making of relevant Traffic Management Orders (TMOs) for the implementation of the proposed 'At any time' waiting restrictions in Grasmere Avenue and Kenley Road.
 - E) Agrees to proceed with a statutory consultation to extend the existing MP1 CPZ to include Kenley Road (between Windermere Avenue and Circle Gardens), operational Monday to Friday between 10am and 4pm as shown in Drawing No. Z78-356-01C.
 - F) Agrees to proceed with a statutory consultation of the relevant Traffic Management Orders (TMOs) and the extension of the 'At any time' waiting restrictions Windermere Avenue on the west side between its junction with Kenley Road and party wall of properties No. 60 and 62 Windermere Avenue as shown in Drawing No. Z78-356-0B and attached in Appendix 1
 - G) 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 presents the results of the statutory consultation carried out on the Councils' proposals to implement MP4 CPZ to include Grasmere Avenue and Kenley Road (between Windermere Avenue and Circle Gardens).
- 1.2 It seeks approval to progress the above recommendations.

2 DETAILS

- 2.1 The key objectives of parking management include;
- tackling of congestion by reducing the level and impact of traffic in town centres and residential areas,
 - making the borough's streets safer and more secure, particularly for pedestrians and other vulnerable road users through traffic management measures,
 - managing better use of street spaces for people, goods and services, ensuring that priority is allocated to meet the objectives of the strategy,
 - improving the attractiveness and amenity of the borough's streets, particularly in town centres and residential areas and
 - encouraging the use of sustainable modes of transport.
- 2.2 CPZs aim to provide safe parking arrangements, whilst giving residents and businesses priority access to available kerbside parking space. It is a way of controlling the parking whilst improving and maintaining access and safety for all road users. A CPZ comprises of yellow line waiting restrictions and various types of parking bays operational during the controlled times. These types of bays include the following:
- Permit holder bays: - For use by resident permit holders, business permit holders and those with visitor permits.
- Pay and display shared use/permit holder bays: - For use by pay and display customers and permit holders.
- 2.3 A CPZ includes double yellow lines (no waiting 'at any time') restrictions at key locations such as at junctions, bends and along certain lengths of roads (passing gaps) where parking impedes the flow of traffic or would create an unacceptable safety risk e.g. obstructive sightlines or unsafe areas where pedestrians cross. These restrictions will improve access for emergency services; refuse vehicles and the overall safety for all road users, especially those pedestrians with disabilities and parents with prams. Any existing double yellow lines at junctions will remain unchanged.
- 2.4 Within any proposed CPZ or review, the Council aims to reach a balance between the needs of the residents, businesses, visitors and all other users of the highway. It is normal practice to introduce appropriate measures if and when there is a sufficient majority of support or there is an overriding need to ensure access and safety. Additionally, the Council would also take into account the impact of introducing the proposed changes in assessing the extent of those controls and whether or not they should be implemented.

- 2.5 The CPZ design comprises of yellow line restrictions and permit holder bays to be used by residents and their visitors. The layout of the parking bays are arranged in a manner that provides the maximum number of suitable parking spaces without jeopardising road safety and the free movement of traffic.

3 CONSULTATION UNDERTAKEN

INFORMAL CONSULTATION

- 3.1 The informal consultation on the proposals to introduce a Controlled Parking Zone (CPZ) MP4 to include Grasmere Avenue, Kenley Road (between Windermere Avenue and Circle Gardens) and Windermere Avenue commenced on 4th and end 22nd February 2019. 199 premises were consulted via documents containing a newsletter explaining the proposals; an associated plan showing the proposed parking layout. Residents were directed to the Council's website to fill in the online questionnaire. The consultation document was posted to all households and businesses within the catchment area.
- 3.2 The consultation resulted in a total of 90 online and 8 hardcopies of questionnaires returned (after removing duplicates / multiple returns from some households), representing a response rate of 49%. Of the 98 who responded, 66% support a CPZ, compared to 31% who do not and 3% who are unsure or made no comments.
- 3.3 According to the results, it is clear that Windermere Avenue does not support the proposed CPZ even if neighbouring roads support one. The policy of the Council has never been to impose a resident parking scheme against the wishes of the residents; as a result, Windermere Avenue has been removed from the CPZ until such time residents change their mind and request inclusion via a petition signed by majority of the households.
- 3.4 Further analysis of the results of Kenley Road and Grasmere Avenue revealed that of the 61 who responded, 56% prefer 8.30am to 6.30pm, while 27% prefer 10am to 4pm, 15% prefer 11am to 3pm and 2% unsure or no response. Results also show that of the 61 who responded, 40% prefer Mon - Sunday, while 21% prefer Monday – Saturday, 38% prefer Monday – Friday and 3% unsure or no response.
- 3.5 The results of the consultation along with officers' recommendation were presented in a report to the Cabinet Member for Regeneration, Transport and Housing on the 25 March 2019. After careful consideration of the consultation results and officers' recommendations, the Cabinet Member agreed to proceed with a statutory consultation.

4. STATUTORY CONSULTATION

- 4.1 The statutory consultation on the Council's intention to introduce MP4 Controlled Parking Zone (CPZ) to include Grasmere Avenue and Kenley Road (between Windermere Avenue and Circle Gardens) commenced on 9 and ended 31 May 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. Consultation documents were available at the Link, Merton Civic Centre and on the Council's website. A newsletter with a plan, see Appendix 3, was also distributed to all those properties included within the consultation area.
- 4.2 The newsletter detailed the following information:
- Grasmere Avenue and Kenley Road (between Windermere Avenue and Circle Gardens) to be included within the proposed MP4 CPZ operating Monday to Sunday between 8.30am and 6.30pm.
 - Outcome of the informal consultation and the Cabinet Member decision.
 - The undertaking of the statutory consultation.
 - A plan detailing the following.
 - Double yellow lines operating "at any time" without loading restrictions.
 - Scheme design layout and zone boundary.
- 4.3 The statutory consultation resulted in 30 representations with 1 representation in support (in agreement with proposed hours of operation of Monday to Sunday, between 8.30 and 6.30pm); 3 comments and 26 against the proposed days of operation of the MP4 CPZ. Their objection is not against the introduction of a CPZ in Kenley Road, rather, they preferred to join MP1 CPZ which operates Monday to Friday, between 10am and 4pm. Details of these representations along with officer's comments are detailed in Appendix 2.

Kenley Road

- 4.3 Although the informal consultation results show that the majority of residents in Kenley Road are in favour of the scheme, majority of those who voted during the informal consultation supported Monday to Friday, between 8.30pm and 6.30pm. It was recommended that the road be included within the statutory consultation for the proposed MP4, Monday to Sunday Between 8.30am and 6.30pm. However, it was agreed that should the residents of Kenly Road make representations against the days of operation during the statutory consultation, the road could be reconsidered for inclusion into the existing MP1 CPZ. During the statutory consultation majority of those who responded opposed the days of operation of Monday to Sunday proposed in this road and want to join the existing MP1 CPZ, which operate Monday to Friday, between 10am and 4pm. It is, therefore, recommended that the MP1 CPZ be extended to include Kenley Road which require a further statutory consultation. Residents of Kenley Road should note that due to the size of MP1 CPZ, permit holders of MP1 who live some distance from the town centre may commute to Kenley Road which is close to the town centre and tube station to park during the week days and weekends. This is called internal commuting, which could make it difficult for residents who live in this section of Kenley Road to find a parking space within their road. In the event of complaints about internal commuting, the Council would not be able to take any action unless a petition is forwarded to the

Council supporting an increase in the days and hours of operation of the scheme in Kenley Road.

Windermere Avenue

- 4.4 Windermere Avenue rejected the proposed CPZ but were included within the statutory consultation. During the statutory consultation, requests were received from some residents to introduce double yellow lines west side of Windermere Avenue between its junction with Kenley Road and the party wall of properties Nos. 60 and 62 Windermere Avenue as it is very busy during the day. The representations allege that there is congestion during rush hours, especially during the school runs and this could continue throughout the day. This is compounded by the road being a bus route. Having reviewed initial proposals for the CPZ, double yellow lines were proposed in this section of the road. Based on representations received and to manage traffic flows, it is recommended to carry out a statutory consultation on proposal to introduce at any time waiting restriction in Windermere Avenue on the west side between its junction with Kenley Road and the party wall of properties Nos 60 and 62 Windermere Avenue.

Ward Councillor comments

- 4.5 The Ward Councillors have been engaged during the consultation process and they are supportive of the recommendations in this report.

Ward Councillors comment:

Thank you for forwarding the proposed recommendations to the Cabinet member.

We support all the recommendations, and especially the recommendation to move to a statutory consultation to extend MP1 to include the section of Kenley Road between Windermere Avenue and Circle Gardens. The informal consultation demonstrated strong support for a CPZ in Kenley Road, but rejected the Monday to Sunday coverage that MP4 would impose in favour of a Monday to Friday CPZ, such as MP1. It is telling that more Kenley residents responded to the statutory consultation asking to join MP1 than replied to the original, informal consultation! In the light of the consistent evidence from these two consultations that Kenley residents want to join MP1 and not MP4, we are confident in endorsing this recommendation.

Thank you for working with us to achieve an outcome that meets the different needs of residents in Kenley Road and Grasmere Avenue.

5.0 PROPOSED MEASURES

- 5.1 It is recommended that the Traffic Management Orders TMOs be made to implement MP4 CPZ to include Grasmere Avenue, operational Monday to Sunday between 8.30am and 6.30pm as shown in Drawing No. Z78-218-01 rev A and attached in Appendix 1.
- 5.1.1 To make the relevant Traffic Management Orders (TMOs) on the proposed 'At any time' waiting restrictions in Grasmere Avenue and Kenley Road.

5.1.2 It is recommended to carry out a statutory consultation to extend the existing MP1 CPZ to include Kenley Road (between Windermere Avenue and Circle Gardens), operational Monday to Friday between 10am and 4pm as shown in Drawing No. Z78-356-01B.

5.1.3 It is recommended to carry out a statutory consultation of the relevant Traffic Management Orders (TMOs) and the extension of the 'At any time' waiting restrictions Windermere Avenue on the west side between its junction with Kenley Road and party wall of properties No. 60 and 62 Windermere Avenue as shown in Drawing No. Z78-356-01B and attached in Appendix 1

5.2 Permit issue criteria

5.2.1 It is proposed that the residents' permit parking provision should be identical to that offered in other controlled parking zones in Merton at the time of consultation. The cost of the first permit in each household is £65 per annum; the second permit is £110 and the third permit cost is £140. An annual Visitor permit cost is £140.

5.2.2 The Council has recently completed a statutory consultation on making a number of changes to parking charges throughout the borough including the permit tariff structure. Although the residents have been consulted on the existing permit prices, should the proposed parking charges be implemented, residents would need to pay the new charges upon the renewal of their permits. The information can be found on the Council's website using the following links. www.merton.gov.uk/parkingconsultation2019

5.2.3 In November 2016, the Council agreed to introduce a Diesel Levy to all those permit holders with a diesel vehicle. Permit holders will be advised accordingly when making their permit application. Those residents with an all-electric vehicle will only have to pay a reduced rate of £25 instead of £65.

Visitors' permits

5.2.4 All-day Visitor permits are £2.50 and half-day permits at £1.50. Half-day permits can be used between 8.30am - 2pm or 12 noon – 6.30pm. The allowance of visitor permits per adult in a household shall be 50 full-day permits, 100 half-day permits or a combination of the two.

6 **Alternative options**

Do nothing. This would not address the current parking demands of the residents in respect of their views expressed during the formal consultation, as well as the Council's duty to provide a safe environment for all road users.

6 **TIMETABLE**

6.1 If a decision is made to proceed with the implementation of the proposed MP4 CPZ, Traffic Management Orders could be made within six weeks after the 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. A newsletter will be distributed to all the premises within the consulted area informing them of the decision. The measures will be introduced soon after.

6.2 If agreed, the statutory consultation for the proposed MP1CPZ extend to include Windermere Avenue will take place soon after.

6.2 If agreed, the statutory consultation for the proposed parking restrictions in Windermere Avenue will take place soon after.

7. FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

7.1 The cost of implementing the proposed measures is estimated at £10k. This includes the publication of the made Traffic Management Orders and the appropriate road markings and signage. This will be met by the Environment and Regeneration revenue budget for Parking Management schemes.

8. LEGAL AND STATUTORY IMPLICATIONS

8.1 The Traffic Management Orders would be made under Section 6 and Section 45 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 Council in reaching a decision.

8.3 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.

8.4 The Exemption Order for the footway parking will be made under section 15 of the Greater London Council (General Powers) Act 1974.

9 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

9.1 The implementation of new CPZs and the subsequent changes to the original design affects all sections of the community especially the young and the elderly and assists in improving safety for all road users and achieves the transport planning policies of the government, the Mayor for London and the borough.

9.2 By maintaining clear junctions, access and sightlines will improve, thereby improving the safety at junctions by reducing potential accidents.

9.3 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 design of the scheme includes special consideration for the needs of people with blue badges, local residents, businesses as well as charitable and religious facilities. The needs of commuters are also given consideration but generally carry less weight than those of residents and local businesses.

9.4 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.

10. CRIME AND DISORDER IMPLICATIONS

10.1 N/A

11. RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

11.1 The risk of not introducing the proposed parking arrangements is that the existing parking difficulties would continue and it would do nothing to assist the residents.

10.2 The risk in not addressing the issues from the consultation exercise would be the loss of confidence in the Council. The proposed measures may cause some dissatisfaction from those who have requested status quo or other changes that cannot be implemented but it is considered that the benefits of introducing the measures outweigh the risk of doing nothing.

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

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

- a) Appendix 1 – Drawing No.Z78-218-01 Rev C (Revised scheme layout)
- b) Appendix 2 - Representations with officer's comments
- c) Appendix 3 – Statutory Consultation Documents

12. BACKGROUND PAPERS

12.1 Informal consultation report MP4.

Representations and Officer's Comments

Representation - Support

004 Kenley Road

We are writing to confirm our support for the council's decision to include Kenley Road in the MP4 CPZ. I have received a flyer from Councillor Peter Southgate suggesting that Kenley Road residents would prefer to opt in to the MP1 CPZ. That is not the case with regard to us. Please stick with the plan.

Support noted

Officers Comment

see section 4.3 of this report

COMMENTS

008 Kenley Road

I write as a resident of Kenley Road in connection with the recent consultation. I write in a personal capacity but, as a solicitor, I also write with regard to the fairness and potential legal ramifications of this from a safety and liability perspective.

For the purposes of this communication, I am not seeking to provide views on the merits of controlled parking on either Kenley Road or Windermere Avenue per se, but instead I focus on the significant, and clearly far more important, **safety risk** which may well have been overlooked, or at least has actually been emphasised, as a direct result of the consultation, its results and associated documentation.

In short, at consultation stage, it was clear that consideration was rightly given to the addition double yellow lines on both sides of the road on the northern half of Windermere Avenue. This makes sense for a number of reasons and, even if the controlled parking has not been determined as being potentially implemented on Windermere Avenue, having those double yellow lines included remains as an absolute necessity. Indeed, given the guaranteed increased flow of traffic onto Windermere Avenue and increased pressure on parking requirements there as a result of the proposed controlled parking on Kenley Road, this will become even more important than is currently the case.

The junction of Kenley Road and Windermere Road is extremely busy. It sees significant traffic both during rush hour and school drop-off and pick-up and this continues throughout the day. There is a significant bottleneck which clearly directly results from the fact that cars park right up to, and within 50 metres of (down Windermere Avenue), the junction between Kenley Road and Windermere Avenue. This bottleneck results in vehicles sitting in the middle of the road at the North end of Windermere Avenue, causing significant traffic jams and complete lack of space for vehicles turning from Kenley Road onto Windermere Avenue (and vice-versa). This is a junction which sees significant numbers of schoolchildren from schools including Poplar, Merton Park, Rutlish (as an example), and other elderly pedestrians throughout the day.

Vehicles waiting and turning in that situation often move head-on with oncoming vehicles and sometimes drive on the curb. All as a result of being forced to do so in order to avoid parked vehicles in a couple of parking bays at the top of Windermere Avenue. The C5 bus, lorries, and vans only exacerbate this situation and regularly push up against the kerb, other vehicles, or mount the kerb.

The plans relating to the consultation envisaged having double yellow lines along the northern part of Windermere Avenue. Now that the Kenley Road controlled parking has been approved, it appears that this concept of double yellow lines has been overlooked or forgotten. Notwithstanding that Windermere Avenue may not have controlled parking in the foreseeable future, it cannot and must not be the case that the double yellow line implementation is disregarded. Indeed, it was their inclusion and then subsequent removal from the plans which is so concerning. It appears that the controlled parking decision on Kenley Road has actually taken precedence over safety on Windermere Avenue.

When vehicles turn to Windermere Avenue from Kenley Road, the turning circle means that they are usually not even aligned facing South down Windermere Avenue until passing the southern boundary of 111 Kenley Road and the house to the South of that property. Double yellow lines at this top segment of Windermere Road would clearly solve this, and would provide critical visibility for drivers, cyclists, scooter riders both exiting Windermere Avenue onto Kenley Road and entering Kenley Road from Windermere Avenue.

I have witnessed dozens of near misses on the junction, often on a weekly basis, where cars and the bus (C5) seek to squeeze through. These include this involving pedestrians crossing at that junction as well as cyclists and other vehicles.

It is only a matter of time until there is a serious casualty or fatality on this junction.

I understand that on an implementation of a new controlled parking scheme, the use of double yellow lines is assessed as

a matter of course. This needs to be the case here. Double yellow lines need to run from the Kenley/Windermere junction at least 50m south down Windermere Avenue. The obvious overflow of traffic and potential extra number of vehicles displaced on to Windermere as a result of the Kenley Road controlled implementation only serves to exacerbate this issue. It is also more likely that, if double yellow lines are not implemented, vehicles will take advantage of the spaces where such double yellow lines should be placed but are currently allowed to park and shall park in front of the garage exits at the top of Windermere, which are at an angle and in respect of which any cars entering or exiting such spaces will further serve to increase the bottle necks and if blocked provide further safety risks for those needing to exit.

I should be grateful if you could please give this matter the very serious and detailed consideration that it deserves. As emphasised at the beginning of this email, this is not about the merits of controlled parking on either of the roads. It relates simply to the most important issue: Safety. And this is to become more relevant and acute as a result of the Kenley Road implementation. Most of the junctions in Merton Park have double yellow lines all around them, and run for a sensible distance. In Windermere there is (a) absolutely no reason not to implement double yellow for 50 metres south from Kenley Road junction (there are only two sub-sized parking spaces currently in that position and which when used completely block visibility and bottleneck (b) significant risk to a child getting run over (c) a need to ensure consistency with the norm throughout Merton Park.

There is simply no argument as to the relative risks and rewards of having no double yellow as against having double yellow lines in the top section of Windermere Avenue. Implementation of double yellow lines would not be detrimental to anybody at all.

I would be available to discuss any of the above.

I have copied Cllr Southgate following my helpful discussion with him yesterday, and who kindly asked that I copy him in this important correspondence.

Officers Comment

see section 4.4 of this report

014 Kenley Road

We have received the outcome of the CPZ zone which will result in Kenley Road becoming a CPZ which is welcomed.

As residents of Kenley Road though, we would like to raise our concerns about not having double yellow lines passed our garage entrance on the corner (Please see highlighted proposal attached).

We are blocked by people parking on both side and often unable to access or exit from our garage creating a security concern (this will only increase with the implementation of the CPZ on Kenley Road). Additionally, when cars are parked on that side the junction it can become overcrowded and the lack of visibility and lots of people crossing including school children is cause of safety concern.

We would therefore request/apply for the double yellow lines to be extended at least along all the perimeter of 111 Kenley Road (as originally planned in the proposed CPZ plan by the council).

I look forward to hearing from you,

Officers Comment

see section 4.4 of this report

029 Kenley Road

Your map for the proposed zone is missing a few vehicle crossovers / dropped kerbs. New vehicle crossovers / dropped kerbs at 75 & 77 Kenley Road. Pre-existing dropped kerb at 29 Circle Gardens – exit onto Kenley Road.

Officer's comment

noted

Representation against

001 Kenley Road

Concerning car parking zones for Kenley Road. I would prefer option MP1.

Officers Comment

see section 4.3 of this report

002 Kenley Road

I appreciate your efforts for engaging residents in this consultation, and for the opportunity of further representations.

You have proposed to introduce controls for GA and KR from Monday to Sunday but I would point out that there is not a majority in favour of this; please see table below:

Of the 61 who responded to KR and GA	Mon-Sun	Mon-Sat	Mon-Fri	Total
In favour GA + KR	40%	21%	39%	100%
In favour GA + KR	40%	61%	100%	
Not in favour GA + KR	60%	39%	0%	

- As you can see, the majority of respondents (60%) do not support Monday to Sunday controlled hours.
- There is a clear majority (61%) for controlled hours from Monday to Saturday.
- Put another way, 60% are against controlled hours from Monday to Sunday.

You state “The policy of the Council has never been to impose a resident parking scheme against the wishes of the residents; ...” However, in this case it is clear that the Council proposed to do just that.

Based on the results of the poll I think the Council has drawn the wrong conclusion. I look forward to hearing from the Council about their decision in due course.

Please could you explain how you can justify imposing an option that only 39% of GA and KR respondents voted for, 48% of GA respondent voted for, and that only 21% off KR respondents voted for? All of these results are a minority (i.e. less than 50%)?

What has been recommended is the imposition of Monday to Sunday CPZ against the wishes of 61% of voters. Is this democratic?

Please could you explain why the logic in my below email is incorrect or invalid?

You say that you have selected the option on a “first past the post” principle. In this scenario the use of this principle is invalid because two of the three options (Monday to Sunday, and Monday to Saturday) duplicate the days Monday to Friday. And one of the options (Monday to Sunday) duplicates the days for the other two options. First past the post can only be valid where you have three mutually exclusive options.

Officer Comment

Residents were provided 3 options. It is normal practice to progress the one option with the majority support. The Council cannot manipulate the results or consider a variant of proportionality of 2 or more options. The results are clear in that the majority opted for one of three options – that being Mon – Sun. However, majority of Kenley Rd residents opted for Mon-Fri. To accommodate this preferred option, Kenley Rd will be part of the existing MP1

003 Kenley Road

I am writing this as I understand you want to allocate a full 7 day CPZ to our road, this would be highly inconvenient for visiting family during the weekend. Please could we be on the same time (Monday to Friday, 10am to 4pm, like adjoining roads, Circle gardens, Wessex Av. and Sandbourne Av. I believe this could be achieved by zoning us under MP1.

Officers Comment

see section 4.3 of this report

005 Kenley Road

I object to the proposal to introduce the MP4 CPZ in Kenley Road. I would prefer to opt in to the MP1 CPZ.

Officers Comment

see section 4.3 of this report

006 Kenley Road

We live at 92 Kenley Road and we would like Kenley Road to join MP1 and leaving the weekend free of parking control.

Officers Comment

see section 4.3 of this report

009 Kenley Road

We have received the outcome of the Proposed Controlled Parking Zone (CPZ) MP4. I am a resident at 87 Kenley Road. While I agree that we need to implement CPZ; I am not satisfied with the Mon - Sun 08.30 - 18.30 restriction. In fact I feel quite strongly against it. We have unnecessarily been grouped together with Grasmere Avenue. We do not have an issue with parking on the weekends, so I would like to ask to have the MP1 restriction (Mon-Fri 10.00- 16.00) introduced onto Kenley Road. Thank you for taking my views into consideration. I look forward to a favourable response from you.

Officers Comment

see section 4.3 of this report.

009a Kenley Road

010 Kenley Road

We are writing about the proposed parking zone CPZ MP4 covering Kenley road. We live in 94 Kenley road, and would like to opt in to join MP1. Please let us know if you need anything else to opt into this scheme.

Officers Comment

see section 4.3 of this report

010a Kenley Road

011 Kenley Road

I am a resident in Kenley road and would like to join MP1 in the CPZ that covers the adjoining roads of Circle Gardens, Wessex Avenue and Sandbourne Avenue.

Officers Comment

see section 4.3 of this report

012 Kenley Road

I live at Kenley Road in Merton Park and do not want parking control 7 days a week. I would like visitors to be able to park on the road outside particularly as I have young grandchildren who come and visit occasionally. I would therefore like Kenley Road to be in MP1 not in MP4.

Officers Comment

see section 4.3 of this report.

013 Kenley Road

Proposed controlled parking zone (CPZ) MP4

I'm a 83 year old woman, living on my own. My family come and look after me at weekend's. Parking will be a costly problem from them. So I would prefer mon to Friday (M.P.I scheme). Hope you can help.

Officers Comment

see section 4.3 of this report.

015 Kenley Road

Traffic Control proposals for Kenley Road ref ES/MP4

As owner occupiers of xxx Kenley Road my wife and I hereby appeal and are **opposed** to the latest proposal for our road to join the MP4 parking controls scheme.

We feel strongly that Kenley Road should instead join the existing MP1 scheme which works very well and is enjoyed by our nearest adjoining roads in Sandbourne, Wessex Avenue and Circle Gardens. This is a Monday to Friday scheme which is far more sensible.

Here are our reasons for this request which are quite compelling we feel

1. The vast majority of the congestion issue for Kenley Road is commuter traffic midweek. A Monday to Friday 10am to 4pm tackles this problem head on without the need for weekend restrictions which in turn disadvantage us as residents.
2. At weekends from lunchtime Saturday shoppers and day trippers can use the station and Sainbury's car park for free so why would they drive to the Circle Gardens end of Kenley Road to park that would be a nonsense and a lot of the roadside car parking on a Saturday morning is already taken up by residents who have not left for work. So Saturday and Sunday controls really serve no added value here.
3. Most notably of all is that the vast majority of owners in the road now have cross over drives and the spaces outside the cross over drive will now be lost for family and visitors at weekends and for no purpose and this would be extremely frustrating having to drive surplus cars into Sandbourne, Wessex or Circle Gardens to park at weekends as this just creates a congestion problem elsewhere then at weekends which is very avoidable if we simply have MP1 controls in place.
4. Also with the increasing number of residents now moving to have cross over drives this will just put even more added pressure on the modest number of permit holder bays that are proposed for Kenley Road and at weekends this will become simply unmanageable and completely impractical again for no tangible benefit.

IMPORTANT – DISABILITY

I am also a registered disabled blue badge driver. I made this clear in my original online feedback for the first round consultation, which has seemingly been ignored or overlooked. The original proposal was to add a double yellow line in front of my cross over drive at 109 Kenley Road. This is a parking space that I use a lot (particularly at weekends when I am home a lot) simply because it can be easier stepping into and out of my car on to a raised curb. We also have 3 cars in our family of 6 and on occasions should I arrive home from work and the drive way space is already taken I have to car park on the street and under the proposal if there is not a conveniently local permit holder bay available that would be significantly disadvantaging me and ignoring my physical disability. I am not being offered a disabled bay either. I do not

accept that the double yellow lines are being put here for safety reasons as directly opposite my driveway (and the double yellow lines that are proposed) on the opposite side of the road and the same distance from the junction the proposal is to stick a permit parking bay. So I am being disadvantaged and my disability that I have made you aware of is not being taken into account here. There is currently a single yellow line in front of my cross over drive which we can just about live with as at least when I return from work I can at least park outside my house overnight whereas with a double yellow line this would not be permitted beyond the 3 hours allowed by my blue badge and the same on Sundays. So all we are asking is that a single yellow line is retained outside my cross over drive which restricts others from parking there and also I work during the midweek days so at commuter time this is not an issue. I would also add that I have lived at this property now for 8 years and can not recall a single accident on this road junction so if the double yellow lines are being driven for road safety reasons I would ask that you share the road traffic collisions stats with me and also explain how we are still seemingly moving forward with a proposal for a permit holder bay in the same location but on the opposite side of the road and the same distance from the road junction? It surely has to be one or the other here.

Thank you in advance for your consideration towards my circumstances and personal disability and health needs.

Officers Comment

see section 4.3 of this report.

The double yellow lines across the dropped kerb will be reduced to single yellow line which will be in line with the days and hours of the CPZ operation.

016 Kenley Road

I would like to give my opinion regarding proposed parking arrangements for Kenley road. As resident I would like to have a parking restriction on Monday to Friday ONLY. Firstly the road are not at all crowded over the weekend and public holidays. The main issue is when people park on the street during weekdays and go to work. This is a nuisance for the residents. However I would like to strongly highlight we have elderly and pensioners are also living in our neighbourhood and most of their families visits during weekends or early evening during the weekdays. I believe it is unfair on them if they have to pay. If we have to get any work done at the house it mostly have to be over the weekend and than we will have to pay for the service man parking as well. I would like to see MP1 parking restrictions coming into effect on Kenley as it will address all the issues. I hope you will consider my suggestions favourably.

Officers Comment

see section 4.3 of this report

018 Kenley Road

I would like Kenley Road , all of it to have single yellow line but only from Monday to Friday, and Windermere road ,have alternate days seven days a week ,we have to think about businesses if we want to have a more vibrant Morden , Morden needs a boost we have a very good transport system but people are not staying around .

Officers Comment

see section 4.3 of this report

019 Kenley Road

We are writing to you regarding the proposed controlled parking zone MP4. We live at number xx on Kenley Road. While we are in favour of the introduction of a CPZ for Kenley Road, we do not think it is justified to control parking during week-ends. People only park on Kenley Road during week days, when they are commuting to work. We can see the cars parked outside our property usually arrive between 7-8am and usually leave around 6pm on week days. We also think it is important to have free parking on Kenley Road during week-ends, as it is the time when friends and family usually visit. Therefore we would prefer joining the CPZ MP1 instead of the proposed MP4.

Officers Comment

see section 4.3 of this report.

020 Kenley Road

As a resident of Kenley Road I want to indicate my preference for Kenley Road to be included in the existing MP1 controlled parking zone instead of MP4. The traffic at the weekend is not a problem and restricting our visitors parking at that time will be a major inconvenience – especially for our children and grandchildren when they visit. Controlling parking during the weekday will be beneficial but it doesn't need additional controls at the weekend. I therefore suggest that Kenley Road is added to the MP1 zone.

Officers Comment

see section 4.3 of this report

021 Kenley Road

I would like to object to the fact that Kenley road will be joining the new CPZ MP4 with Grasmere avenue. I can fully understand why Grasmere residents want to have Mon-Fri 8-6pm controlled parking but feel it is unnecessary on our stretch of Kenley road. I did vote to have controlled parking zone on Kenley road as we have a terrible bottle neck at the top of our street just before Circle gardens caused by people Parking on both sides all day. I would propose that our stretch of Kenley road opts into the same controlled zone as upper Kenley road MP1 where we have parking controls from 10am to 4pm. I would like to keep the right to park across my driveway if need be, and that my visitors can park on my

street over the weekend. Joining the new MP4 zone would be an extreme measure for Kenley road and make our lives very difficult. It is an unnecessary move.

Officers Comment

see section 4.3 of this report

023 Kenley Road

To whom it may concern

I am writing to let you know that I would like to opt out of zone MP4 and opt into MP1 zone for Kenley Road, Merton Park. My home address is 99 Kenley Road.

Officers Comment

see section 4.3 of this report

024 Kenley Road

I would like to object to the proposed CPZ, MP4 on Kenley Road operating 7 days a week, from 8.30am to 6.30pm. There is no need for the restriction on weekends as it is fairly empty as there are no work traffic parking and it is easier for friends and family to visit without any restrictions. I am happy to join MP1 which operates Monday to Friday from 10am to 4pm. I hope wishes of Kenley Road residents are upheld.

Officers Comment

see section 4.3 of this report

025 Kenley Road

I would like to lodge my representation against the proposal described in your Grasmere Avenue Area proposed CPZ MP4 document from 9th May. I object to Kenley Rd being parcelled with Grasmere under the MP4 CPZ when we voted so differently for the days and hours of operation. I ask you to reconsider Kenley Rd. I would ask that we join the MP1, already operational in adjoining roads, which more closely matches Kenley Road's voting preferences in the consultation.

Officers Comment

see section 4.3 of this report

026 Kenley Road

My name is xxxxx residing at xxx Kenley Road and I prefer to join MP1. The reason being, I have large members of the family and friends and grandchildren who visit me most of the weekends and there will be no parking available if Kenley Road if Subject CPZ MP4. Therefore I strongly object to Kenley Road being in CPZ MP4 and opt to MP1. I hope my objections will be successful.

Officers Comment

see section 4.3 of this report

027 Kenley Road

We wish to strongly object to the designation of Kenley Rd as an MP4 area. This will make it more difficult or impossible for friends and relatives to visit and park in the evening, before and after school and at weekends. It is an anti-social measure. Insofar as there is a parking problem in Kenley Rd it relates to all day commuter parking during the working week. That will be addressed if Kenley Road is designated as MP1 in line with most surrounding streets. There is no problem at weekends or early evening and so there no need to exclude parking during these times for no benefit and much inconvenience to residents. Therefore we request that Kenley Rd is designated MP1 and is excluded from the proposed MP4.

Officers Comment

see section 4.3 of this report

028 Kenley Road

In response to the statutory consultation regarding parking restrictions on Kenley Road. I would prefer to join MP1 with weekends free of parking controls than the current suggestion

Officers Comment

see section 4.3 of this report

030 Kenley Road

I am the owner of xx Kenley Road, London SW19. I object to the proposed MP4 Scheme which operate 7 days a week from 9.30 am to 6.30 pm. I prefer to join MP1 (Mon to Fri) so that my visitors can park outside my home or on my cross over drive.

Officers Comment

see section 4.3 of this report

022 Grasmere Avenue

I am against the proposed traffic scheme in Grasmere Avenue. I didn't vote for 7 days of controlled parking. Sunday should be excluded from this arrangement. There are insufficient proposed parking bays on one side of the road for

residential visitors and church goers. This means when families wish to visit with children they will have to park in other roads carry all the necessary paraphernalia impractical for public transport. The alternative is to dig up the front garden and pay for a dropped curb which would remove more parking bays. Having double yellow lines on one side means that through traffic will drive much faster and getting out of my drive will be more hazardous because parked cars obstruct the view. I think this scheme is just for income generation. Monday to Friday control will stop the council workers parking and Saturday control will stop random shoppers but Sunday control will harm the residents.

Officers Comment

see section 4.3 of this report

007 Crown Lane

I wish to express my concern over the proposed Grasmere Avenue CPZ and how it will affect me. I live at Crown Lane which is on the corner of Crown Lane and Grasmere Avenue, my garage entrance and only available parking space (as Crown Lane is a red route) being on Grasmere Avenue.

I was not part of this consultation as my postal address is Crown Lane, SM4 and I have (like the rest of the even numbers on Crown Lane) been previously been offered a parking permit under the MP1 boundary. This change to parking on Grasmere Avenue (which I agree is needed desperately) will affect me as I will no longer be able to stop on my entrance to open my garage door due to the proposed double yellow lines. I need to know if I will be offered the opportunity to purchase a permit for this road? I feel that I am directly affected by this CPZ but have not been consulted.

I agree that this CPZ is needed but I feel that as my property is on the boundary and my only vehicular access is via Grasmere Avenue, I should have the opportunity of purchasing a permit for the new MP4 zone. At times when I cannot use my garage I need to park close to my house and it simply does not make sense that even at weekends I will not be able to park at the corner of my property to even load/unload. I have mobility issues and simply would not be able to carry shopping etc from the nearest MP1 parking on Poplar Road South. Please advise? I look forward to hearing from you.

Officers Comment

The consultation did not include your property because it is in Crown Lane (outside of the scope of the zone). Given that your property is on TfL network, the Council has no jurisdiction. The entrance to your garage has always had a yellow line be it single which did not stop you from opening your garage doors. The proposed double yellow lines if agreed would also not stop you from stopping to open your garage doors. Motorists are allowed to stop on both single and double yellow lines without loading restrictions for up to 20 minutes to load and unload, however, the activities has to be observed.

Proposed Controlled Parking Zone (CPZ) MP4 - Grasmere Avenue Area



ISSUE DATE : 09 MAY 2019

Dear Resident/Business

The purpose of this leaflet is to let you know the outcome of the informal consultation carried out out between 4 and 22 February 2019 on the proposal to introduce a controlled parking zone (CPZ) in your road.

MP4 CPZ CONSULTATION RESULTS

The consultation resulted in a total of 90 online and 8 hardcopies of questionnaires returned (after removing duplicates / multiple returns from some households), representing a response rate of 49%. Of the 98 who responded, 66% support a CPZ, compared to 31% who do not and 3% who are unsure or made no comments.

Road	Would you support parking controls if neighbouring roads did?					
	Yes	No	Un-sure	% Yes	% No	% Un-sure
GA	32	8	2	74%	21%	5%
KR	17	2	0	89%	11%	0%
WA	16	20	1	43%	54%	3%
Total	65	30	3	66%	31%	3%

According to the results, it is clear that Windermere Avenue (**WA** on the table above) does not support the proposed CPZ even if neighbouring roads support one. The policy of the Council has never been to impose a resident parking scheme against the wishes of the residents; as a result, Windermere Avenue will be removed from the CPZ until such time residents change their mind and request inclusion via a petition signed by majority of the households.

Further analysis of the results of Kenley Road (**KR**) and Grasmere Avenue (**GA**) revealed that of the 61 who responded, 56% prefer 8.30am to 6.30pm, while 27% prefer 10am to 4pm, 15% prefer 11am to

3pm and 2% unsure or no response. Results also show, of the 61 who responded, 40% prefer Mon - Sunday, while 21% prefer Monday – Saturday, 38% prefer Monday – Friday and 3% unsure or no response. For further details please refer to the report online. www.merton.gov.uk/cpzmp4.

The results of the consultation along with officers' recommendation were presented in a report to the Cabinet Member for Regeneration, Transport and Housing on the 25 March 2019. The report and the decision sheet can be viewed on our website. www.merton.gov.uk/cpzmp4. The following recommendations which were made to the Cabinet Member have now been agreed:

- to proceed with a statutory consultation to introduce the proposed MP4 CPZ to include Grasmere Avenue and Kenley Road (between Windermere Avenue and Circle Gardens), operational Monday to Sunday between 8.30am and 6.30pm.
- to proceed with a statutory consultation of the relevant Traffic Management Orders (TMOs) and the implementation of the 'At any time' waiting restrictions within the proposed zone.
- not to include Windermere Avenue within the proposed MP4 CPZ.
- not to hold a public inquiry on the consultation process.

WHAT HAPPENS NEXT

A Notice of the Council's intention to introduce the above measures will be published in a local newspaper (The Guardian), London Gazette and posted on lamp columns in the vicinity.

Representations against the proposals described in this Notice must be made in writing **or** email trafficandhighways@merton.gov.uk by no later than **31 May 2017** quoting reference **ES/MP4**. Objections must relate only to the elements of the scheme that are subject to this statutory consultation.

A copy of the proposed Traffic Management Orders (TMOs), a plan identifying the areas affected by the proposals and the Council's Statement of Reasons can be inspected at Merton Link, Merton Civic Centre, London Road, Morden, Surrey, SM4 5DX during the Council's normal office hours Monday to Friday, 9am to 5pm. This information is also available on Merton Council's website www.merton.gov.uk/cpzmp4

All representations along with Officers' comments and recommendations will be presented in a report to the Cabinet Member for Regeneration, Environment and Housing. **Please note that responses to any representations received will not be made until a final decision is made by the Cabinet Member.**

The Council is required to give weight to the nature and content of your representations and not necessarily the quantity. Your reasons are, therefore, important to us.

Further information on how CPZs work, details of permit costs can be found in our Frequently Asked Questions (FAQ's) at www.merton.gov.uk/cpzmp4

Important informaion

The Council has just completed a statutory consultation on making a number of changes to parking charges throughout the borough including the permit tariff structure. Although the residents have been consulted on the existing permit prices, should the proposed parking charges be implemented, residents would need to pay the new charges upon the renewal of their permits.

The information can be found on the Council's website using the following links. www.merton.gov.uk/parkingconsultation2019

Please ensure you appraise yourself with the potential new permit prices.

MERTON PARK WARD COUNCILLORS

Cllr Edward Foley
Phone - 0208 545 4026
Email: edward.foley@merton.gov.uk

Cllr Peter Southgate
Phone - 020 8542 2053
Email: peter.southgate@merton.gov.uk

Cllr Dickie Wilkinson
Phone - 07905 103 686
Email: dickie.wilkinson@merton.gov.uk

Cabinet Member for Regeneration, Housing and Transport.

Cllr Martin Whelton
Phone: 020 8545 3425
Email: martin.whelton@merton.gov.uk

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